

## Proactive release of Covid-19 vaccine related treatment injury claims – April 2024

The data below was extracted on 9 April 2024 for treatment injury claims lodged with ACC between 18 February 2021 (when New Zealand began COVID-19 vaccinations) and 6 April 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 6 April 2024, ACC has received 4,156 claims for injuries relating to the Covid vaccination. 1,664 claims have been accepted, 2,440 have been declined and 52 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 Official Information Act 1982. 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](http://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	0	507
Second	397	561	4	962
Third Primary/Booster <sup>1</sup>	302	479	8	789
Unspecified	795	1,063	40	1,898
<b>Total</b>	<b>1,664</b>	<b>2,440</b>	<b>52</b>	<b>4,156</b>

<sup>1</sup>ACC 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 6 April 2024.

<b>Primary Injury</b>	<b>Accepted Claims</b>
Allergic Reaction	227
Sprain	207
Cardiac injury	178
Contusion	165
Adverse Drug Reaction	125
Anaphylactic Reaction	95
Infection	70
Shoulder Damage/Injury	59
Cellulitis	55
Bursitis	39
Inflammation	34
Nerve Damage	29
Other	381
<b>Total</b>	<b>1,664</b>

### Declined Reason

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

<b>Declined Reason</b>	<b>Number of Declined Claims</b>
No Injury	1,766
No Causal Link	371
Withdrawn	119
Lack of Information	64
Ordinary Consequence of Treatment	19
Underlying Health Condition	19
Other	82
<b>Total</b>	<b>2,440</b>

### 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 9 April 2024.

<b>Payments to 9 April 2024</b>	<b>Number of Accepted Claims</b>
No payment to date	253
Up to \$100	404
Over \$100 to \$500	503
Over \$500 to \$1,000	140
Over \$1,000 to \$5,000	182
Over \$5,000 to \$10,000	57

Over \$10,000	125
<b>Total</b>	<b>1,664</b>

504 out of 1,645 accepted claims had resulted in payments of over \$500 by 9 April 2024. 253 accepted claims had yet to receive a payment by 9 April 2024.

Total payments made by ACC by 9 April 2024 on these 1,664 accepted claims was \$9,653,853.

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

#### Sex

Sex	Accepted	Declined	Pending Decision	Total
Female	1,134	1,542	34	2,710
Male	530	898	18	1,446
<b>Total</b>	<b>1,664</b>	<b>2,440</b>	<b>52</b>	<b>4,156</b>

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	0	100
18-24	112	169	<4	--
25-29	109	173	<4	--
30-34	137	216	<4	--
35-39	142	213	<4	--
40-44	154	258	6	418
45-49	187	277	5	469
50-54	163	288	12	463
55-59	172	226	5	403
60-64	122	175	4	301
65-69	137	144	6	287
70-74	74	117	4	195
75-79	44	57	<4	--
80 plus and Unknown	53	61	0	114
<b>Total</b>	<b>1,664</b>	<b>2,440</b>	<b>52</b>	<b>4,156</b>

#### 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	140	211	5	356
Pacific Peoples	61	95	<4	--

Asian	142	202	<4	--
European	1,193	1,730	36	2,959
Other	128	202	5	335
<b>Total</b>	<b>1,664</b>	<b>2,440</b>	<b>52</b>	<b>4,156</b>

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.

<b>Month</b>	<b>Number of Claimed Vaccinations</b>	<b>Number Lodged</b>
February - March 2021 <sup>2</sup>	18	5
April 2021	74	21
May 2021	126	61
June 2021	121	74
July 2021	163	52
August 2021	400	131
September 2021	531	277
October 2021	629	334
November 2021	423	433
December 2021	365	397
January 2022	381	316
February 2022	367	386
March 2022	96	285
April 2022	33	172
May 2022	23	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	38	53
June 2023	15	47
July 2023	7	26
August 2023	8	32
September 2023	8	26
October 2023	6	23

November 2023	9	22
December 2023	17	24
January 2024	4	16
February 2024	--	23
March 2024 - April 2024 <sup>3</sup>	<4	20
Unknown	6	0

<sup>2</sup>Few 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.

<sup>3</sup>April 2024 is partial to 6 April.

