

02 November 2021



Tēnā koe 

Your Official Information Act request, reference: GOV-014654

Thank you for your email of 12 October 2021, asking for the following information under the Official Information Act 1982 (the Act):

*How many ACC claims have been made for AEFIs and/or injuries related to the COVID-19 vaccine
In total for the year 2021 including reports made up until 12 Oct 2021?
How many of these claims have been accepted?
How many are still being processed?
And how many have been declined?
Could you also please provide raw data and/or statistics inclusive of age, type of injury, and
dates reported?*

Background information about treatment injury claims

Before responding to your request, we would first like to provide you some background information about treatment injuries.

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.

Context

Treatment injury (TI) data is available from 1 July 2005, when treatment injury provisions came into law.

Further information about treatment injury can be found at the following links:

- <https://www.acc.co.nz/for-providers/treatment-safety/> and
- <https://www.acc.co.nz/assets/provider/ACC7971-Supporting-Treatment-Safety-2021.pdf>
(overview of treatment injury in public and private surgical hospitals and general practice settings).

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

Covid-19 vaccine related treatment injury claims

The data below was extracted on 18 October 2021, for treatment injury claims 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), or included the terms *covid* or *Pfizer* and *vacc*. This text search allows us to identify claims that have been lodged but where cover has not been decided.

Please note that we can only respond based on the vaccine related claims lodged with ACC, and the figures may differ to those previously reported or supplied. Up-to-date data on the number of adverse effects reported from the COVID-19 vaccine can be found on the MedSafe website, [here](#).

TI claims related to the COVID-19 vaccine

Between 18 February 2021 (when New Zealand began COVID vaccinations) and 16 October 2021, ACC has received 684 claims for injuries relating to the COVID-19 vaccination. Of these, 260 claims have been accepted, 123 have been declined and 301 are yet to be decided. As at 18 October 2021, no claims for fatalities in relation to the COVID-19 vaccination had been lodged with ACC.

The tables below provide a breakdown of the COVID-19 vaccination claims received by ACC by age, type of injury, and dates reported (date claim was lodged with ACC).

Table 1. TI claims related to the COVID-19 vaccine, by age

Age Band	Accepted	Declined	Pending Decision	Total
12-19	5	--	--	25
20-24	9	5	26	40
25-29	14	7	17	38
30-34	12	13	29	54
35-39	16	11	32	59
40-44	16	7	38	61
45-49	28	15	24	67
50-54	19	15	24	58
55-59	18	11	23	52
60-64	17	14	23	54
65-69	14	4	20	38
70-74	6	5	11	22
75 plus	7	11	16	34
Unknown age	79	<4	<4	82
Total	260	123	301	684

Table 2. TI claims related to the COVID-19 vaccine, by primary injury

Primary Injury	All Accepted Claims
Allergic Reaction	75
Anaphylactic Reaction*	25
Adverse Drug Reaction	24
Cellulitis	7
Cardiac injury	7
Contusion	6
Wound Infection	6
Nerve Damage	4
Infection	4
Other Specified	17
Other Unspecified	85
Total	260

**All cases identified as anaphylactic reactions were accepted.*

Treatment injuries are confirmed and recorded when a claim is decided. The above table shows the primary injury recorded for the accepted COVID-19 vaccination claims, where the cover decision was made by 16 October 2021.

Table 3. TI claims related to the COVID-19 vaccine, by date claim lodged with ACC

Month (2021)	Number of Claimed Vaccinations	Number Lodged
February - March	10	5
April	57	20
May	78	56
June	58	62
July	69	47
August	159	107
September	194	233
October*	59	154

**October is partial month to 16 October 2021.*

The above table shows the number of COVID-19 vaccination injury claims received by ACC, by month. This is grouped by the recorded accident date and by the date on which the claim was lodged with ACC. 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. However, for the purpose of the analysis, this date is used as a proxy for the date of vaccination.

Few vaccinations (and consequently vaccination claims) were administered/lodged in the month of February. As such, the data for February and March has been grouped together to protect our clients' privacy.

ACC takes privacy seriously

ACC does not routinely disclose claim counts fewer than four. Accordingly, some entries in the table provided only indicate that the claims count is fewer than four (denoted as <4). In other instances, cells are suppressed and denoted as two dashes (--). This limits the potential for particular individuals or matters pertaining to certain individuals from being identified.

Withholding the data in this way is necessary to protect our clients' privacy. This decision has been made under section 9(2)(a) of the Act. In doing so, we have considered the public interest in making the

suppressed data available and determined that it does not outweigh the need to protect our clients' privacy.

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', with a large, stylized flourish at the end.

Sasha Wood

Manager Official Information Act Services
Government Engagement & Support