

Proactive release of Covid-19 vaccine related treatment injury claims - July 2024

Please find background information about treatment injury data at the end of this document.

COVID-19 vaccine related treatment injury claims

The data below was extracted on 1 July 2024 for treatment injury claims lodged with ACC between 18 February 2021 (when New Zealand began COVID-19 vaccinations) and 29 June 2024, where the treatment event was *vaccination or injection/medications, adverse reaction/medication error* and where the medication type was recorded as *vaccine*.

However, as these fields are only completed when cover for the claim is decided, the figures provided have been supplemented by a text search of the claim forms received by ACC which mention *Comirnaty* (the name of the Pfizer-BioNTech COVID-19 vaccine), *AstraZeneca, Vaxzevria* (alternative name of the AstraZeneca COVID-19 vaccine), *Novavax, Nuvaxovid* (the name of the Novavax COVID-19 vaccine), or included the terms *covid* or *Pfizer* together with *vacc, injection, booster, jab, or shot*. This text search allows us to identify claims that have been lodged but where cover has not been decided. Free text search methods are not reliable data extraction methods and can result in anomalies in the data; so claims identified by this method above have been manually reviewed and some false positive matches removed.

Data

Between 18 February 2021 and 29 June 2024, ACC has received 4,229 claims for injuries relating to the Covid vaccination. 1,696 claims have been accepted, 2,487 have been declined and 46 are yet to be decided. The following tables break down these numbers by the sex, age and ethnicity of the claimants.

Comirnaty was originally the only Covid vaccine that was used as part of New Zealand's vaccination response but more recently the AstraZeneca and Novavax Covid-19 vaccines have also been used. The specific vaccine used is not always identified on the claim so identifying the vaccine used cannot be reliably determined. Given the vaccination policy, the vast majority of the claims reported below relate to the Pfizer-BioNTech Comirnaty vaccine.

Privacy

ACC does not routinely disclose low value numbers related to claims. Accordingly, some of the values in the tables only indicate that the number is less than 4 (denoted as <4). In other instances, values are suppressed and notated as (--) to limit the potential for particular individuals or matters specific to certain individuals from being identified.

Withholding in this way is necessary to protect the privacy of these individuals under section 9(2)(a) of the Act. In doing so, we have considered the public interest in making the information available and have determined that it does not outweigh the need to protect the privacy of these persons. 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.

Dose

ACC has asked lodging providers to indicate whether the vaccination leading to the claim was a first, second or third primary/booster dose. Whilst 54% have provided this information it has been provided as free text, the remaining claims do not clarify which dose was involved. The table below categorises the claims received based on whether the claim was for the first, second or third primary/booster dose or whether this wasn't clear from the description given.

Dose	Accepted	Declined	Pending Decision	Total
First	170	337	<4	--
Second	401	568	<4	--
Third Primary/Booster ¹	309	488	5	802
Unspecified	816	1,094	37	1,947
Total	1,696	2,487	46	4,229

¹ACC does not routinely collect the number of booster dose, we are unable to specify if that is the first booster or a subsequent booster dose.

Accepted Injuries

Treatment injuries are confirmed and recorded when a claim is decided. The following table shows the primary injury recorded for the accepted Covid vaccination claims decided by 29 June 2024.

Primary Injury	Accepted Claims
Allergic Reaction	228
Sprain	212
Cardiac injury	178
Contusion	168
Adverse Drug Reaction	128
Anaphylactic Reaction	96
Infection	72
Shoulder Damage/Injury	60
Cellulitis	55
Bursitis	41
Inflammation	37
Nerve Damage	32
Other	389
Total	1,696

Declined Reason

The table below shows the number of declined claims, broken down by declined reasons, which relate to the treatment injury assessment criteria.

Declined Reason	Number of Declined Claims
No Injury	1,789
No Causal Link	386
Withdrawn	122
Lack of Information	68
Underlying Health Condition	20
Ordinary Consequence of Treatment	19
Other	83
Total	2,487

Severity of Injuries

Measuring the impact of an injury on a person is challenging. ACC and others use the overall cost of a treatment injury claim as an indicator of the severity of the injury because more costly claims are likely to indicate claims where there has been a more severe impact on the person injured. While not always directly related, overall cost is one measure of severity and impact.

The following table shows the number of accepted claims grouped by the total payments made per claim to 1 July 2024.

Payments to 9 April 2024	Number of Accepted Claims
No payment to date	256
Up to \$100	407

Over \$100 to \$500	522
Over \$500 to \$1,000	141
Over \$1,000 to \$5,000	180
Over \$5,000 to \$10,000	57
Over \$10,000	133
Total	1,696

511 out of 1,696 accepted claims had resulted in payments of over \$500 by 1 July 2024. 256 accepted claims had yet to receive a payment by 1 July 2024.

Total payments made by ACC by 1 July 2024 on these 1,696 accepted claims was \$10,660,284.

To date, 5 claims have been lodged with ACC which have related to a fatal injury.

Sex

Sex	Accepted	Declined	Pending Decision	Total
Female	1,154	1,571	29	2,754
Male	542	916	17	1,475
Total	1,696	2,487	46	4,229

The table above shows that females are more likely than males to have lodged a claim for a Covid vaccination treatment injury. Claims for female clients represent 65% of claims lodged.

