

21st May 2021



Official Information Act Request for correspondence regarding the Nga Hau Mangere Birthing Centre

I write in response to your Official Information Act request received by us 28 April 2021, you requested the following information:

- 1. All correspondence regarding Nga Hau Mangere Birthing Centre's request for funding from Counties Manukau District Health Board;
- 2. All correspondence between Dr Lee Mathias and Counties Manukau DHB staff regarding primary maternity services in the Counties Manukau DHB area;
- 3. All correspondence regarding Dr Lee Mathias' conflicts of interest declarations when she was a member of the Counties Manukau DHB.

Counties Manukau Health Response:

For context Counties Manukau Health (CM Health) employs over 8,500 staff and provides health and support services to people living in the Counties Manukau region (approx. 601,490 people). We see over 118,000 people in our Emergency Department each year, and over 2,000 visitors come through Middlemore Hospital daily.

Our services are delivered via hospital, outpatient, ambulatory and community-based models of care. We provide regional and supra-regional specialist services i.e. for orthopaedics, plastics, burns and spinal services. There are also several specialist services provided including tertiary surgical services, medical services, mental health and addiction services.

1. All correspondence regarding Nga Hau Mangere Birthing Centre's request for funding from Counties Manukau District Health Board

Attached as appendix 1 is correspondence about requests for funding from Nga Hau Mangere Birthing Centre to CM Health.

2. All correspondence between Dr Lee Mathias and Counties Manukau DHB staff regarding primary maternity services in the Counties Manukau DHB area

CM Health has no record of direct correspondence between Dr Lee Mathias and CM Health staff regarding primary maternity services in the Counties Manukau area.

3. All correspondence regarding Dr Lee Mathias' conflicts of interest declarations when she was a member of the Counties Manukau DHB

Disclosure of Interests for Counties Manukau District Health Board members are publicly available on our website in each of the Board meeting minutes (2015-present). Please see attached as appendix 2 Disclosure of Interests for Dr Lee Mathias' at the beginning and end of 2014.

I trust this information answers your request. You are entitled to seek a review of the response by the Ombudsman under section 28(3) of the Official Information Act. Information about how to make a complaint is available at www.ombudsman.parliament.nz or Freephone 0800 802 602.

Please note that this response or an edited version of this may be published on the Counties Manukau Health website. If you consider there are good reasons why this response should not be made publicly available, we will be happy to consider this.

Yours sincerely

Fepulea'i Margie Apa

Fepulea' i Margie Apa
Chief Executive Officer
Counties Manukau Health

Appendix 1 - Correspondence relating to requests for funding Nga Hau Managere Birthing Centre

Appendix 2 - Dr Lee Mathias Disclosure of Interests 2014

Appendix 1 - OIA29042021 LATIF

Mary Burr (CMDHB)

From:

Jared Heffernan (CMDHB)

Sent:

Thursday, 29 April 2021 15:54

To:

Sarah Tout (CMDHB); Mary Burr (CMDHB)

Subject:

RE: MEDIA ENQUIRY: Nga Hau Mangere Birthing Centre

Thanks very much to both of you.

From: Sarah Tout (CMDHB)

Sent: Thursday, 29 April 2021 3:35 p.m.

To: Mary Burr (CMDHB); Jared Heffernan (CMDHB)

Subject: RE: MEDIA ENQUIRY: Nga Hau Mangere Birthing Centre

Just added postnatal so it's clear; good to go from my perspective

Many thanks

Dr. Sarah Tout

(Clinical Director of Women's Health CM Health)

Phone: 09 2760000.

Cell:

S9(2)(a)

From: Mary Burr (CMDHB)

Sent: Thursday, 29 April 2021 2:51 p.m.

To: Sarah Tout (CMDHB); Jared Heffernan (CMDHB)

Subject: FW: MEDIA ENQUIRY: Nga Hau Mangere Bi thing Sentre

Hi Sarah and Jarred

I have made comments in blue on the email be ow. Sarah can you please check the addition of the comment about

IDFs (highlighted)?

