

15 December 2023

Hon Matt Doocey
Minister of ACC
By email

Dear Minister

On behalf of Physiotherapy New Zealand congratulations on your appointment as Minister for ACC, along with the Associate Minister of Health (Mental Health). Our President Kirsten Davie and CEO Sandra Kirby seek an early opportunity to meet with you to discuss how physiotherapy contributes to prevention, treatment and rehabilitation following injury and the potential for this to be enhanced.

Physiotherapists are a highly skilled, trusted,ⁱ evidenced-based, and regulated workforceⁱⁱ that delivers rehabilitation outcomes for all in Aotearoa and are integral to the success of ACC. More than one in four people who have an accident access ACC through a physiotherapist.ⁱⁱⁱ

Physiotherapy helps people recover from injury and return to work, family, and sporting life. It has been shown that physiotherapists deliver strong outcomes for people recovering from injury at relatively low cost within our communities, saving tertiary services significant cost. Most physiotherapists in private practice are delivering ACC services.

PNZ is very supportive of the ACC principles. However, we have some longstanding concerns around the application of treatment and rehabilitation services and the impact this has on New Zealanders who experience an injury. These fall into three categories:

1. Physiotherapists being able to sign off return to work certificates

Physiotherapists provide diagnosis, treatment, comprehensive work site assessments and return to work plans for injured ACC clients that enable a safe and sustainable return to work but they cannot sign off return to work certificates. This step puts pressure on clients, General Practitioners (GP), employers and families with a need to make an appointment with a GP to simply sign the certificate so that the client can return to employment.

Under the Holidays Act 2003 physiotherapists can provide evidence to an employer as proof of an injury, diagnosis and prognosis for a client. This allows the employee evidence that they can use to obtain time off work. Physiotherapists can also provide certification for WINZ clients.^{iv} However, to obtain weekly compensation under ACC legislation, a medical certificate from a General Practitioner (GP) is still required. This means that an ACC client needs to make an appointment with a GP, at a cost to both the patient and ACC and often incurring a significant delay because of the GP workload, for the GP to write a certificate that often states the return-to-work programme supplied by the physiotherapist should be followed.

We urge you to change the ACC legislation as soon as possible to allow physiotherapists to sign work capacity certificates. This is a small, but significant, change that would benefit ACC clients, GPs and physiotherapists.

2. ACC funding for physiotherapy

With ACC being the primary funder of physiotherapy in the community we believe there is a responsibility on this Crown agency to consider the workforce. It is our member experience that ACC funding has not kept pace with costs of treatment delivery. There is a risk for ACC and for New Zealanders that physiotherapy businesses could become unsustainable either through lack of funding or as a result of large numbers of the workforce choosing to take their desirable skills overseas where pay and conditions for physiotherapists are significantly better than here in New Zealand.^v The current funding mechanisms for primary care physiotherapy, Cost of Treatment Regulations, and the Allied Health Contract, are both very slow to respond to changes such as

inflation and changes in staffing costs. The Cost of Treatment Regulation process in particular takes two years to make changes and is based on very outdated modes of treatment practice. The need to charge an ACC co-payment magnifies inequity, particularly for Māori, Pacific, and rural patients. ACC states their funding model is based on covering 60% of the cost of delivering a sustainable physiotherapy service, however, many practices do not charge a 40% co-payment, as their communities cannot afford the cost to access the service.^{vi}

PNZ is calling for ACC funding rates to meet the real cost of treatment through an independent review of the contractual funding model to address the long standing concerns. We believe this review could help ensure a sustainable workforce, attractive enough to retain experienced staff. This includes:

- Full funding for community services card holders, with removal of the co-payment requirement.
- Significant improvement to the assisted recovery service to support recovery for kiritaki/clients.
- Injury prevention funding increase for sport, work, and home related injuries.
- Better utilisation of Specialist and Advanced practitioner physiotherapy roles with a review of their funding rates.

3. Maternal birth injury cover

A law change in 2022 gave access to ACC funding for women experiencing birth injuries, which has been a welcome change in the legislation but barriers such as co-payments remain. This is demonstrated by the relatively low uptake of maternal birth injury claims despite the predictions of 20-30,000 claims per annum.^{vii} Feedback from clients, midwives and obstetricians is that the co-payment required is a barrier for referral and for women seeking physiotherapy treatment.

Physiotherapy New Zealand (PNZ)

PNZ is the national membership organisation for physiotherapists, physiotherapy assistants, and students, with 5,000 members encompassing 70% of registered physiotherapists in New Zealand. We support physiotherapists to lead improved health outcomes for Aotearoa, working with and advocating to stakeholders, as well as collaborating with others where our goals and values are aligned.

We are keen to meet with you to share our vision of the way physiotherapy can support ACC service delivery. Physiotherapists can and should be an integral part of the solution to easing chronic pain of New Zealanders and easing pressure on our health and rehabilitation system.

The key contact for Physiotherapy New Zealand is CEO Sandra Kirby on 021 397 169 or sandra.kirby@physiotherapy.org.nz. We will follow up with your office to arrange a meeting.

Yours sincerely



Kirsten Davie
President
Physiotherapy New Zealand

ⁱ PNZ Public Survey report.

ⁱⁱ Physiotherapy Board of New Zealand Annual Report 2022/23, physioboard.org.nz. The workforce is predominately female (76%).

ⁱⁱⁱ Those injured can access ACC directly through physiotherapy. 25% of all ACC claims are made through a physiotherapist.

^{iv} workandincome.govt.nz/providers/health-and-disability-practitioners/guides/work-capacity-med-cert-health-practitioners.html

^v For example NZ Herald 08/12/2023 "More than 9000 NZ health professionals have registered to work in Australia in past year" Accessed from nzherald.co.nz/nz/more-than-9000-nz-health-workers-have-registered-to-work-in-australia-in-past-year/U6BXPBGW4JEGVHILGBPMFSEXII/

^{vi} ACC research conducted by Research New Zealand showed approximately half of physiotherapy businesses are charging reduced co-payment rates based on socio-economic status

^{vii} nz.co.nz/news/in-depth/497212/big-jump-in-birthing-injuries-being-covered-by-acc