

## How to submit this form

# Submission form: Proposed amendments to the Accident Insurance (Occupational Hearing Assessment Procedures) Regulations 1999

The Ministry of Business, Innovation and Employment (MBIE) would like your feedback on proposals on updating the Accident Insurance (Occupational Hearing Assessment Procedures) Regulations 1999. Please provide your feedback by **5pm, on 14 September 2022**.

When completing this submission form, please provide comments, evidence, and any data that may aid your submission. Your feedback provides valuable information and informs decisions about the proposals.

We appreciate your time and effort taken to respond to this consultation.

## Instructions

### To make a submission you will need to:

1. Fill out your name, email address, phone number and organisation.
2. Fill out your responses to the discussion document questions. You can answer any or all of these questions in the [discussion document](#). Where possible, please provide us with evidence to support your views. Examples can include references to independent research or facts and figures.
3. If your submission has any confidential information:
  - i. Please state this in the email accompanying your submission, and set out clearly which parts you consider should be withheld and the grounds under the Official Information Act 1982 (Official Information Act) that you believe apply. MBIE will take such objections into account and will consult with submitters when responding to requests under the Official Information Act.
  - ii. Indicate this on the front of your submission (e.g. the first page header may state "In Confidence"). Any confidential information should be clearly marked within the text of your submission (preferably as Microsoft Word comments).
  - iii. Note that submissions are subject to the Official Information Act and may, therefore, be released in part or full. The Privacy Act 1993 also applies.

## How to submit this form

### 4. Submit your feedback:

i. As a Microsoft Word document by email to [ACregs@mbie.govt.nz](mailto:ACregs@mbie.govt.nz) with subject line:  
*Consultation: Hearing Assessment Regulations*

ii. By mailing your submission to:

The Manager, Accident Compensation Policy  
Ministry of Business, Innovation and Employment  
PO Box 1473

Wellington 6140  
New Zealand

## Submitter information

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MBIE would appreciate if you would provide some information about yourself. If you choose to provide information in the section below it will be used to help MBIE understand the impact of our proposals on different occupational groups. Any information you provide will be stored securely.

### Your name, email address, phone number and organisation

Name:

Privacy of natural persons

Email address:

Privacy of natural persons

Phone number:

Privacy of natural persons

Organisation:

New Zealand Audiological Society

- The Privacy Act 2020 applies to submissions. Please tick the box if you do **not** wish your name or other personal information to be included in any information about submissions that MBIE may publish.
- MBIE may upload submissions or a summary of submissions received to MBIE's website at [www.mbie.govt.nz](http://www.mbie.govt.nz). If you do **not** want your submission or a summary of your submission to be placed on our website, please tick the box and type an explanation below:

I do not want my submission placed on MBIE's website because... [insert reasoning here]

### Please check if your submission contains confidential information

- I would like my submission (or identifiable parts of my submission) to be kept confidential, and **have stated** my reasons and ground under section 9 of the Official Information Act that I believe apply, for consideration by MBIE.

## Proposed amendments to the Accident Insurance (Occupational Hearing Assessment Procedures) Regulations 1999

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### Questions on the proposed objectives

1. Do you agree with the objectives?

Strongly Disagree
Disagree
Neither
<b>Agree</b>
Strongly Agree

If you disagree, which of the objectives listed do you disagree with and why?

**Consistent outcomes** – Agree this is important but also think that claimants who believe they have been unfairly assessed by the otolaryngologist should have the opportunity to re-apply for funding outside of the 30 day dispute period. The 30 day timeframe is very tight and should be extended.

2. Are there other/alternative objectives that should be considered to help shape the discussion?

**Equity:** How is ACC applying an equity lens to the ACC regulations and legislation. This point isn't noted in the objectives above.

### Questions on the proposed options

3. Do you think the use of ISO standards as the base for the age scale is appropriate?

Yes       No       Not Sure

Why/ why not?

It provides baseline data that can be consistently used across claimants, however it would be important to source/support research to obtain data for New Zealand specific populations and possible equity issues.

The NZAS is concerned about any possible equity issues towards females as a result of this change.

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4. Do you have any evidence to support an alternative method for calculating the age scale?  
Please provide specific evidence and data

No – as noted above further NZ focused studies would be helpful.

5. What is your preferred option?

Option 1 (Status Quo)     Option 2 (proposed update)     Neither     No preference

Please provide the reasons for your view

The NZAS supports Option 2 as it is based on more up-to-date data.

However, the NZAS would like more clarity around the allocation of funding bands and how this may be impacted with the changes proposed around age apportionment.

### Questions on the overall proposal

6. Are there any other impacts that may come about from updating the age scale that should be considered?

Please provide evidence where possible

As noted above it would be important to consider any unintended equity implications and as noted in the discussion document a future review of other options may be appropriate.

6% Threshold

While the 6% (soon to be 5%) threshold is not part of this consultation the NZAS wish to note that people with less than a 5% hearing loss may benefit from appropriately fitted hearing aids. We therefore we disagree with the statement in Point 4a of this discussion document that states:

*4a. A six per cent hearing loss injury-related cover threshold (based on clinical evidence that hearing aids provide benefit beginning at five-six per cent hearing loss). This threshold is prescribed in the AC Act (primary legislation).*

### Questions on additional amendments

7. Do you think the reference, within the Regulations, to tests conducted by otolaryngologists should be removed from the regulations?

Yes     No     Not sure

Why/ why not? (Please provide specific evidence where possible)

As noted in the discussion document the change will reflect current practice as testing is usually done by audiologists.

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8. Do you think the reference, within the Regulations, to AS ISO 8253.1-2009 should be updated to ISO 8253.1-2010?

Yes     No     Not sure

Why/ why not? (Please provide specific evidence where possible)

It is a more up to date version

### About the NZAS

The New Zealand Audiological Society (NZAS) was incorporated in 1976 and is a self-regulatory professional association representing over 760 Audiologist, Audiometrist and provisional members in New Zealand. NZAS members work in public and private sector audiology, as well as in University programmes, Ko Taku ReoDeaf Education Centres, Cochlear Implant Trusts, and undertake research in the field of Audiology.

NZAS has a vision for people with hearing loss fully participating in their communities and supports this by promoting excellence in hearing care through leadership, advocacy and setting professional standards of practice for all members.

Members complete a Certificate of Clinical Competency process to obtain full membership and thereafter are required to maintain their proficiency and annual practicing certificate (APC) through continuing education and regular peer reviews. NZAS members adhere to agreed Standards of Practice issued by the NZAS and to uphold the NZAS Code of Ethics. NZAS has an independent Complaints Board who investigate complaints from consumers, the public and NZAS members themselves regarding possible breaches of the Code of Ethics.