



COVERSHEET

Minister	Hon Carmel Sepuloni	Portfolio	ACC
Title of Cabinet paper	Regulated Rates Review 2018/19 Recommendations: ACC Implementation	Date to be published	18 March 2021

List of documents that have been proactively released

Date	Title	Author
July 2020	Regulated Rates Review 2018/19 Recommendations: ACC Implementation	Office of the Minister for ACC
29 July 2020	Regulated Rates Review 2018/19 Recommendations: ACC Implementation DEV-20-MIN-0154	Cabinet Office
25 June 2020	Regulatory Impact Summary: Proposals for updates to ACC regulations dealing with treatment payments	MBIE
March 2021	Accident Compensation Cost of Treatment Amendment Regulations 2021	Office of the Minister for ACC
11 March 2021	Accident Compensation Cost of Treatment Amendment Regulations 2021 LEG-21-MIN-0018	Cabinet Office

Information redacted

YES / NO [select one]

Any information redacted in this document is redacted in accordance with MBIE's policy on Proactive Release and is labelled with the reason for redaction. This may include information that would be redacted if this information was requested under Official Information Act 1982. Where this is the case, the reasons for withholding information are listed below. Where information has been withheld, no public interest has been identified that would outweigh the reasons for withholding it.



Cabinet Legislation Committee

Minute of Decision

This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.

Accident Compensation Amendment Regulations

Portfolio **ACC**

On 11 March 2021, the Cabinet Legislation Committee:

- 1 **noted** that on 3 August 2020, the Cabinet Economic Development Committee agreed:
 - 1.1 to increase rates in the Accident Compensation (Liability to Pay or Contribute to Cost of Treatment) Regulations 2003 (the Cost of Treatment Regulations) by:
 - 1.1.1 2.05 per cent for Counsellors, Dentists, Specialists, Specified Treatment Providers, Nurses, Medical Practitioners, Combined services (Nurse/Medical Practitioner) and Audiologists (service-based codes only);
 - 1.1.2 1.72 per cent for Radiologists and Hyperbaric Oxygen Treatment;
 - 1.2 agreed to remove provisions in the Cost of Treatment Regulations that require funding deductions for dental treatment, where a claimant has received previous treatment on the same tooth for a non-accident related purpose;
 - 1.3 agreed to separate ‘Specified Treatment Providers’ in the Cost of Treatment Regulations, to provide for separate payment rates for Acupuncturists, Chiropractors, Occupational Therapists, Osteopaths, Physiotherapists, Podiatrists, and Speech Therapists;

[DEV-20-MIN-0154]
- 2 **noted** that the Accident Compensation (Liability to Pay or Contribute to the Cost of Treatment) Amendment Regulations 2021 and the Accident Compensation (Apportioning Entitlements for Hearing Loss) Amendment Regulations 2021 give effect to the decisions referred to in paragraphs 1.1 and 1.2 above;
- 3 **noted** that during the drafting process, it became clear that it is appropriate that the decision set out in paragraph 1.3 above, to separate ‘specified treatment providers’ in the regulations to provide for separate payment rates for different occupations, be implemented after separate payment rates are formulated in future reviews;
- 4 **authorised** the submission to the Executive Council of the:
 - 4.1 Accident Compensation (Liability to Pay or Contribute to the Cost of Treatment) Amendment Regulations 2021 [PCO 23167/7.0];

4.2 Accident Compensation (Apportioning Entitlements for Hearing Loss) Amendment Regulations 2021 [PCO 23168/7.0];

5 **noted** that the Amendment Regulations come into force on 1 May 2021;

6 **noted** that section 324(2) of the Accident Compensation Act 2001 requires that the responsible Minister receive a recommendation from ACC and that the responsible Minister be satisfied that consultation with the persons and organisations the Minister considers appropriate has occurred before recommending the making of an Order in Council under section 324;

7 **noted** the advice of the Minister for ACC that the requirements of section 324(2) have been met.

Gerrard Carter
Committee Secretary

Present:

Hon Chris Hipkins (Chair)
Hon Carmel Sepuloni
Hon Andrew Little
Hon Poto Williams
Hon Kris Faafoi
Hon Michael Wood (Deputy Chair)
Hon Dr David Clark
Keiran McAnulty, MP (Senior Government Whip)

Officials present from:

Office of the Prime Minister
Officials Committee for LEG