



**THE ACCIDENT COMPENSATION (DENTISTS COSTS)
REGULATIONS 1990**

PAUL REEVES, Governor-General

ORDER IN COUNCIL

At Wellington this 11th day of June 1990

Present:

THE RIGHT HON. HELEN CLARK PRESIDING IN COUNCIL

PURSUANT to section 120 (1) (f) of the Accident Compensation Act 1982, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

ANALYSIS

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| <ol style="list-style-type: none"> 1. Title and commencement 2. Interpretation 3. Application 4. Corporation to pay certain costs 5. Second opinions 6. Costs not payable in respect of public hospital services | <ol style="list-style-type: none"> 7. Costs not payable where social security benefit paid 8. Certificates 9. Goods and services tax 10. Application of regulations to certificates and treatments provided overseas 11. Revocations and savings Schedule |
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REGULATIONS

1. **Title and commencement**—(1) These regulations may be cited as the Accident Compensation (Dentists Costs) Regulations 1990.
- (2) These regulations shall come into force on the 16th day of July 1990.

2. Interpretation—In these regulations, unless the context otherwise requires,—

“The Act” means the Accident Compensation Act 1982:

“Claimant” means a person who has suffered personal injury by accident to which the Act applies:

“Corporation” means the Accident Compensation Corporation:

“Dentist” means any person who holds a current annual practising certificate issued by the Dental Council of New Zealand:

“Hospital” has the same meaning as in the Hospitals Act 1957:

“Personal injury by accident” means personal injury by accident to which the Act applies:

“Private hospital” means a licensed hospital as defined in section 118 of the Hospitals Act 1957:

“Public hospital” means any hospital that is not a private hospital and is operated by the Crown or an area health board.

3. Application—(1) Subject to these regulations, these regulations shall apply in respect of any treatment provided by a dentist on or after the 16th day of July 1990, to a claimant in respect of personal injury by accident, irrespective of—

(a) The date of the charging or payment of any fee for the treatment; or

(b) The date on which the personal injury by accident occurred.

(2) These regulations (other than regulation 11 (2)) shall not apply in respect of any treatment provided before the 16th day of July 1990 by a dentist to a claimant in respect of personal injury by accident irrespective of the date of the charging or payment of any fee for the treatment.

4. Corporation to pay certain costs—(1) Subject to these regulations, the Corporation shall pay the costs of treatment provided by a dentist to any claimant in respect of personal injury by accident to the extent specified in the Schedule to these regulations.

(2) The Corporation shall not pay any costs unless it has received such information and declarations as it may require in order to verify that the claimant has suffered personal injury by accident and that the treatment in respect of which the claim for payment is made was provided in respect of personal injury by accident.

(3) The Corporation shall not pay any costs unless it has been advised of the date on which the treatment was provided and the specific nature of that treatment.

(4) The costs payable by the Corporation, as required or permitted under these regulations, shall be paid—

(a) To the dentist; or

(b) If they have already been paid by the claimant, then to the claimant.

5. Second opinions—(1) The Corporation shall decline to make any payment in respect of any treatment that it considers may not be necessary or appropriate or that it considers may have exceeded the number necessary or appropriate in the particular case until it has obtained a second opinion on the matter.

(2) Where the Corporation, after having obtained the second opinion, believes that the treatment was unnecessary or inappropriate it shall decline to make any payment in respect of the treatment and shall advise the claimant and the dentist accordingly.

(3) Nothing in this regulation shall apply in any case where the treatment concerned has been provided with the prior approval of the Corporation.

6. Costs not payable in respect of public hospital services—No payment shall be made by the Corporation under these regulations in respect of any treatment provided by a dentist—

- (a) In a public hospital; or
- (b) To any claimant as an out-patient of a public hospital; or
- (c) While the dentist is acting in the course of employment by the Crown or an area health board.

7. Costs not payable where social security benefit paid—Where any payment is made pursuant to the Social Security (Dental Benefits) Regulations 1983 (S.R. 1983/151) in respect of any treatment by a contractor within the meaning of those regulations, the Corporation shall not make any payment under these regulations in respect of that treatment.

8. Certificates—The Corporation shall not make any payment under these regulations in respect of any certificate provided to the Corporation by a dentist, other than the payment in respect of the examination and assessment that relates to the issue of the certificate.

9. Goods and services tax—All amounts specified or referred to in these regulations are exclusive of goods and services tax.

10. Application of regulations to certificates and treatments provided overseas—Nothing in these regulations shall limit or restrict section 75 (8) of the Act.

11. Revocations and savings—(1) The Accident Compensation (Dentists Costs) Regulations 1989* and the Accident Compensation (Dentists Costs) Regulations 1989, Amendment No. 1† are hereby consequentially revoked.

(2) Notwithstanding regulation 3 (2) of these regulations and subclause (1) of this regulation, where a dentist has provided, at any time in the period beginning on the 1st day of December 1989 and ending with the close of the 15th day of July 1990, treatment to a claimant in respect of personal injury by accident, the regulations revoked by subclause (1) of this regulation shall continue to apply in respect of the treatment so provided.

