



**ACCIDENT INSURANCE (PRESCRIPTIONS AND LABORATORY TEST REQUESTS) REGULATIONS 1999**

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MICHAEL HARDIE BOYS, Governor-General

ORDER IN COUNCIL

At Wellington this 31st day of May 1999

Present:

THE RIGHT HON JENNY SHIPLEY PRESIDING IN COUNCIL

PURSUANT to section 400 of the Accident Compensation Act 1998, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, makes the following regulations.

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ANALYSIS

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REGULATIONS

**1. Title and commencement**—(1) These regulations may be cited as the Accident Insurance (Prescriptions and Laboratory Test Requests) Regulations 1999.

(2) These regulations come into force on 1 July 1999.

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

“The Act” means the Accident Insurance Act 1998:

“Controlled drug” has the meaning given to it by the Medicines Regulations 1984:

“Insurer” has the meaning given to it by section 75 of the Act (a meaning that includes the Accident Compensation Corporation);

“Laboratory” means a place where at least 1 laboratory technician works as a laboratory technician;

“Pharmaceutical” means a prescription medicine or a controlled drug;

“Prescription medicine” has the meaning given to it by the Medicines Regulations 1984;

“Treatment claim document” means,—

(a) In relation to the Accident Compensation Corporation, the ACC Non-Work and Self-Employed Injury Claim Form (the ACC45);

(b) In relation to any other insurer, the Accident Insurance Treatment Certificate.

**3. Prescriptions**—(1) This regulation applies in the following circumstances:

(a) A treatment provider issues a prescription to an insured; and

(b) The treatment provider is within the class of persons entitled to prescribe a pharmaceutical under the Medicines Regulations 1984 or the Misuse of Drugs Regulations 1977; and

(c) The treatment provider issues the prescription to the insured because the insured needs it to treat a personal injury; and

(d) The treatment provider—

(i) Assesses the insured as likely to have cover for the personal injury; or

(ii) Is aware that the insured has cover for the personal injury; and

(e) The treatment provider—

(i) Completes a treatment claim document relating to the insured and the personal injury; or

(ii) Has already completed a treatment claim document relating to the insured and the personal injury and lodged it with the insured’s insurer.

(2) A treatment provider who issues a prescription in the circumstances described in subclause (1) must set out in it—

(a) The details required by the Medicines Regulations 1984 or the Misuse of Drugs Regulations 1977; and

(b) The following details for each pharmaceutical included in the prescription to treat a personal injury for which the treatment provider has ever completed a treatment claim document:

(i) A form of identification of the insured’s insurer, such as, for example, its name or a number;

(ii) The number on the treatment claim document.

**4. Laboratory test requests**—(1) This regulation applies in the following circumstances:

(a) A treatment provider requires a laboratory test for an insured because the insured needs it to enable treatment of a personal injury; and

- (b) The treatment provider—
    - (i) Assesses the insured as likely to have cover for the personal injury; or
    - (ii) Is aware that the insured has cover for the personal injury; and
  - (c) The treatment provider—
    - (i) Issues the laboratory test request to the insured; or
    - (ii) Issues the laboratory test request to a laboratory; and
  - (d) The treatment provider—
    - (i) Completes a treatment claim document relating to the insured and the personal injury; or
    - (ii) Has already completed a treatment claim document relating to the insured and the personal injury and lodged it with the insured's insurer.
- (2) A treatment provider who issues a laboratory test request in the circumstances described in subclause (1) must ensure that it is accompanied by the following details for each laboratory test request made to enable treatment of a personal injury for which the treatment provider has ever completed a treatment claim document:
- (a) A form of identification of the insured's insurer, such as, for example, its name or a number:
  - (b) The number on the treatment claim document.

MARIE SHROFF,  
Clerk of the Executive Council.

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EXPLANATORY NOTE

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

These regulations require treatment providers and insurers to facilitate the handling of claims under the Accident Insurance Act 1998, by establishing a process for billing insurers for treatment that requires insurers and treatment providers to use a number to link an insured with his or her prescriptions, and laboratory test requests, for a personal injury.

The regulations come into force, contemporaneously with the Act, on 1 July 1999.

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

Date of notification in *Gazette*: 3 June 1999.

These regulations are administered in the Department of Labour.