



04 July 2024

Anon
fyi-request-27010-063805d9@requests.fyi.org.nz

Kia ora

Your Official Information Act request, reference: GOV-033174

Thank you for your email of 19 June 2024, asking for information under the Official Information Act 1982 (the Act):

Please provide me with a copy of ACC's decision letter regarding seeking external clinical assessment (sections 62 of the Act), which must be in writing (section 64 of the Act; rights 1, 2, 5, 6, 7 of the Code; and rules 3, 5, 10 and 11 of the HIPC).

I request 3 examples of such letters, issued by the Specialist Cover Assessors, for the past 10 years. Please ensure that the claimant's personal identifiers are redacted.

If your response is that ACC has no such letters on file, then I request the following.

For each year from 1999 to present (20 years), the

(a) number of claims where a claimant's medical information was been disclosed to an external clinical advisers under section 62 of the Act - a requisite for all treatment injury claims according to ACC's internal processes; and

(b) number of claims where the claimant was notified by letter of ACC's decision to seek external clinical advice under section 62 of the Act, prior to disclosing the claimants information; and

(c) number of claims where the claimant was notified by email (instead of a letter) of ACC's decision to seek external clinical advice under section 62 of the Act, prior to disclosing the claimants information; and

(d) number of claims where the claimant was notified by phone (and not provided any written notice) of ACC's decision to seek external clinical advice under section 62 of the Act, prior to disclosing the claimants information; and

(e) number of claims where the claimant where the claimant never received any notice of ACC's decision to seek external clinical advice under section 62 of the Act, prior to disclosing the claimants information.

To avoid any doubt, part (e) is not zero.

For each of the past 20 years, I request 3 copies of each letter by mail and letter by email, notifying the claimant of ACC's decision to seek external clinical advice under section 62 of the Act, which includes ACC's obligatory information under the HIPC. Please redact the claimants' personal identifiers (name, email, address, and claim number) to ensure their privacy is protected.

For each of the years, I request a copy of the script ACC employees were supposed to follow when notifying claimants of ACC's decision to seek external clinical advice under section 62 of the Act, which includes ACC's obligatory information under the HIPC.

1. ACC is required to make a decision about whether to grant or refuse your request as soon as reasonably practicable and within 20 working days of receiving the request. ACC considers this request is one of multiple requests made by the same requester, which may affect ACC's decision to grant or refuse the request.

2. In order for ACC to make a decision on this request, ACC requests that you provide:
 - a. Your full name and confirmation of your identity, and
 - b. the reasons for the request.

3. We ask that this information be provided as soon as possible to enable us to make a decision on your requests. This may include ACC extending the timeframe for responding, charging for the request, or refusing to grant the request because:
 - a. ACC has already provided this information in an earlier request; and/or
 - b. the information requested cannot be made available without substantial collation or research; and/or
 - c. the request is frivolous or vexatious or the information requested is trivial; and/or
 - d. the request may relate to matters including proceedings under Part 5 of the Accident Compensation Act 2001.

4. If you would prefer, this information can be provided confidentially to ACC at the following address: Manager OIA Services, ACC, PO Box 242, Wellington, or by email to Christopher.johnston@acc.co.nz. Any information/documentation provided establishing your identity will be used solely for that purpose and destroyed after. Please reference this request when doing so: **GOV-033174**.

5. We look forward to receiving the information requested at paragraph 2.

If you have any questions please get in touch

You can email me at GovernmentServices@acc.co.nz. If you are not happy with this letter, you can also contact the Ombudsman via info@ombudsman.parliament.nz or by phoning 0800 802 602. Information about how to make a complaint is available at www.ombudsman.parliament.nz.

Ngā mihi



Christopher Johnston
Manager Official Information Act Services
Government Engagement