Media Enquiry:

I'm doing a story about Nga Fa u Mangere Birthing Centre, who are hoping to make more of its services available to local women under the Health NZ reforms.

I'm just wanting a response on why CMDHB has decided to not establish an access agreement with Nga Hau Mangere so women who have CMDHB-contracted midwives can use the rooms there?

- 1. Any agreement to use a private provider for any outsourcing of any public maternity services would be considered only after a government sanctioned procurement process was undertaken. We have not needed to undertake any such process as we currently have a number of primary birthing units.
- 2. Community LMCs are self employed and can use any premises for which they hold an access agreement.

(My understanding is that the ADHB has an agreement with Birthcare in Parnell where it leases rooms off Birthcare and then woman can stay there for a couple of nights for free - and Nga Hau Mangere would like something similar).

3. As mentioned above, any such contract would need to follow government services procurement processes. We are not undertaking any such exercise with anyone at this time.

The founder of Nga Hau Mangere also said it was her understanding that Birthcare was given a promise by the CMDHB that it would be given the first right to tender for primary maternity services, and that is why her service has been denied a contract.

Does such an agreement exist? No (FYI...I'm going to put an OIA through regarding former DHB member's Lee Mathias' correspondence regarding this) No knowledge of this but we can explore.

Some women who are resident in CM Health may receive postnatal care at Birthcare but this is through self initiated referral and is managed by inter-district flow (IDF) of funding between DHBs (just like any other treatment across DHB boundaries).

Lastly, would I be able to get the CMDHB's maternity health services annual report for the last year? Yes – it is on the website.

01202111

From:

Mary Burr (CMDHB)

Sent:

Monday, 24 August 2020 15:17

To:

Communications (CMDHB)

Subject:

FW: Comment about funding for Nga Hau Birthing Centre

Hi Ruth

Our response is:

The DHB is funded to provide services to our community in relation to activity provided by or directed by the DHB. The Nga Hau Birthing Centre is a private entity. Any funding questions should be directed to the Ministry of Health.

The strategy work for Primary Birthing in Counties Manukau is ongoing.

Kind regards

Mary Burr

General Manager I Division of Women's Health

T: 09 276 0044

Middlemore Hospital I 100 Hospital Road, Otahuhu I Private Bag 935.1 Otahuhu, Auckland 1640 countiesmanukau.health.nz_I COUNTIES MANUKAU DISTRICT HEA LTH BOARD

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. Rangatrakanga **kwhakawhanaungatanga**

Please consider the environment before printing this e

From: Sarah Tout (CMDHB)

Sent: Monday, 24 August 2020 3:12 m.a

To: Mary Burr (CMDHB)

Subject: RE: Comment about funding for Nga Hau Birthing Centre

Perfect! Thank you Sarah

From: Mary Burr (CMDHB)

Sent: Monday, 24 August 2020 10:28 a.m.

To: Sarah Tout (CMDHB)

Subject: RE: Comment about funding for Nga Hau Birthing Centre

Hi Sarah

What do you think:

My response would be:

The DHB is funded to provide services to our community in relation to activity provided by or directed by the DHB. The Nga Hau Birthing Centre is a private entity. Any funding questions should be directed to the Ministry of Health.

The strategy work for Primary Birthing in Counties Manukau is ongoing.

Kind regards

Mary Burr

General Manager | Division of Women's Health

T: 09 276 0044 S9(2)(a)

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From: Communications (CMDHB)

Sent: Monday, 24 August 2020 10:04 a.m.

To: Mary Burr (CMDHB); Sarah Tout (CMDHB); Carmel Ellis (CMDHB)

Cc: Communications (CMDHB)

Subject: FW: Comment about funding for Nga Hau Birthing Centre

Kia ora and good morning,

We have had the below request. Is one of you able to help us to respond?

Thanks so much,

Ruth

From: Josephine Franks

9(2)(a)

Sent: Monday, 24 August 2020 9:49 a.m.

To: Communications (CMDHB); Mere Marti. (2) IDHB)

Subject: Comment about funding for Liga Hau Birthing Centre

Kia ora,

I'm writing a story about Nea F au Mangere Birthing Centre and wanted to seek response from the DHB around some comments from the chief executive, who said that the centre "should be funded by the DHB".

