



18 October 2024

Tēnā koe

### **Official Information Act request**

Thank you for your email of 27 September 2024, requesting the following information:

*We're requesting from MSD copies of all internal operational policy guidelines and instructions relating to the assessment of disability allowance applications.*

*In addition to this, we're also requesting all policy instructions regarding the assessment of applications for assistance with the cost of medicinal cannabis, including how MSD assesses applications to have medicinal cannabis included in the disability allowance or any other benefit.*

I have considered your request under the Official Information Act 1982 (the Act).

The Ministry of Social Development's (the Ministry's) manuals and procedures (map) page provides operational policy guidelines for staff based on the legislation we administer. The policy guidelines help our staff make accurate and sound decisions, so clients get their full and correct entitlement. Each section of information is provided as an online manual, which can be read as a manual, or as individual pages for specific information.

For operational policy guidelines relating to the granting of Disability Allowance (DA), please see the following map page:

[www.workandincome.govt.nz/map/income-support/extra-help/disability-allowance/index.html](http://www.workandincome.govt.nz/map/income-support/extra-help/disability-allowance/index.html)

Medicinal cannabis is usually considered under DA by the Ministry as a non-subsidised pharmaceutical. The map page for non-subsidised pharmaceuticals can be found here: [www.workandincome.govt.nz/map/income-support/extra-help/disability-allowance/non-subsidised-pharmaceuticals-01.html](http://www.workandincome.govt.nz/map/income-support/extra-help/disability-allowance/non-subsidised-pharmaceuticals-01.html).

You will also find a copy of the Ministry's internal Doogle page **enclosed**, which provides further guidance to staff on what is required to include medicinal cannabis in a clients DA.

The costs of a non-subsidised pharmaceutical can be included as an additional expense for DA if the client's usual General Practitioner (GP) or Nurse Practitioner verifies the pharmaceutical item is essential, directly related to the

client's disability, and there are no suitable subsidised or partly subsidised alternatives.

The Ministry's Regional Health and Disability team are required to ensure that the non-subsidised pharmaceutical application meets the criteria for DA. Further required information may be requested from the client or from their regular GP. Any inquiries directed to the client's GP to assist in this decision-making process should align to the criteria, such as confirming the necessity of the application and ensuring that all other subsidised alternatives have been explored.

All Case Managers request input from the Regional Health and/or Disability Advisors, who collate this information if it isn't already available. The request is then forwarded to the Principal Health Advisor (PHA) and Principal Disability Advisor (PDA) who provide a recommendation determining whether the application meets the DA criteria.

If a client meets the eligibility criteria for Temporary Additional Support (TAS), the costs of the non-subsidised pharmaceutical may also be considered for inclusion as a health and disability cost for TAS. Clients do not have to qualify for a DA to qualify for TAS. Further information regarding how allowable health and disability costs may be included for TAS can be found here:

- [www.workandincome.govt.nz/map/income-support/extra-help/temporary-additional-support/non-subsidised-pharmaceuticals-01.html](http://www.workandincome.govt.nz/map/income-support/extra-help/temporary-additional-support/non-subsidised-pharmaceuticals-01.html)
- [www.workandincome.govt.nz/map/income-support/extra-help/temporary-additional-support/types-of-health-and-disability-costs-01.html](http://www.workandincome.govt.nz/map/income-support/extra-help/temporary-additional-support/types-of-health-and-disability-costs-01.html)
- [www.workandincome.govt.nz/map/income-support/extra-help/temporary-additional-support/pharmaceutical-charges-01.html](http://www.workandincome.govt.nz/map/income-support/extra-help/temporary-additional-support/pharmaceutical-charges-01.html)

The PHA and PDA meet frequently with the Regional Health and Disability teams and the subject of medicinal cannabis products is regularly discussed. Information is shared during the regular meetings and resources as they become available. The Ministry also circulate the following pieces of guidance from the Best Practice Advocacy Centre New Zealand (BPAC) to the Ministry's regional teams to assist when assessing qualification to including medicinal cannabis products into a client's entitlement. Please see the links below for your reference:

- [bpac.org.nz/2022/medicinal-cannabis.aspx](http://bpac.org.nz/2022/medicinal-cannabis.aspx)
- [www.health.govt.nz/our-work/regulation-health-and-disability-system/medicinal-cannabis-agency/medicinal-cannabis-agency-information-health-professionals/medicinal-cannabis-products-meet-minimum-quality-standard](http://www.health.govt.nz/our-work/regulation-health-and-disability-system/medicinal-cannabis-agency/medicinal-cannabis-agency-information-health-professionals/medicinal-cannabis-products-meet-minimum-quality-standard)
- [www.health.govt.nz/our-work/regulation-health-and-disability-system/medicinal-cannabis-agency/medicinal-cannabis-agency-information-health-professionals](http://www.health.govt.nz/our-work/regulation-health-and-disability-system/medicinal-cannabis-agency/medicinal-cannabis-agency-information-health-professionals)


As this is an area of medicine that is relatively new to Aotearoa, and is rapidly changing, all requests regarding medicinal cannabis are referred to the PHA or PDA for a recommendation or advice.

I will be publishing this decision letter, with your personal details deleted, on the Ministry's website in due course.

If you wish to discuss this response with us, please feel free to contact [OIA\\_Requests@msd.govt.nz](mailto:OIA_Requests@msd.govt.nz).

If you are not satisfied with my decision on your request, you have the right to seek an investigation and review by the Ombudsman. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or 0800 802 602.

Ngā mihi

pp. 

Magnus O'Neill  
**General Manager**  
**Ministerial and Executive Services**