

## Consultation on Regulations for AMA Guides

The proposals are described in the discussion document at [www.dol.govt.nz/consultation/acc-regulations/consultation-document.pdf](http://www.dol.govt.nz/consultation/acc-regulations/consultation-document.pdf)

### YOUR DETAILS:

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I am responding:

- as an individual  
 on behalf of an organisation

**Organisation:**

**New Zealand Nurses Organisation**

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Please tick to describe who you represent:

- Client Advocacy Group  
 Person with injury related disability  
 Employee  
 Small business (up to 10 staff)  
 Medium business (11 to 50 staff)  
 Large business (over 50 staff)  
 Business representative organisation/industry group  
 Trade Union  
 Training Organisation  
 Consultant  
 Assessor  
 Other (please describe) Professional Organisation

## ABOUT NZNO

*The New Zealand Nurses Organisation (NZNO) is the leading professional and industrial organisation for nurses in Aotearoa New Zealand, representing over 46 000 nurses, midwives, students, kaimahi hauora and health workers on a range of employment-related and professional issues. Te Runanga o Aotearoa is the arm through which our Te Tiriti o Waitangi partnership is articulated.*

*NZNO provides leadership, research and support for professional excellence in nursing, negotiates collective employment agreements on behalf of its members and collaborates with government and other agencies throughout the health sector. Nurses are the largest group of health professionals comprising half the health workforce.*

*The NZNO vision is “Freed to care, Proud to nurse”. Our members enhance the health and wellbeing of all people of Aotearoa New Zealand and are united in their professional and industrial aspirations to achieve a safe, sustainable and accessible system of public health care for all New Zealanders.*

## CONSULTATION

NZNO has consulted with staff and members including professional nursing, medico- legal and policy advisers in compiling the following feedback.

## EXECUTIVE SUMMARY

Firstly, the New Zealand Nurses Organisation would like to acknowledge our appreciation for the two month consultation period which is reasonable and appropriate for the proposed changes. We also congratulate Accident and Compensation Corporation (ACC) for updating impairment assessment in line with international advances and particularly for trialling the American Medical Assessment 6 Guidelines (AMA6) before changing them. We support this careful and inclusive approach to regulations which affect some of the most vulnerable New Zealanders.

Though permanent impairment is usually medically assessed by AA trained assessors, NZNO takes this opportunity to suggest that Nurse Practitioners could also be considered for training as accredited assessors as there are those who are highly skilled in areas of function, such as neurological impairment, who have appropriate expertise and experience.

NZNO **supports** the proposed regulatory change to the Injury Prevention, Rehabilitation, and Compensation (Lump Sum and Independence Allowance) Regulations 2002, to replace the American Medical Association Guidelines to the Evaluation of Permanent Impairment (AMA4 and ACC User handbook to AMA4) with the sixth edition of the Guidelines (AMA6) and ACC User handbook to AMA6.

We suggest that, where five yearly review of existing claimants with impairment that has been assessed under the AMA4 occurs, if this results in a different rating using the new guidelines that means loss of entitlement, a transition step be added to ensure fair resolution of potential issues of justice which might arise from changed assessment criteria. This should include a comparison of assessment under AMA4 and AMA6 and a further clinical decision based on total client needs.

NZNO supports adopting the ACC User handbook to AMA6 in the regulations because it is essential that regulations reflect the unique legislative, health and social perspective of Aotearoa New Zealand.

1. Do you agree that AMA6 should replace AMA4 as the prescribed tool for accident compensation permanent impairment assessments?

Yes, though we suggest it is reviewed after the first year to ensure the change in percentage impairment noted in the trial findings has not now highlighted and anomaly which is further accentuated with the full implementation.

If yes, please state why.

For the reasons outlined in the consultation document.

Though we note that the impact of the AMA6 guidelines seems to be more restrictive, we believe more focused guidelines, based on sound evidence will lead to more effective and appropriate treatment in the first instance.

If no, please state why.

2. Do you agree that the ACC User Handbook to AMA6 should be prescribed in regulations to aid accident compensation permanent impairment assessments?

Yes

If yes, please state why.

NZNO supports adopting the ACC User handbook to AMA6 in the regulations because it is essential that regulations reflect the unique legislative, health and social perspective of Aotearoa New Zealand.

If no, please state why.

3. Do you have any other comments about the proposals in this consultation document?

NZNO suggests:

- Nurse Practitioners could also be considered for training as accredited assessors as there are those who are highly skilled in areas of function, such as neurological impairment, who have appropriate expertise and experience.
- Where review of existing claimants results in a different rating using the new guidelines, a transition step be added to ensure fair resolution of potential issues of justice which might arise from changed assessment criteria. This should include a comparison of assessment under AMA4 and AMA6 and a further clinical decision based on total client needs.
- A review after one year.

*Thank you very much for your time and opinions. All responses will be carefully considered and included in a report to the Minister for ACC to inform his decision on how to proceed.*