Age Band

Age Band	Accepted	Declined	Pending Decision	Total
5-11	11	13	0	24
12-17	47	53	<4	--
18-24	113	171	0	284
25-29	109	175	<4	--
30-34	139	217	<4	--
35-39	143	218	<4	--
40-44	156	261	4	421
45-49	188	285	<4	--
50-54	165	293	10	468
55-59	175	232	4	411
60-64	126	177	4	307
65-69	143	147	5	295
70-74	78	121	4	203
75-79	47	60	4	111
80 plus and Unknown	56	64	<4	--
Total	1,696	2,487	46	4,229

Ethnicity

The ethnicity data provided below is based on ACC's 'prioritised ethnicity' data field. This method reduces the six ethnic responses to a single response by a system of "prioritisation" where: Māori regardless of other ethnicities listed is classified as Māori; Pacific peoples with any other response other than Māori is classified as Pacific; Asian peoples with any other response other than Māori and Pacific are classified as Asian; Other ethnicity regardless of any other response other than Māori, Asian or Pacific is classified as Other. Those that listed European and did not list Māori, Pacific, Asian or Other are classified as European.

ACC reports ethnicity using a different method to Statistics New Zealand. Care must be taken when comparing ACC's ethnicity data with other Government agencies or census data.

Ethnicity	Accepted	Declined	Pending Decision	Total
Māori	142	216	5	363
Pacific Peoples	61	99	<4	--
Asian	143	206	<4	--
European	1,219	1,755	35	3,009
Other	131	211	<4	--
Total	1,696	2,487	46	4,229

71% of claims lodged with ACC for Covid vaccination injuries have been for clients with European ethnicity with 72% accepted for cover. Māori comprise 9% of claims lodged with ACC for Covid vaccination injuries and 8% of the claims accepted.

Claims by Month

The following table shows the number of Covid vaccination injury claims received by ACC by month. This is grouped by the recorded accident date ('Number of Claimed Vaccinations' column in table below) and by the date on which the claim was lodged with ACC ('Number Lodged' column in table below). ACC records treatment injury accident dates as the date on which the client first sought treatment for the injury. This may not necessarily be the date on which the event leading to the injury occurred although for the purpose of the analysis this date is used as a proxy for the date of vaccination.

Month	Number of Claimed Vaccinations	Number Lodged
February - March 2021 ²	19	5
April 2021	75	21
May 2021	126	61
June 2021	121	74
July 2021	165	52
August 2021	406	131
September 2021	536	277
October 2021	629	334
November 2021	427	433
December 2021	367	397
January 2022	383	316
February 2022	368	386
March 2022	97	286
April 2022	33	172
May 2022	24	161
June 2022	20	117
July 2022	62	101
August 2022	56	110
September 2022	23	92
October 2022	20	67
November 2022	12	64
December 2022	10	51
January 2023	6	34
February 2023	4	38
March 2023	7	27
April 2023	60	38
May 2023	40	54
June 2023	15	47
July 2023	7	26

August 2023	8	31
September 2023	8	26
October 2023	6	23
November 2023	12	22
December 2023	19	24
January 2024	4	16
February 2024	6	24
March 2024	10	15
April 2024	16	27
May 2024	8	30
June 2024	8	19
Unknown	6	0

²Few vaccinations and consequently vaccination claims were lodged in the month of February 2021, so February and March 2021 have been grouped together to avoid reporting small numbers.

Te Whatu Ora Region

The Te Whatu Ora region has been provided below based on the Region of Treatment where this has been identified and by the Region of Residence of the client.

Given that the number of claims received from some regions is quite small only the total number of claims lodged has been shown in the table below.

