

Memorandum

The Cabinet paper and the Government Response to the Petition of Seiji Tonouchi

Date due to MO:	21 November 2024	Action required by:	28 November 2024
Security level:	IN CONFIDENCE	Reference:	H2024052337
To:	Amanda Smith, Private Secretary, Hon David Seymour		
Consulted:	Health New Zealand: <input type="checkbox"/> Pharmac: <input checked="" type="checkbox"/>		
Proactive release:	This title is proposed by the Ministry of Health for proactive release: <input type="checkbox"/>		

Contact for telephone discussion

Name	Position	Telephone
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Action for Private Secretaries

Forward the attached draft cabinet paper and the draft Government response to the Petition of Seiji Tonouchi for Ministerial consultation

Date dispatched to MO:

Memorandum

The Government Response to the Petition of Seiji Tonouchi

Purpose

1. This report appends the draft Cabinet paper and the draft Government response to the Petition of Seiji Tonouchi: Fund a wider selection of anti-epileptic medication, without conditions.

Background

2. The petition of Seiji Tonouchi: Fund a wider selection of anti-epileptic medication, without conditions, was presented to the Petitions Committee on 20 August 2024. On 20 September 2024, the Petitions Committee referred the petition to Associate Minister of Health (Pharmac), Hon David Seymour to recommend a Government response.
3. The Petition is on behalf of a person with epilepsy. The petitioner asks that funding should be allocated to allow epilepsy patients to access any anti-epileptic medication without conditions.
4. Pharmac was consulted in drafting the Cabinet paper and the Government response to the petition.

Summary of the Government response

5. New Zealand funds 18 different epilepsy medicines for different types of epilepsy through Pharmac's Pharmaceutical Schedule. Pharmac sets specific criteria that must be met before some medicines will be funded. This is done to ensure medicines are targeted to those who would benefit the most from the treatment, and the most cost-effective use of Pharmac's fixed budget for medicines.
6. To preserve the independence and accountability of Pharmac (and Crown entities generally), current policy and legal settings (the Crown Entities Act 2004 and the Pae Ora (Healthy Futures) Act 2022) do not allow Ministers to direct the purchasing of pharmaceuticals from a particular source or provision of any pharmaceutical subsidy or other benefit to a particular person.
7. Epilepsy is a serious medical condition, however, it is not inherently more severe or high-risk than many other conditions for which medicines play a vital role. Pharmac offer comparable benefits for people with epilepsy as they do for individuals with other serious health needs. As such, no changes to Government policy are warranted.

Next steps

8. The Cabinet paper require Ministerial consultation and any feedback to be incorporated and **approved for lodgement before 28 November 2024.**

9. The finalised Cabinet papers and the Government response are to be presented to Cabinet Legislation Committee on 5 December. Officials will provide Hon Seymour with talking points to support him.
10. The papers will be presented to Cabinet on or before 12 December 2024.
11. In accordance with Standing Orders 380, 381 and 382, Hon Seymour will be invited to present the Government Response to the petition to the House on 16 December 2024.
12. Officials will provide the office with a draft letter for Hon Seymour to send the Government response to the petition requestor, following its presentation to the House.



Steve Barnes
Associate Deputy Director-General
Strategy, Policy and Legislation
Date: 19/11/2024