



Serving the needs of older people

Committee Secretariat
Transport and Industrial Relations
Parliament Buildings
Wellington 6011

SUBMISSION

on: **Injury Prevention, Rehabilitation, and Compensation
Amendment Bill 90-1**

from:

Age Concern New Zealand He Manaakitanga Kaumātua Aotearoa

November 2009

Age Concern is committed to serving the needs of older people, koroua and kuia. Through a national office and a nationwide network of 34 members, branches and associates, we provide services, information and advocacy to older people in response to local needs. We are active and vocal on issues affecting older people, taking every opportunity to work towards our vision of an inclusive society where older people are respected, valued, supported and empowered. This submission has been developed in consultation with Age Concerns.

Age Concern opposes reduction in cover for hearing loss

Age Concern New Zealand strenuously opposes Clause 6 of this Bill which amends the definition of personal injury to exclude “any degree of hearing loss that is less than 6% of binaural hearing loss.” The move to make ACC cover conditional upon *degree* of personal injury, rather than *cause* of personal injury is a radical erosion of the principles of the scheme and is especially unfair to older people.

Contravention of the spirit of the ACC scheme

“We are effectively concluding that the costs of hearing aids for low levels of hearing loss are not justified.” With these words, ACC Minister Nick Smith defends his decision to water down the definition of personal injury to exclude hearing loss under 6%.

ACC currently provides assistance if hearing loss is caused by exposure to a noisy work environment, exposure to a sudden extremely loud noise or is the result of other accident. The proposal to refuse cover for ‘low levels’ of hearing loss completely contravenes the spirit of the scheme. ACC does not distinguish between the claimant who sprains an ankle in an accident and the one who breaks a leg – both are covered. Why, then, make the distinction between a person with less than 6% noise or accident-induced hearing loss and the person with greater than 6% hearing loss? Has hearing loss been singled out simply because it can be measured more easily than other types of injury?

The move to make ACC cover conditional upon *degree* of personal injury, rather than *cause* of personal injury not only weakens the scheme considerably, it breaches the social contract upon which ACC is founded. Instead of upholding the terms of that contract, the Minister appears to be signalling that cover for minor injuries is now in doubt.

Discrimination against older people

The proposed change is particularly unfair to men aged over 57 and women aged over 65 who, when they make an ACC claim after hearing loss injury, are already subject to a threshold based on age. Their ACC entitlement is determined based on a reduction of their actual measured hearing loss to take account of gradual hearing loss due to ageing. For a man aged 71 that age-related adjustment

is already set at 6.1%. For a man aged 80 it is set at 12.8%. (See Accident Insurance (Occupational Hearing Assessment Procedures) Regulations 1999)

The addition of a *further* 6% to this adjustment penalises older people, many of whom will have sustained their hearing loss because they entered the workforce in an era when workers were not provided with noise protection. For this very reason, it is likely that older people will be disproportionately affected if the threshold is introduced. Instead of making it harder for those older people who worked in unsafe environments to receive assistance, ACC should undertake to honour its commitment to them.

Furthermore, if this proposed threshold is made to apply to existing claimants, some older people who are now covered may suddenly find, when they need to renew their hearing aids, that they are no longer covered. As a consequence they may be unable to afford hearing aids. They will have been let down by a scheme that promised them cover and support in case of an injury.

Recommendation

Age Concern New Zealand recommends that the threshold for hearing loss be removed from the Bill.

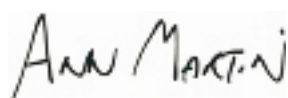
We thank you for this opportunity to comment.

We do not wish to appear before the Committee.

Contact

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