### 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	398	314
Bay of Plenty	128	214
Canterbury	232	462
Capital & Coast	157	248
Counties Manukau	62	324
Hawkes Bay	68	123
Hutt Valley	57	127
Lakes	38	77
Mid Central	90	158
Nelson Marlborough	95	165
Northland	88	131
South Canterbury	53	42
Southern	257	470
Tairāwhiti	--	30
Taranaki	100	158
Waikato	260	465
Wairarapa	23	36
Waitemata	123	465
West Coast	20	35
Whanganui	63	106
Overseas	<4	0
Unknown	1,825	6
<b>Total</b>	<b>4,156</b>	<b>4,156</b>

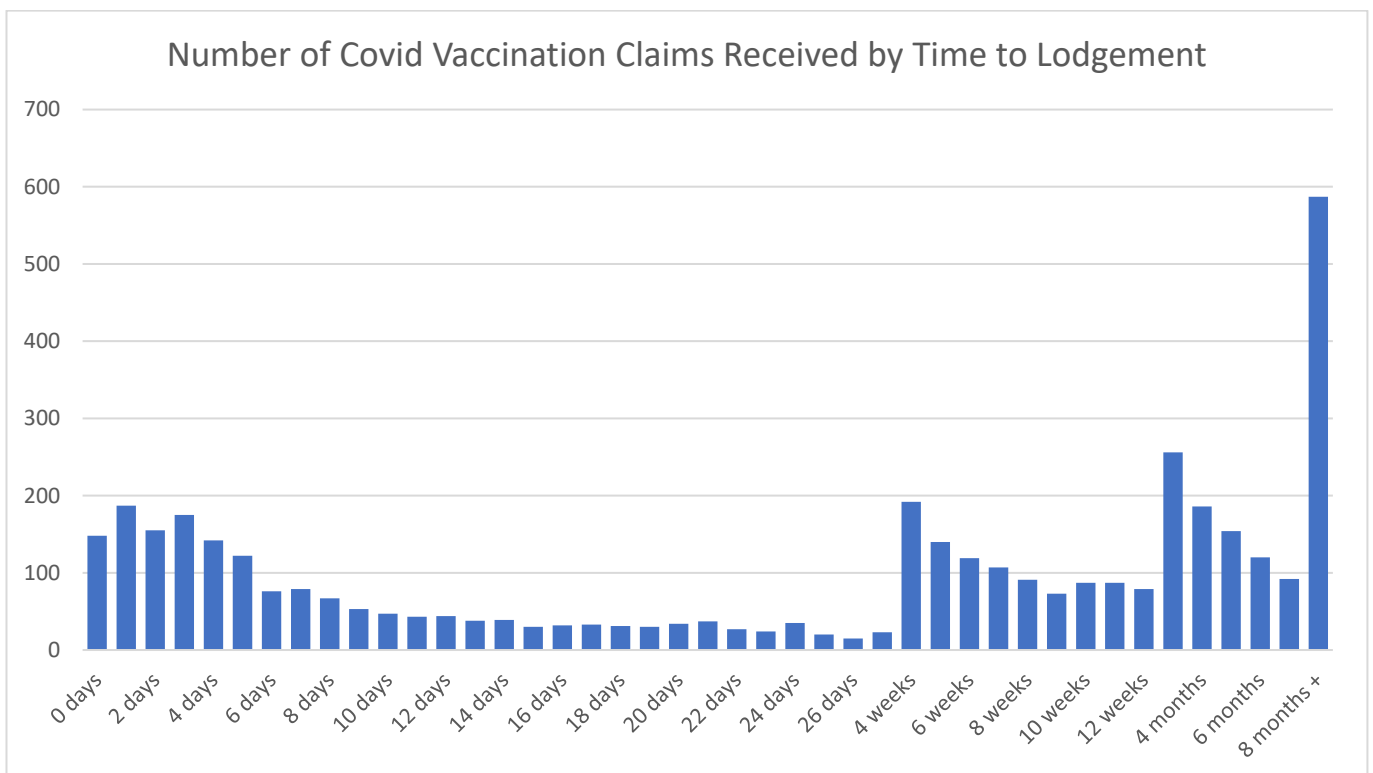
### Time to Lodgement

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	148	22 days	27

1 days	187	23 days	24
2 days	155	24 days	35
3 days	175	25 days	20
4 days	142	26 days	15
5 days	122	27 days	23
6 days	76	4 weeks	192
7 days	79	5 weeks	140
8 days	67	6 weeks	119
9 days	53	7 weeks	107
10 days	47	8 weeks	91
11 days	43	9 weeks	73
12 days	44	10 weeks	87
13 days	38	11 weeks	87
14 days	39	12 weeks	79
15 days	30	3 months	256
16 days	32	4 months	186
17 days	33	5 months	154
18 days	31	6 months	120
19 days	30	7 months	92
20 days	34	8 months +	587
21 days	37		

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.