

09 July 2021

Leroy
info@data.govt.nz

Tēnā koe Leroy

Your Official Information Act request, reference: GOV-011688

Thank you for your comment on Data.govt.nz on 11 June 2021 asking for the following information under the Official Information Act 1982 (the Act):

What criteria do you use to determine an adverse reaction? 468 out of 1424 is the second most common but no details are given Are you basing it on when it happened - soon after being anaphylaxis or ones that occur several days later What types of reaction do you regard as being adverse, how severe does it need to be, how long does it need to last.

ACC vaccine-related cover

ACC may approve cover related to vaccination if the criteria for a treatment injury are met.

A treatment injury is a personal injury caused as a result of a person seeking or receiving (or not receiving) treatment from a registered health professional. To fulfil the criteria for cover the client must have suffered a personal injury, there must be a clear causal link between the treatment and the injury, and the injury must not be a necessary part or ordinary consequence of the treatment.

The definition of what is not an ordinary consequence of treatment is unique to each treatment. Medsafe is a good source of information on vaccines. They carefully monitor and report adverse reactions and safety concerns. They have reports on the flu vaccine, and other medications, which might provide you with useful comparisons. The relevant pages are here:

- [COVID-19 Overview of Vaccine Reports \(medsafe.govt.nz\)](https://www.medsafe.govt.nz/eng/medsafety/COVID-19/COVID-19%20Overview%20of%20Vaccine%20Reports.htm)
- [Influenza Vaccine Adverse Drug Reaction Reporting Statistics \(medsafe.govt.nz\)](https://www.medsafe.govt.nz/eng/medsafety/Influenza/Influenza%20Vaccine%20Adverse%20Drug%20Reaction%20Reporting%20Statistics.htm)

The New Zealand government has a comprehensive plan to access safe and effective COVID-19 vaccines. You can find out more [here](#).

Our response

The health professionals who submit an ACC claim application form must provide a diagnosis of the injury. This can be 'adverse reaction' and we rely on them to use their professional knowledge when they identify a reaction as adverse and choose this as the basis of a claim. We are refusing this part of your request under section 18(g) of the Act, we do not hold the information.

In some instances, we may hold more health information than that provided on the claim application form, and this may provide more information about the nature of the adverse reaction. However, providing the details on the specifics of the adverse reaction would involve us manually researching and collating information from all 468 claims. We are also refusing this part of your request under section 18(f) of the Act, as it would involve substantial collation and research.

There is no specific requirement of how severe a reaction needs to be or how long it needs to last for ACC to approve a claim for cover. The criteria for a treatment injury are noted above.

How to contact us

If you have any questions, you can email me at GovernmentServices@acc.co.nz.

If you are not happy with this response, you have the right to make a complaint to the Ombudsman. Information about how to do this is available at www.ombudsman.parliament.nz or by phoning 0800 802 602.

Nāku iti noa, nā

A handwritten signature in black ink, appearing to read 'Sasha Wood', enclosed in a thin black rectangular border.

Sasha Wood

Manager Official Information Act Services
Government Engagement & Support