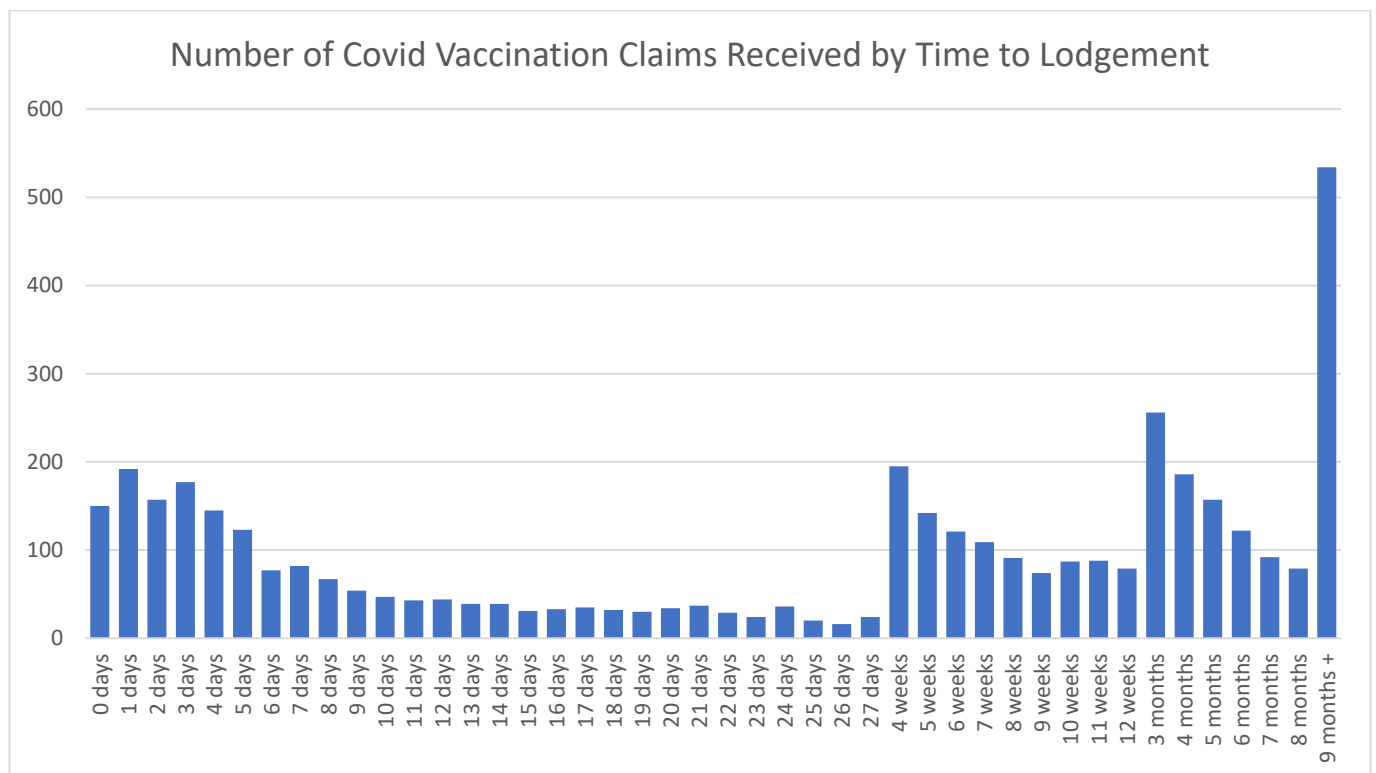
Te Whatu Ora Region	Region of Treatment	Region of Residence
Auckland	408	316
Bay of Plenty	130	217
Canterbury	237	472
Capital & Coast	163	251
Counties Manukau	63	326
Hawkes Bay	70	124
Hutt Valley	57	130
Lakes	38	78
Mid Central	91	160
Nelson Marlborough	97	169
Northland	89	135
South Canterbury	54	42
Southern	262	479
Tairāwhiti	19	31
Taranaki	102	163
Waikato	263	477
Wairarapa	23	36
Waitemata	124	472
West Coast	--	36
Whanganui	65	109
Overseas	<4	0
Unknown	1,852	6
Total	4,229	4,229

Time to Lodgement

Some vaccination injuries are immediately apparent whereas other injuries may take some time to become apparent. The table below shows the time between the accident date (assumed to be the date of vaccination in most cases) and the date when the claim is lodged with ACC.

Delay	Number of Claims	Delay	Number of Claims
0 days	150	22 days	29
1 days	192	23 days	24
2 days	157	24 days	36
3 days	177	25 days	20
4 days	145	26 days	16
5 days	123	27 days	24
6 days	77	4 weeks	195
7 days	82	5 weeks	142
8 days	67	6 weeks	121
9 days	54	7 weeks	109
10 days	47	8 weeks	91
11 days	43	9 weeks	74
12 days	44	10 weeks	87
13 days	39	11 weeks	88
14 days	39	12 weeks	79
15 days	31	3 months	256
16 days	33	4 months	186
17 days	35	5 months	157
18 days	32	6 months	122
19 days	30	7 months	92
20 days	34	8 months	79
21 days	37	9 months +	534

The table above is illustrated in the chart below.



Background information about treatment injury data

ACC has provided cover for treatment injuries since 1 July 2005. The treatment injury provisions replaced the medical misadventure provisions of the Accident Compensation Act 2001, to bring it more in line with the no-fault nature of the scheme.

A treatment injury is a personal injury caused as a result of seeking or receiving medical treatment from, or at the direction of, a registered health professional. In order to fulfil the criteria for cover, the person must have suffered a personal injury and 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.

When considering treatment injury data, it is important to note that the number of claims lodged with ACC cannot be taken as an accurate indication of the occurrence of injury during treatment or the quality of care. This is because, among other reasons, not all occurrences of injury during treatment are lodged with ACC.

The ACC website contains further information on treatment injury <https://www.acc.co.nz/for-providers/treatment-safety/>.

A full overview of treatment injury in public and private surgical hospitals and general practice settings is available at <https://www.acc.co.nz/assets/provider/ACC7971-Supporting-Treatment-Safety-2021.pdf>.

Claim lodgement rates are dependent on several factors. They can be influenced by:

- population demography i.e. the characteristics of the resident population, visitors and referred patients
- health status of the population treated
- what level of facility the organisation provides i.e. tertiary versus secondary
- familiarity of health providers or clients in recognising and/or lodging treatment injury claims.