

HEALTH, SAFETY AND WELLBEING E-UPDATE

Inadvertent Exposure to Asbestos Staff/Student Information Sheet | March 31, 2016

What support is available in New Zealand for people who are diagnosed with occupational asbestos-related diseases?

Introduction

The University is mindful of the concerns of people who may have received any form of inadvertent exposure to asbestos. We hope that this information helps you understand the different types of support available, and the eligibility criteria that applies.

Asbestos-related disease may not become apparent for a significant time after exposure (ten or more years later). It is important to understand that not everyone who is exposed will develop a disease, and many will go on to lead normal healthy lives. But regrettably, there are some people whose exposure to asbestos has been significant and eventually results in a serious disease.

Understandably, people have questions on what support they would receive from various parties if they developed an asbestos-related disease in the future. This information answers key questions based on current information, legislation and existing mechanisms of support. It is not practical to predict exactly what support would be available in ten or 20 years' time, other than to say that it should improve along with our understanding of asbestos-related disease.

What are the various support mechanisms for someone who is diagnosed with occupational asbestos-related disease?

There are five mechanisms to provide support to staff and students in New Zealand. These mechanisms work either independently or together, depending on the support needed for the individual and their circumstances.

- 1. Accident Compensation Corporation (ACC):** Support with treatment costs, rehabilitation and weekly compensation where applicable, for ex-employees
- 2. University ACC Partnership Work-related Injury Claim System:** Support with treatment costs, rehabilitation, and weekly compensation where applicable for current employees (same as ACC, but case managed by the University and with additional staff benefits)
- 3. Public health system:** Treatment, rehabilitation and palliative care for any person
- 4. Work and Income:** A "supported living payment", which is a type of benefit that supports an income for a person who is incapacitated and/or has a terminal illness
- 5. Medical insurance:** Treatment cost cover and some additional support, depending on the policy and the scheme acquired privately by the individual

Contact the Health, Safety and Wellbeing Service for information, guidance and support.

Ext 84896 or hsw@auckland.ac.nz

www.auckland.ac.nz/hsw

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Accident Compensation Corporation (ACC)

The Accident Compensation Corporation (ACC) provides support for people with a diagnosed occupational asbestos-related disease, which has been confirmed as the result of exposure to asbestos during their work activities.

When an injury claim is lodged, ACC will investigate the claim and diagnosis to determine whether they can legally accept coverage. These claims are considered complex and ACC will seek further information from medical specialists to ascertain the cause and nature of diagnosis. An accepted claim would then allow for entitlement and support.

Please note: Exposure to asbestos-containing material does not initiate an ACC injury claim. A person must have a diagnosed asbestos-related disease before an ACC claim can be lodged.

What are the criteria?

- A diagnosed occupational disease is confirmed and meets the current ACC Act Schedule 2 for Occupational Disease
- The person's past or present occupations were likely to increase the risk of exposure, e.g. builder, electrician, plumber
- The person was employed at the time and throughout the period of exposure
- The disease is symptomatic

Current University employees should also refer to University support mechanisms.

What support can be provided?

An accepted injury claim would allow ACC to cover all or partial costs for specialist visits, treatment, rehabilitation and medications. The level of support provided is based on the individual's circumstances and needs.

What determines if weekly compensation is applicable?

Weekly compensation is an entitlement that would be applicable if the individual was incapacitated by the disease to the extent that they were unable to continue to work and receive their regular income.

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ACC will fund 80% of a person's known current income and will liaise with their present employer to calculate this compensation.

University support mechanisms for current staff members diagnosed with occupational asbestos-related disease

The University is an Accredited Employer in the ACC Partnership Programme. This means the University manages ACC work-related injury claims for current employees who have suffered an injury, gradual process injury or occupational disease as a result of conducting their work activities. The University engages a third party administrator (WorkAon) to undertake claim management and assist individual employees with treatment, rehabilitation and weekly compensation when the person suffers incapacity and is unable to work. The University is legally required to follow the Accident Compensation Act and the procedures laid down by ACC.

Current employees

This system would be activated if a **current employee** was diagnosed with an occupational asbestos related disease. The University and WorkAon would investigate the claim in the same way and with the same criteria as [ACC](#). This would determine whether the claim was accepted.

Ex-employees

If a claim was for an ex-employee, this would be investigated and managed by ACC. They would determine whether the claim could be accepted or declined, based on ACC legislative criteria.

Non-employees and students

Currently persons who are not employed are not covered by ACC for occupational-related diseases, e.g. students, visitors and family members who receive indirect consequential exposure. Therefore a person who has developed an asbestos-related disease would be managed by New Zealand's public health system, Work and Income, and private medical/income insurance if they have an applicable policy.

Public health system

The public health system will manage a treatment regime for **any** eligible New Zealand resident with **any** illness and disease.

What does the support cover?

Within its criteria for funding, the public health system will provide treatment, rehabilitation and palliative care.

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Work and Income

Can I get support from Work and Income if I'm not covered by ACC?

If an individual is incapacitated by a disease and has no means of income to support themselves, Work and Income will provide a "supported living payment". This is to assist people who have, or are caring for someone with a health condition, injury or disability. An application will be eligibility tested and if approved a benefit will be provided.

Medical insurance

Different insurance companies will have variances in their policy and coverage. The type of scheme the individual has purchased will also dictate the level of coverage.

How can I find out if my current insurance covers me?

Check your policy and refer to the eligibility, pre-existing conditions, treatment coverage and exclusions sections. The policy will explain what can and cannot be covered for treatment or other support for certain types of disease.

If I register on the Asbestos Exposure Register, will this affect my medical insurance or prevent me from being insured?

If you have a current medical insurance policy or wish to obtain one in the future, you should check the insurance provider's policies and refer to the eligibility, pre-existing conditions, treatment coverage and exclusions sections. This will detail their coverage requirements. Any change to personal circumstances requires prompt communication with the provider.

The Asbestos Exposure Register is an independent system managed by WorkSafe New Zealand. Its purpose is to acquire information and statistical data to assess the nature and types of asbestos exposures, incidences and distribution. It also acknowledges the individual's registration and informs their general practitioner, so that appropriate medical surveillance can be actioned. This information is held and stored by WorkSafe New Zealand and is strictly confidential. It cannot be provided to other parties without the individual's consent.

Being on the Asbestos Exposure Register may assist with future related ACC claims, confirming that there was exposure and that it took place during a certain period of time.