


12 February 2021



Tēnā koe 

Your Official Information Act request, reference: GOV-008758

Thank you for your clarification email of 28 January 2021, asking for the following information. We are responding under the Official Information Act 1982 (the Act).

Please supply the policy, process, guidelines, rules, framework etc... for ACC to change or challenge a cover decision? I am referring to when ACC decides that a person's cover needs to be challenged or changed if it is accepted.

Our response

Attached to this letter are the following documents:

1. *Revoke Cover decision policy*
2. *Revoking cover process*

These documents provide guidance to ACC staff about when a cover decision should be revoked and the process document that outlines the steps to be taken when ceasing cover/entitlements.

Please note that the staff named in the attached documents are named as subject matter contacts for internal queries, they are not staff who created or updated the documents.

How to get in contact

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

Nāku iti noa, nā



Sasha Wood
Manager Official Information Act Services
Government Engagement & Support

Summary

Objective

Use this high-level guidance to understand why and when we can revoke cover on a claim and to ensure that entitlements or payments are stopped correctly.

- 1) Rules
- 2) Stopping entitlements and payments
- 3) When not to revoke cover
- 4) Link to process

Background

We can revoke cover on a claim when cover for the injury was initially approved and the decision issued, but we subsequently find that the original decision was wrong.

Owner



Expert



Policy


1.0 Rules

a We'll revoke cover when:


- we discover new information about the claim that makes our original decision wrong
- we examine the existing claim information and determine that the original decision was made in error.

b Under the Accident Compensation Act 2001, we must apply the cover provisions and policy rules of the earlier Act when considering whether to revoke cover granted under an earlier Act.


c If cover was granted under the Accident Compensation Act 2001, then revoke cover under the Accident Compensation 2001, section 65.

-  Accident Compensation Act 2001, section 65 Corporation may revise decisions
<http://www.legislation.govt.nz/act/public/2001/0049/latest/DLM100996.html>

d If cover was granted under an earlier Act then revoke cover under the Accident Compensation Act 2001, section 390.

-  Accident Compensation Act 2001, section 390 Corporation may revise decisions
<http://www.legislation.govt.nz/act/public/2001/0049/latest/DLM104520.html>

e Deemed cover can be revised under Section 65(2) of the Accident Compensation Act 2001. In these cases, ACC does not need to prove that an error has been made. See 'Deemed Cover Decisions When Timeframes Not Met'.

-  Deemed Cover Decisions When Timeframes Not Met
<https://go.promapp.com/accnz/Process/d8e5c370-4c41-4047-b1be-90efb0139e98?force=False>

2.0 Stopping entitlements and payments


a If the client has been receiving entitlements for 52 weeks or more and we revoke cover, the client must be given up to four weeks' notice that their entitlements will stop. The four weeks' notice starts from the date we advise the client that they no longer have cover for their injury.

3.0 When not to revoke cover

a Do not revoke cover if you're satisfied that we originally granted cover correctly, but the client's current condition does not relate to the personal injury. Under these circumstances:

- decline the application if the client is applying for an entitlement
- suspend the entitlement if we've already been providing it.

4.0 Link to process

-  Revoking Cover (CHIPS)

Revoking cover

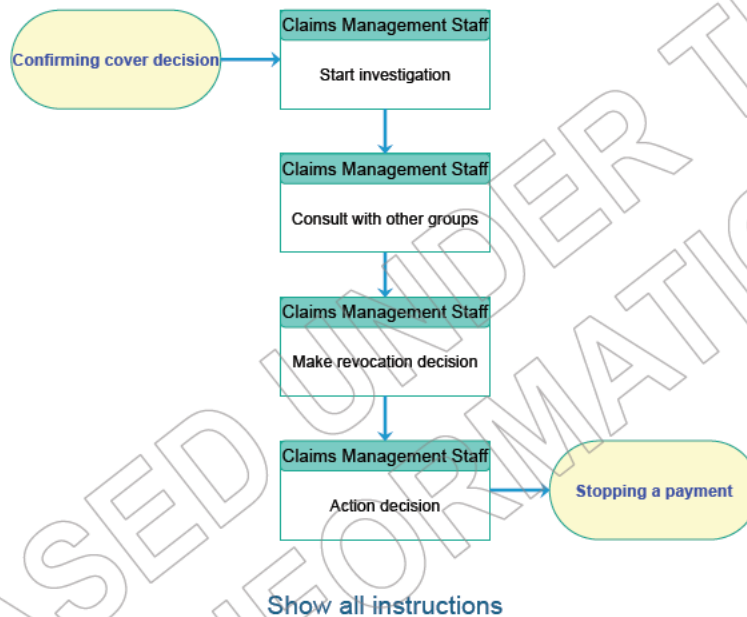
We can revoke cover for an injury if we initially approved cover and informed the client, but then found the original decision was made in error. The error might be either in relation to the medical diagnosis or due to the fact that, on investigation, there was no accident event.

