



## **Doctor breached Code for providing anti-vaccination misinformation**

**21HDC02706**

A doctor has been found in breach of the Code of Health and Disability Services Consumers' Rights (the Code) for sharing a document containing anti-vaccination misinformation to a woman with COVID-19.

In November 2021, the woman was isolating at home with COVID-19 while her partner was in a Managed Isolation and Quarantine facility (MIQF). She received a call from a doctor who was contracted to provide services to people in MIQF. The doctor told HDC that it was her first day working for the MIQF team.

The woman discussed her symptoms with the doctor after which the doctor emailed her a document called 'Guide to COVID Early Treatment' and instructed the woman to refer to the COVID treatment guideline on a certain page.

The document was published by a US-based organisation and made numerous references to COVID-19 vaccines suggesting, among other things, that they were experimental and that there was no evidence to suggest they reduced the risk of COVID-19. It referenced risks, side effects and complications of the vaccine that were not supported in the Medsafe data sheet for the primary vaccine used in Aotearoa New Zealand. The document also suggested treatment and medications outside those recommended by the clinical standards operating in Aotearoa New Zealand at the time.

The Commissioner was satisfied that the document could reasonably be interpreted as discouraging people from getting the COVID-19 vaccine and contained misinformation.

The woman expressed concerns about the impact of this information being shared with vulnerable communities by a medical professional.

The doctor told HDC the document was sent to her by a more senior GP colleague who had prescribed the treatments referenced in the document. She also said she was not aware of the contents of the document beyond the treatment guideline, and that she had not shared the document with anyone else. The doctor described herself as a champion of COVID-19 vaccination and detailed the work she had done to promote vaccination.

In April 2021, the Medical Council of New Zealand (MCNZ) issued a guidance statement, 'COVID-19 vaccine and your professional responsibility' which includes the following:

‘As a health practitioner, you have a role in providing evidence-based advice and information about the COVID-19 vaccination to others... As regulators we respect an individual’s right to have their own opinions, but it is our view that there is no place for anti-vaccination messages in professional health practice, nor any promotion of anti-vaccination claims including on social media and advertising by health practitioners.’

Health and Disability Commissioner, Morag McDowell, found the doctor breached Right 4(2) of the Code which gives all consumers the right to have services provided that comply with professional, legal, and ethical standards.

“Ultimately, I consider the doctor irresponsibly shared anti-vaccination misinformation when she sent the woman the COVID-19 document. In my view, this amounts to a failure to comply with the MCNZ guidance statement,” she said.

Ms McDowell said the doctor’s failure to read the document in full did not lessen her responsibility to provide accurate information, to share information from public health approved channels, and to verify the appropriateness of the resource being provided.

She recommended the doctor provide an apology to the woman, complete [HDC’s online training modules](#) on the Code and attend training on communication and professional standards.

*16 October 2023*

Health and disability service users can now access an [animated video](#) to help them understand their health and disability service rights under the Code.

### ***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.

Learn more: [Education](#)