

Proactive release October 2023

The data below was extracted on 04 October 2023 for treatment injury claims lodged with ACC between 18 February 2021 (when New Zealand began COVID-19 vaccinations) and 30 September 2023, 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.

Between 18 February 2021 and 30 September 2023, ACC has received 4,020 claims for injuries relating to the Covid vaccination. 1,619 claims have been accepted, 2,326 have been declined and 75 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.

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.

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 55% 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	331	4	505

Second	394	545	10	949
Third Primary/Booster ²	287	453	19	759
Unspecified	768	997	42	1,807
Total	1,619	2,326	75	4,020

²ACC 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 30 September 2023.

Primary Injury	Accepted Claims
Allergic Reaction	226
Sprain	204
Cardiac injury	176
Contusion	159
Adverse Drug Reaction	123
Anaphylactic Reaction	93
Infection	70
Cellulitis	54
Shoulder Damage/Injury	53
Bursitis	37
Inflammation	32
Nerve Damage	29
Other	363
Total	1,619

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	1,698
No Causal Link	341
Withdrawn	114
Lack of Information	66
Ordinary Consequence of Treatment	19
Other	88
Total	2,326

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 4 October 2023.

Payments to 4 October 2023	Number of Accepted Claims
No payment to date	254
Up to \$100	398
Over \$100 to \$500	493
Over \$500 to \$1,000	133
Over \$1,000 to \$5,000	175
Over \$5,000 to \$10,000	52
Over \$10,000	114
Total	1,619

474 out of 1,619 accepted claims had resulted in payments of over \$500 by 4 October 2023. 254 accepted claims had yet to receive a payment by 4 October 2023.

Total payments made by ACC by 4 October 2023 on these 1,619 accepted claims was \$7,507,693.

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

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	136	201	5	342
Pacific Peoples	61	92	4	157
Asian	142	195	5	342
European	1,152	1,644	54	2,850
Other	128	194	7	329
Total	1,619	2,326	75	4,020

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

Age Band

Age Band	Accepted	Declined	Pending Decision	Total
5-11	11	13	0	24
12-17	47	--	<4	99
18-24	110	163	4	277
25-29	109	--	<4	278
30-34	133	209	9	351
35-39	140	204	5	349
40-44	152	244	9	405
45-49	184	266	10	460
50-54	160	276	5	441
55-59	165	213	12	390
60-64	119	--	<4	291
65-69	132	132	8	272
70-74	67	--	<4	181
75-79	40	--	<4	95
80 plus and Unknown	50	--	<4	107
Total	1,619	2,326	75	4,020

Sex

Sex	Accepted	Declined	Pending Decision	Total
Female	1,101	1,481	42	2,624
Male	518	845	33	1,396
Total	1,619	2,326	75	4,020

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.

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 ³	17	5
April 2021	73	21
May 2021	124	61
June 2021	119	74
July 2021	161	52
August 2021	395	131
September 2021	525	277

October 2021	621	334
November 2021	416	433
December 2021	356	397
January 2022	369	316
February 2022	362	386
March 2022	93	285
April 2022	33	172
May 2022	22	161
June 2022	19	117
July 2022	60	101
August 2022	56	110
September 2022	23	92
October 2022	20	67
November 2022	12	64
December 2022	9	51
January 2023	5	33
February 2023	4	38
March 2023	7	26
April 2023	56	38
May 2023	30	52
June 2023	11	46
July 2023	7	26
August 2023	4	30
September 2023	5	24
Unknown	6	0

³Few 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.

DHB

The DHB has been provided below based on the DHB of Treatment where this has been identified and by the DHB of Residence of the client.

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

District Health Board Region	DHB of Treatment	DHB of Residence
Auckland	378	304
Bay of Plenty	122	202
Canterbury	223	449
Capital & Coast	150	235
Counties Manukau	61	318
Hawkes Bay	63	119
Hutt Valley	56	123

Lakes	37	75
Mid Central	88	151
Nelson Marlborough	86	156
Northland	84	122
South Canterbury	50	40
Southern	250	456
Tairāwhiti	18	30
Taranaki	99	157
Waikato	252	454
Wairarapa	23	36
Waitemata	119	450
West Coast	18	33
Whanganui	--	104
Overseas	<4	0
Unknown	1,780	6
Total	4,020	4,020