*S.R. 1989/333
†S.R. 1989/391

Reg. 4

SCHEDULE

COSTS PAYABLE BY CORPORATION IN RESPECT OF TREATMENTS
PROVIDED BY DENTISTS

The costs payable by the Corporation for treatment provided by a dentist are those specified below or the costs that the dentist would have charged the claimant if the treatment were one for which the Corporation was not making a payment, whichever is the lesser:

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ITEM OF SERVICE	
1. Examination and assessment	33
X-rays	
3. Periapical or bitewing film, each	8
4. Occlusal, each	20
4A. Panorex	35
4B. Postero—anterior jaws or head, occipito-mental	45
4C. Lateral oblique of mandible	45
5. Emergency temporary cover	20
Extractions (non-orthodontic only):	
First permanent tooth or deciduous quadrant	
6. —with local anaesthetic	50
7. —with general anaesthetic	70
8. Each succeeding permanent tooth (maximum 4 teeth) or deciduous quadrant	19
9. Simple jaw clearance—6 teeth or more	90
10. Full clearance—both jaws 12 teeth or more	160
Surgical extraction of impacted third molars or other impacted teeth	
11. —single	100
12. —double	150
Fillings	
Non-metallic:	
13. —simple fillings in anterior teeth and buccal surfaces of premolars	39
14. —more than one surface in anterior teeth, per tooth	59
Amalgam:	
15. —one surface (including 2 fillings on occlusal surface of upper molars including all buccal, palatal, and lingual fissure extensions)	33
16. —two surface (approximo-occlusal)	44
17. —three surface (mesio-occlusal-distal)	50
18. —restoration (including restoration of one or more cusps)	71
Pulp and root canal treatment	
19. Partial pulpectomy	60
21. Septic root canal treatment and root filling, permanent teeth (per canal)	143
22. Apicectomy and retrograde amalgam	151
22A. Bleaching	59

SCHEDULE—*continued*COSTS PAYABLE BY CORPORATION IN RESPECT OF TREATMENTS
PROVIDED BY DENTISTS—*continued*

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Prosthetic appliances	
Partial dentures:	
23. —1 tooth, acrylic	219
24. —Each extra tooth	13
25. —Each clasp	8
26. —Lingual bar	14
27. —1 tooth, metal (vitalium)	539
28. —Each extra tooth	13
Full dentures:	
29. —Full upper or lower	400
30. —Full upper and lower	700
32. —Rebasing full upper or lower	160
33. —Replacing one broken tooth when remaking or rebasing	34
34. —Each extra tooth	10
35. —Repairs	36
Splints and bands (non-orthodontic)	
37. Composite, per tooth (with/without wires)	22
38. Wiring, per tooth	17
39. Composite bonding metal brackets and arch wire, per tooth	33
Crowns	
40. Stainless steel crown	50
41. Plastic crown	35
42. Acrylic—heat processed	240
42A. Composite crown	93
43. Porcelain	424
45. Porcelain baked to metal crown or full gold crown ..	484
46. Gold or porcelain inlay—MI, DI or incisal	150
47. MID	225
48. Facing for	20
49. ¾ gold crown (anterior or posterior)	300
50. Recement crown or inlay	20
Post and cores	
51. Amalgam or composite resin core	39
52. Metal—para post or similar	58
53. Cast post—from impression, requiring a second appointment	75
Bridges, per unit	
54. Standard	400
55. Rochette	148
56. Maryland	185
57. Composite	163
Surgery	
58. Minor oral surgical operations not otherwise covered by this Schedule	100

SCHEDULE—*continued*COSTS PAYABLE BY CORPORATION IN RESPECT OF TREATMENTS
PROVIDED BY DENTISTS—*continued*

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Soft Tissues					
59.	Lacerations—minor	110
60.	—moderate	155
61.	Drainage abscess, cellulitis	135
62.	Traumatic mucous cyst	..	..	..	165
63.	Removal of foreign bodies	..	..	..	185
Bone					
64.	Jaw fractures—conservative	..	..	..	90
65.	—simple with IMF	..	..	..	205
Temporo—Mandibular Joint Trauma					
66.	Traumatic arthritis—conservative treatment	..	..	..	115
67.	—splints	..	..	..	125
68.	Oro-antral fistula—Buccal sliding flap closure	..	..	..	170
69.	Removal foreign bodies from soft tissues	..	..	..	185
Teeth					
70.	Removal fractured tooth	..	..	..	50
71.	Removal impacted teeth in line of jaw fracture	..	..	..	175
72.	Removal of teeth replaced into hard or soft tissue	..	..	..	175
73.	Apicectomy and rootfilling—anterior	..	..	..	215
74.	—posterior	..	..	..	265

Implants—superficial structure to artificial root

A cost equivalent to a crown, bridge, or metal denture is payable where an implant is an appropriate treatment.

Note

The above specified costs are reduced by 25% where the tooth has been previously heavily restored and by 50% where the tooth has been previously crowned, unless, in either case, the restoration or crowning was carried out as part of treatment where costs were met by the Corporation.

MARIE SHROFF,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 16 July 1990, replace the Accident Compensation (Dentists Costs) Regulations 1989. They increase maximum payments for some items, insert some new items, and omit some treatments that are now outdated.

The regulations also prohibit payments where a benefit has been claimed under the Social Security (Dental Benefits) Regulations 1983 (S.R. 1983/151) and provide that no payment can be made until the Corporation has been advised of the date and the specific nature of the treatment.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 14 June 1990.

These regulations are administered in the Accident Compensation Corporation.