Why does the centre not received DHB funding?

I also noticed that in a <u>story in the NZ Herald</u> a year ago, a spokesperson for the DHB said the DHB was working a primary birthing strategy and if that suggests a big change in demand then "additional capacity" could be funded.

Has that strategy been completed, and was there any change in demand?

Thanks in advance for your help.

Josephine

Josephine Franks

From:

Mary Burr (CMDHB)

Sent:

Friday, 03 July 2020 06:18

To:

'Claire Hunt'

Subject:

RE: PN#934675 Contract Number Request Birthing Centre Ltd T/A Nga Hau Birthing

Centre Mangere

Hi Claire

I note your status.

Again I refer you to the Ministry of Health or IRD who provided Covid-19 related cost/wages subsidies and support.

We cannot distribute our funding to other entities.

Kind regards

Mary Burr

General Manager | Division of Women's Health

T: 09 276 0044

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Kind

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From: Claire Hunt

Sent: Thursday, 02 July 2020 3:40 p.m.

To: Mary Burr (CMDHB)

Subject: FW: PN#934675 Contract ber Request Birthing Centre Ltd T/A Nga Hau Birthing Centre Mangere NU

Hi Mary

Thanks for the responses below; I have had contact now with many people on the subject.

Can I please request we are referred to as a charitable social enterprise, we are not a private company. In light of our status I would ask for the funding request to be reviewed.

Over the lockdown period we were advised our centres had to stay open as 'essential services'; meaning we stayed open, provided appropriate staffing levels, and bore the cost of operating a centre in lockdown.

The Mangere birthing centre also assisted the local community LMCs when they found they were unable to access their normal clinic rooms. Nga Hau Birthing Centre provided a safe space for clinics for the LMCs over this time at little cost.

Because we provided that support to the local community and the cost has had to be funded from Donations, we would have thought Manukau DHB would have been amenable in coming to the party with some basic funding over this period of time.

Were we told we were not required to be open at the time, we would have closed and saved that cost. This would have also put tremendous pressure on your midwifery community in Mangere which would have become your problem.

Kind Regards Claire Hunt Accountant Birthing Centre Ltd CC55026



From: Mary Burr (CMDHB)

Sent: Friday, 5 June 2020 12:07 PM

To: Claire Hunt

S9(2)(a) Christina Mallen (CMDHB)

Cc: Aroha Haggie (CMDHB)

Amanda Hinks (CMDHB)

Subject: FW: PN#934675 Contract Number Request Birthing Centre Ltd T/A riga Hau Birthing Centre Mangere

Dear Claire

I understand you have emailed a number of people seeking a response to your email of 6 April 2020 about financial support.

I refer you to my email reply of 20 April 2020 (which ent to your email address) which provides our organisational response to this request.

Kind regards

Mary Burr

General Manager | Division of Wome

T: 09 276 0044

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Manaakitanga Rangatiratanga Whakawhanaungatanga

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Please consider the environment before printing this email.

From: Mary Burr (CMDHB)

Sent: Monday, 20 April 2020 12:09 p.m.

To: 'claire

Cc: Aroha Haggie (CMDHB); Christina Mallon (CMDHB)

Subject: FW: PN#934675 Contract Number Request Birthing Centre Ltd T/A Nga Hau Birthing Centre Mangere

Dear Claire

Thank you for your email.

Hope all is going well for you in these difficult times.

We are unable to provide financial support to private companies and suggest you seek such support from the Government who have initiatives in place for private entities.

Kind regards

Mary Burr

General Manager | Division of Women's Health

T: 09 276 0044 \$9(2)(a)

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Manaakitanga Rangatiratanga Whakawhanaungatanga Kotahitanga

Please consider the environment before printing this email.

From: Claire Hunt \$9(2)(a)

Sent: Monday, 06 April 2020 2:37 p.m.

To: Aroha Haggie (CMDHB)

Cc: Tony Ryall; Chloe Wright; S9(2)(a) Margie Apa (CMDHB)

Subject: PN#934675 Contract Number Request Birthing Centre Ltd T/A Nga Hau Birthing Centre Mangere

RE: Contract number Request - Nga Hau Birthing Centre Nongere

Dear Aroha

I hope this email finds you well.

