



Health and Disability Commissioner
Te Toihau Hauora, Hauātanga

Counties Manukau DHB breached the Code for delays in woman's eye treatment

21HDC00511

Deputy Health and Disability Commissioner, Dr Vanessa Caldwell, has found Counties Manukau District Health Board (DHB) (now Te Whatu Ora Counties Manukau) breached the Code of Health and Disability Services Consumers' Rights (the Code). The breach concerns the delays experienced by a woman receiving an appointment for her eye treatment in 2017 and 2018 at the Manukau Super Clinic.

The woman, in her seventies at the time of events, had a medical history that included type two diabetes and vision deteriorating eye conditions. She had two consecutive Lucentis injections in her right eye and a planned appointment for the following month.

However, due to capacity issues at the time, the woman did not receive her appointment or injection for another five months. The woman then experienced a further two-month delay in receiving her next follow-up appointment, which left the woman with poor vision in her right eye.

HDC has investigated previous events in which consumers have been negatively impacted by delays in ophthalmology services at Counties Manukau DHB. A 2016 complaint found Counties Manukau DHB did not take sufficient account of potential clinical risks associated with heavy demand and a lack of capacity at the Ophthalmology Service, and did not take sufficient or adequate action to rectify the situation, despite awareness of the issue.

In regards to this latest case, Dr Caldwell says, "In particular, I am concerned that at the time of events Counties Manukau DHB did not have in place a system for an acuity-based prioritisation of ophthalmology appointments and lacked systems to communicate with patients about delays. In addition, it appears that the woman was not explicitly provided with all available options to consider."

For failing to ensure the woman received a timely appointment for her Lucentis injection, and subsequent follow-up appointment, Dr Caldwell found Counties Manukau DHB breached Right 4 of the Code, which states that 'Every consumer has the right to have services provided with reasonable care and skill.'

Dr Caldwell says, "As this Office has stated previously, the existence of systemic pressures does not remove provider accountability in addressing such issues. A key improvement that must be made by all districts — now and in the future — is to assess, plan, adapt, and respond reasonably and effectively to the foreseeable effects that issues, such as population change, will have on systems and demand."

It was pleasing to see that a number of changes have been made by Counties Manukau DHB since 2018, including the introduction of an Acuity Index Tool for Ophthalmology follow-up appointments to prioritise follow-up bookings accurately.

To address the present demand, the Ophthalmology Service runs additional weekend clinics (approximately 600 patients seen in two days). Letters are also sent to referrers and patients to advise patients of delayed follow-up appointments, and what to do should their vision deteriorate.

7 August 2023

Editor's notes

The full report of this case will be available on HDC's [website](#). Names have been removed from the report to protect privacy of the individuals involved in this case.

The Commissioner will usually name providers and public hospitals found in breach of the Code, unless it would not be in the public interest, or would unfairly compromise the privacy interests of an individual provider or a consumer.

More information for the media, including HDC's naming policy and why we don't comment on complaints, can be found on our website [here](#).

HDC promotes and protects the rights of people using health and disability services as set out in the [Code of Health and Disability Services Consumers' Rights](#) (the Code).

In 2021/22 HDC made 402 recommendations for quality improvement and providers complied with 98% of those recommendation.

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