Contact [REDACTED]

Last review 11 Sep 2020

Next review 11 Sep 2021

Click on a shaded box for instruction details



Start investigation

Responsibility

Claims management staff

When to use

Use this instruction to re-examine the original cover decision when considering revoking cover.

Before you begin

See Reasons to revoke cover. Refer to [s65 of the Accident Compensation Act 2001](#).

Instruction

Step 1

Review the claim record in Eos.

Step 2

Check that there is written evidence to support a decision to revoke cover.

Step 3

Activate the 'Cover Reassessment Indicator' in Eos.

Step 4

Contact the client and discuss why there is an investigation. Record the discussion on the 'Contacts' tab.

Step 5

Generate an [ACC850 Decision rationale](#) form and document all relevant information to ensure an informed decision.

Note: It is not mandatory to complete an ACC850 Decision rationale form. However, when one is not completed you must clearly document the rationale for the decision on Eos.

Step 6

Add the ACC850 form and/or other relevant information to the 'Documents' tab in Eos.

What happens next

Go to **Consult with other groups**.

[Back to process map ↑](#)

Consult with other groups**Responsibility**

Claims management staff

When to use

Use this instruction to collect evidence supporting the decision to revoke cover by consulting with other groups in ACC.

Instruction**Step 1**

Gather evidence to support the cover decision.

If the decision to revoke cover relates to...	then consult...
the medical diagnosis	a Clinical Advisor. Follow the Clinical Services link if this claim is being managed as BAU, if this is a Next Generation Case Management Claim refer to the Seek Internal Guidance process
another reason, eg ordinarily resident, visitor to New Zealand, no accident event, etc	the team manager (TM) or technical specialist (TS). In addition, if the original cover decision was made in a specialist unit (eg treatment injury or gradual process) you should consult them

Step 2

Document the evidence on the [ACC850 Decision rationale](#) form if used. If an ACC850 is not used skip this step and go to Step 3.

Step 3

If the client was initially covered by an Accredited Employer contact their employer to ensure that they are aware of this process.

Step 4

Generate an 'Organise Internal Referral' task the claim and request cover advice. Link the ACC850 and/or any other information to the task.

Step 5

Allocate the 'Complete Internal Referral' sub-tasks to the cover decision maker.

What happens next

Go to **Make revocation decision**.

[Back to process map ↑](#)

Make revocation decision**Responsibility**

Claims management staff

When to use

Use this instruction when you receive a 'Complete Internal Referral' task to review the evidence and decide whether cover should be revoked.

Before you begin

See Reasons to revoke cover. Refer to the Corporate Delegations Framework to determine who can make the decision to revoke cover.

Depending on the type of claim a recommendation must be sought from

- a clinical advisor
- technical specialist
- team manager
- relevant panel, if appropriate.

If the claim is being managed by BAU, follow the [Clinical Services](#) process to request a recommendation from a Clinical Advisor or [Technical Services](#) process for a Technical Specialist. If this is a Next Generation Case Management Claim refer to the [Seek Internal Guidance](#) process.

Instruction

Step 1

Open the 'Complete Internal Referral' task in Eos.

Step 2

Review the evidence included with the task.

Step 3

Make a decision and record in the sub-task with supporting comments. Close the task.

Step 4

Deactivate the 'Cover Reassessment Indicator' and edit the cover details.

What happens next

Go to **Action decision**.

[Back to process map](#) ↑

Action decision

Responsibility

Claims management staff

When to use

Use this instruction to record the revocation decision and contact the client with the outcome of the investigation.

Instruction

Step 1

Open the '[Organise Internal Referral](#)' task and review the:

- revocation decision outcome
- the [ACC850 Decision rationale](#) form, if available.

See [Reasons to revoke cover](#)

Step 2

If you decide...	then...
not to revoke cover	<ul style="list-style-type: none"> • contact the client and explain the outcome of the investigation • record the decision and the discussion as a 'Contact' in Eos • close the task • continue to manage the claim
to revoke cover	<p>contact the client and:</p> <ul style="list-style-type: none"> • advise them that their cover is being revoked • explain the reasons for and implications of the decision <p>record the discussion as a 'Contact' in Eos</p>

Step 3

[Generate](#) and send the [RC01Cover decision – revoke cover](#) letter and [ACC255 Working together](#) information sheet to the client.

Step 4

Link the [RC01](#) letter to the claim and close the task.

Step 5

Review and update the purchase orders on the claim.

Step 6

Update the cover status in Eos and add a comment giving reasons and add an outcome status of 'declined' in the 'Injury Code' box of the 'Medical' tab.

Step 7

Update the client's records as necessary.

What happens next

Goto Stopping a payment.

[Back to process map](#) ↑

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OFFICIAL INFORMATION ACT