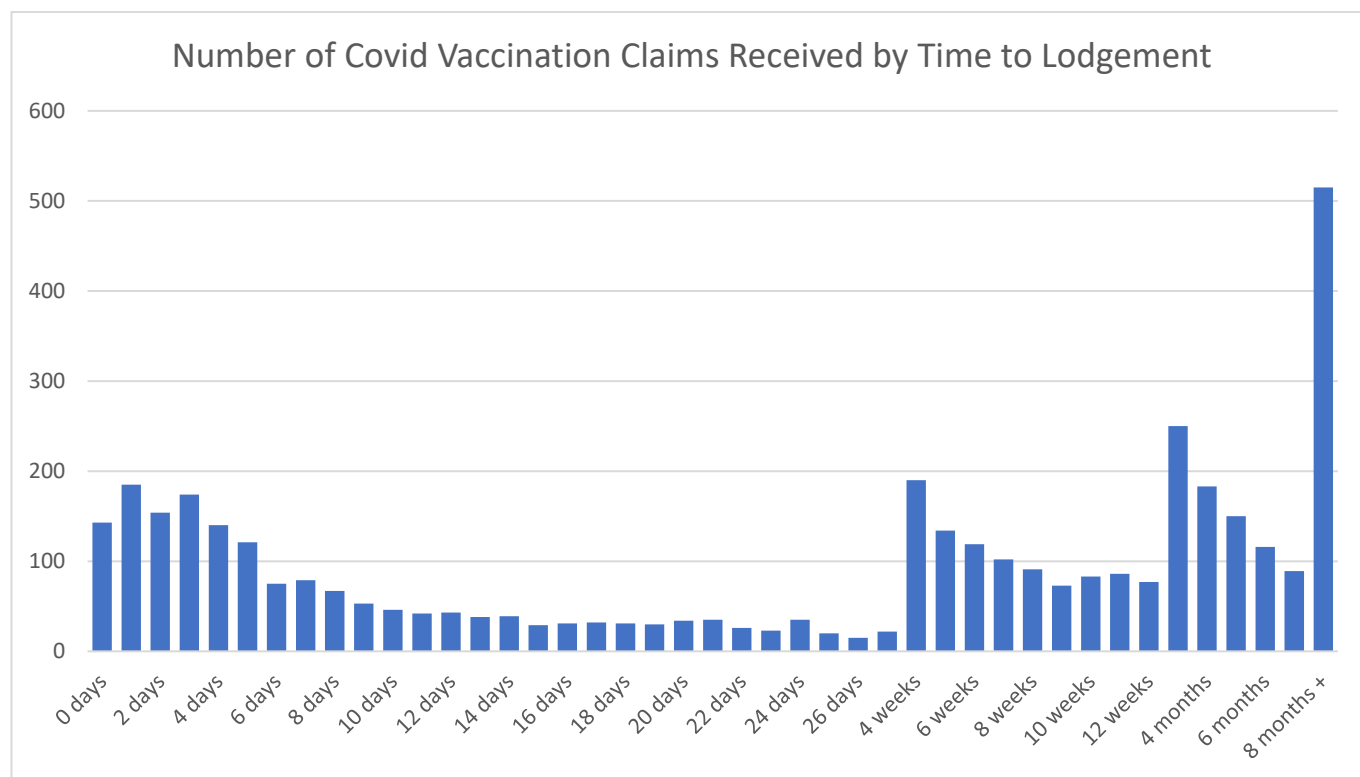
Time to Lodgement

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	143	22 days	26
1 days	185	23 days	23
2 days	154	24 days	35
3 days	174	25 days	20
4 days	140	26 days	15
5 days	121	27 days	22
6 days	75	4 weeks	190
7 days	79	5 weeks	134
8 days	67	6 weeks	119
9 days	53	7 weeks	102
10 days	46	8 weeks	91
11 days	42	9 weeks	73
12 days	43	10 weeks	83
13 days	38	11 weeks	86
14 days	39	12 weeks	77
15 days	29	3 months	250
16 days	31	4 months	183
17 days	32	5 months	150
18 days	31	6 months	116

19 days	30	7 months	89
20 days	34	8 months +	515
21 days	35		

The table above is illustrated in the chart below.



Treatment injury

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>.