

24 September 2021

D Smith

Via email: fyi-request-16312-ab354e1d@requests.fyi.org.nz

Dear D Smith

Request for information: Correspondence about Dexcom continuous glucose monitors, Tandem t:slim X2 insulin pumps, and the Dexcom Inc acquisition

Thank you for your request dated 5 August 2021 under the Official Information Act 1982 (OIA) for information relating to correspondence between Pharmac and NZMS. You requested:

All correspondence (including emails, phone records, meeting minutes and sent from and to NZMS Diabetes or NZMS relating to the Dexcom G6, Dexcom G5, Tandem Tslim X2 insulin pump or the acquisition by Dexcom Inc. received since January 14th 2021.

Please provide all information you hold directly relating to the upcoming meeting of the Diabetes Subcommittee mentioned in this OIA release

<https://pharmac.govt.nz/about/what-we-do/accountability-information/official-information-act/2021-oia-responses/19-march-2021-oia-response-dexcom-continuous-glucose-monitors-tandem-insulin-pump-documents-and-emails/>

Further to our correspondence to you on 31 August 2021, and as required by the OIA, we wish to advise you of the outcome of your request for information made on 5 August 2021.

Correspondence between Pharmac and NZMS

We have decided to grant your request for correspondence from 14 January 2021 to the date of your request (5 August 2021), sent from and to NZMS Diabetes and/or NZMS relating to the Dexcom G6, Dexcom G5, Tandem Tslim X2 insulin pump or the acquisition by Dexcom Inc.

Please note, we require additional time to prepare this information for release. We will provide you with a combined copy of correspondence in scope of your request as soon as possible, and without undue delay. We expect to be able to provide you with this information by no later than Friday 22 October 2021.

Additionally, we approach our assessment of requests for information under the OIA on the basis that once we release the information to you it becomes available to any other party in that exact form (whether by you distributing it to others or by virtue of us receiving the same request from a different third party).

Because of this, we have decided to redact a small amount of information, or withhold some correspondence, from the document to be provided as we consider this is necessary to:

- protect the privacy of natural persons (section 9(2)(a));
- protect information where the making available of the information would be likely to unreasonably prejudice the commercial position of the person who supplied or who is the subject of the information (section 9(2)(b)(ii));
- protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied (section 9(2)(ba)(i));
- enable Pharmac to carry on, without prejudice or disadvantage, negotiations, including commercial negotiations (section 9(2)(j)).

Documents for the upcoming Diabetes Subcommittee meeting

The Diabetes Subcommittee is scheduled to meet on Friday 24 September 2021. We are open to considering the release of information prepared for our clinical advice meetings however, as the Diabetes Subcommittee meeting has not yet taken place, we consider it necessary to withhold currently held information to protect the confidentiality of advice tendered by Pharmac officials to the Subcommittee (section 9(f)(iv) of the OIA).

We welcome a new request for information regarding documents for the Diabetes Subcommittee meeting after the meeting has taken place. Please note, the record of the Diabetes Subcommittee meeting will be made publicly available once it has been reviewed and approved by the Subcommittee members.

As required under the OIA, for information withheld under section 9 of the Act, we also considered whether the withholding of this information was outweighed by other considerations which render it desirable, in the public interest, to make this information available. In this case we did not consider that the public interest outweighed the reasons for withholding the information.

Please note you have the right, by way of complaint under section 28(3) of the OIA to an Ombudsman, to seek an investigation and review of our decision.

We trust that this information answers your queries. We are making our information more freely available, so we now publish selected OIA responses (excluding personal details) on our website. Please get in touch with us if you have any questions about this.

Yours sincerely



Rachel Read
Manager, Policy and Government Services