

Amy S Van Wey Lovatt

By email: fyi-request-12108-26ab0a13@requests.fyi.org.nz
Ref: H202000366

Dear Ms Van Wey Lovatt

Transfer of request for information to the Health and Disability Commissioner

Thank you for your request under the Official Information Act 1982 (the Act) on 29 January 2020 for:

"According to the Health and Disability Commissioner (Code of Health and Disability Services Consumers' Rights) Regulations 1996, Right 6 clause 3 (c), "Every consumer has the right to honest and accurate answers to questions relating to services, including questions about...(c) how to obtain an opinion from another provider;". Further, Right 7 clause 8 states: "Every consumer has the right to express a preference as to who will provide services and have that preference met where practicable."

According to the MoH Operational Policy Framework 2019/20, available through Nationwide Service Framework Library <<https://nsfl.health.govt.nz>>, section 7.5.2 "Regions should ensure that clear referral pathways are in place and known to all clinicians."

Request 1:

I respectfully request a copy of each referral pathway for each region in New Zealand.

Background:

I am a New Zealand citizen. Waikato DHB, my DHB of Domicile (DoD), has insisted that my GP provide a referral to services outside my DoD; however, when my GP referred me to the Southern DHB, the only DHB we could find which had a protocol consistent with the Endocrine Societies Guidelines for testing for hyper aldosteronism, the Southern DHB rejected the referral on the grounds that the referral was from my GP and not my specialist, Dr Wu, at my DoD.

Clearly, Waikato DHB and Southern DHB cannot both be correct, as they contradict each other. [The statement, referrals must be from GPs AND referrals cannot be from GPs, is logically false.]

Request 2:

Please provide me with the specific policy, guideline, rules or legislation (including page or section number) which specifies who is responsible for the submission of patient referrals to specialists, where the specialist is located in a DHB that is not the DoD, especially in the case of where two DHB's have

contradicting policies.

Request 3:

Please provide me with the specific policy, guideline, rules or legislation (including page or section number) which specifies the avenues that patients may take to seek care out of the DoD, when the patient has lost all trust and confidence with the DoD.

Request 4:

Please explain how these policies are consistent with the Code of Health and Disability Services Consumers' Rights, specifically:

- Right 3, which states "Every consumer has the right to have services provided in a manner that respects the dignity and independence of the individual"; and*
- Right 4 clause 3, which states "Every consumer has the right to have services provided in a manner consistent with his or her needs"; and*
- Right 7 clause 8, which states: "Every consumer has the right to express a preference as to who will provide services and have that preference met where practicable."*

The Ministry of Health (the Ministry) does not hold information you have requested. However, I have been advised that the information you have requested is more aligned with the functions of the Health and Disability Commissioner (HDC).

As a result, I have decided to transfer your request to HDC under section 14 of the Act. You can expect a response from HDC in due course.

Under section 28 of the Act, you have the right to ask the Ombudsman to review any decisions made under this request.

Yours sincerely



Nick Allan
Manager OIA Services
Office of the Director-General