Te Whatu Ora
Health New Zealand

19 September 2023

Name Details Redacted

Your request for Official information, reference: HNZ00028251

Thank you for your email on 22 August 2023, asking for the information under the Official Information Act 1982 (the Act). Please find our response to each part of your request below.

> *"Please supply the following information under the Official Information Act:*
>
> *1. How many applications for medical exemptions were received since November 2021?"*

A Total of 8,259 applications for medical exemptions were received since November 2021

> *"2. How many medical exemptions were granted?"*

A total of 6,410 medical exemptions were granted.

> *"3. Please provide a breakdown of the medical conditions approved as the basis for granting a medical exemption and the numbers of exemptions granted for each of these medical conditions;"*

Please refer to the below tables which show the number of Temporary Medical Exemptions (TMEs) approved, under each version of the clinical criteria.

Original Criteria V1.0	**Exemptions Granted**
1A - COVID-19 Infection	84
1B – Serious Adverse event to previous dose	58
1C – Unable to tolerate administration due to risk to self or others	47
2A – Anaphylaxis	11
2B – Myocarditis/Pericarditis	43
2C – Inflammatory Cardiac Illness	23
2D – Acute Decompensated Heart Failure	5
3A – Non-placebo participant in a vaccine trial	414
Total	**685**

Criteria V1.1	Exemptions Granted
1A - COVID-19 Infection	5600
1B – Acute moderate to severe (non-COVID) illness	2
1C – High Dose Immunosuppression	3
2A – Significant adverse reaction to previous dose	48
3A – Vaccine administration needs a supportive arrangement to meet individual care requirements	14
3B – Pre-existing diagnosis impacting on COVID-19 vaccination	9
3C – Terminal Illness	3
4A - Non-placebo participant in a vaccine trial	46
Total	**5725**

"4. How many women applied for exemptions based on pregnancy or complications during pregnancy?

5. How many women were granted an exemption based on pregnancy or complications during pregnancy?"

This information was not collected. Pregnancy status alone wasn't listed in the TME criteria, and no applications were granted on these grounds. It is noted that some complications of pregnancy may have met other TME criteria, however, as above, information about whether applicants were pregnant or not was not collected.

"6. How many people applied for exemptions on the grounds of myocarditis and/or pericarditis and/or a cardiac event following the first dose of the vaccine, and how many exemptions were granted under this category?"

Under the original clinical criteria, 119 people applied for a TME on the basis of Myocarditis/Pericarditis following their first dose (criteria 2B). 43 of these were granted, and 26 of these applications were returned as incomplete.

Under the clinical criteria V1.1, 215 applied for a TME on the basis of having experienced a significant adverse reaction to a previous dose (2A), which could include myocarditis/pericarditis. 48 were granted, and it is noted that 54 of these applications were returned as incomplete. Additionally, please note that applications made under the new clinical criteria 2A were not broken down by the cause/type of adverse reaction.

"7. How many people applied on the grounds of pre-existing cardiac conditions and how many were granted?"

Under the original clinical criteria, 102 people applied for a TME based on inflammatory cardiac illness (criteria 2C). 23 of these were granted. Additionally, 53 people applied for a TME based on acute decompensated heart failure (pre-existing condition, criteria 2D), and 5 of these were granted.

Under the clinical criteria V1.1, 55 people applied for TME on the basis of a pre-existing condition, which could also include non-cardiac related conditions (criteria 3B), and 9 of these were granted. Recording of criteria 3B was not broken down by condition.

"8. How many applications were received for an exemption based on an allergy to polyethylene glycol (PEG)?

9. How many exemptions were granted based on an allergy to polyethylene glycol (PEG)?

10. How many applications for exemption were received based on a pre-existing allergy to PEG and how many were granted?"

TMEs were not granted on the grounds of allergy to polyethylene glycol (PEG) alone. Therefore, no applications for exemption were granted on these grounds.

"11. How many applications were received based on an anaphylactic event following the first dose of vaccine, and how many exemptions were granted on this basis?"

Under the original clinical criteria, 125 people applied for a TME on the basis of anaphylaxis (criteria 2A). 11 of these were granted.

Under the clinical criteria V1.1, 215 people applied for a TME on the basis of a significant adverse reaction (criteria 2A), and 48 of these were granted. Please note that criteria 2A included anaphylactic events, alongside other significant adverse reactions.

"12. Please provide any report, protocol, memorandum, email and/or any other document detailing the clinical criteria and/or rationale relating to the grant or decline of applications for medical exemptions."

Please refer to **Appendix Three** and **Appendix Four**, which outline the criteria and provide clinical guidance and resources regarding each version of the TME application criteria.

"13. Who was responsible for considering applications for medical exemptions?"

Please refer to **Appendix One**, which outlines the process for consideration of applications for TME, including a description of the Temporary Medical Exemptions Panel ("The Panel"), who made recommendations on application decisions to the Director General of Health.

"14. Did the Director-General of Health ever deal with applications for medical exemptions on his own?"

No, the Director-General of Health did not deal with applications for medical exemptions on his own.

"15. Please provide the names of the six person temporary medical exemption panel. Were the decisions of this panel undertaken by a consensus or by majority decision? Please explain the protocol where there was a difference of opinion amongst the expert panel."

Please refer to Appendix One, which outlines the process for consideration of applications for TME. The terms of reference are provided in **Appendix Two**. Regarding the names of the members of The Panel, I am refusing your request under section 9(2)(g)(ii) of the Act to prevent harassment.

"16. How many medical exemptions were granted to staff working in hospitals?

17. How many medical exemptions were granted to staff working in the education sector?"

Staff working in hospitals or education sector may have applied for a TME, although information on occupation or employer was not gathered as part of the application process so it is not possible to provide a total.

18. Please provide a breakdown of the ages of people granted a medical exemption."

The applicant's date of birth, although not age, was requested as part of the TME application process, While the Act allows New Zealanders to ask for information from Ministers and government agencies, there is no requirement for agencies to create new information or compile information they do not hold. As such this part of your request is refused under section 18(g)(i) of the Act as the information requested is not held by Te Whatu Ora and there are no grounds for believing it is connected more closely with the functions with another agency subject to the Act.

How to get in touch

If you have any questions, you can contact us at hnzOIA@health.govt.nz.

If you are not happy with this response, you have the right to make a complaint to the Ombudsman. Information about how to do this is available at www.ombudsman.parliament.nz or by phoning 0800 802 602.

As this information may be of interest to other members of the public, Te Whatu Ora may proactively release a copy of this response on our website. All requester data, including your name and contact details, will be removed prior to release.

Nāku iti noa, nā

Matt Hannant
Interim Director, Prevention
National Public Health Service
Te Whatu Ora – Health New Zealand