Birthing Centre Ltd has been advised by Fi whagh Dougan the CEO of Hutt DHB that the Ministry Of Health has ruled our birthing centres are essential services and must remain open. This obviously has a financial consequence for us and we have no choice but to be open now during a time of likely staffing shortage and pressure.

The government is making resources available to the health system to maintain and expand its capacity, and be available for New Zealanders.

In light of the extraordinary circumstance of the pandemic, and the DHB and Ministry requirement for us to remain open, we will be invoicing the DHBs for our costs during this national emergency.

We would respectfully seek financial support from the DHB to cover our costs during this period as we are required to remain open despite not getting any public funding. A contract number would facilitate this.

If you are not the appropriate person to receive this email could you please advise and forward on as soon as you are able.

Thank you.

Kind Regards Claire Hunt Accountant
Birthing Centre Ltd
CC55026



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Visit <u>www.kiwihealthjobs.com</u>, New Zealand?s largest employment site for jobs in the public health sector. 100% owned and supported nationally by the District Health Boards (DJBs) and the New Zealand Blood Service (NZBS).

If you are looking for medical jobs in New Zealand, your career in health starts with us.

01A2901A2021

From:

Mary Burr (CMDHB)

Sent:

Monday, 20 April 2020 12:09

To:

Cc:

Aroha Haggie (CMDHB); Christina Mallon (CMDHB)

Subject:

FW: PN#934675 Contract Number Request Birthing Centre Ltd T/A Nga Hau

Birthing Centre Mangere

Dear Claire

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Kind regards

Mary Burr

General Manager | Division of Women's Health

T: 09 276 0044 E

Bag 93311 Otahuhu, Auckland 1640 Middlemore Hospital I 100 Hospital Road, Otahuhu I Private DISTRICT HEALTH BOARD countiesmanukau.health.nz | COUNTIES MANUKA

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Please consider the environment before printing this email.

From: Claire Hunt

Sent: Monday, 06 April 2020 2:37 p.m.

To: Aroha Haggie (CMDHB)

Cc: Tony Ryall; Chloe Wright; Margie Apa (CMDHB)

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RE: Contract number Request - Nga Hau Birthing Centre Mangere

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If you are not the appropriate person to receive this email could you please advise and forward on as soon as you are able.

Thank you.

Kind Regards Claire Hunt Accountant Birthing Centre Ltd CC55026

S Birthing Centre

31A209A2021

From:

Margie Apa (CMDHB)

Sent:

Tuesday, 29 October 2019 12:03

To:

Mary Burr (CMDHB); Christina Mallon (CMDHB); Sarah Tout (CMDHB); Carmel Ellis

(CMDHB); Rana Wong; Aroha Haggie (CMDHB)

Subject:

FW: Closure of Nga Hau Birthing consultation

Email and response to Nga Wha. R's

Margie Apa

Chief Executive Officer

T: +64 9 277 3499

S9(2)(a)

S9(2)(a

Room 13, Poutasi Corridor, Middlemore Hospital, Otahuhu

Private Bag 94052 Auckland 2241

www: cmdhb@org.nz

From: Margie Apa (CMDHB)

Sent: Tuesday, 29 October 2019 12:03 PM

Subject: RE: Closure of Nga Hau Birthing consultation

Tena koe Chloe,

Thank you for your emails. I respond to both the 23rd october advising us of Christmas closure and 3rd October seeking payment of an invoice for Labour, Labour & Birth and Postnatal visits.

23rd October – Christmas Closure

Thank you for your email and for informing us hat you are considering closing the Nga Hau Mangere Birthing Centre over the Christmas period as outlined below. All our DHB services will continue to run throughout this period as usual. I suspect the mothers, and their midwives, booked to birth with you during this time will be disappointed and we trust that there will be clear communication from you to them advising of the closure. Could you please copy us on what you send your women so that we understand their expectations

In the interest of clinical safety for these women we would appreciate you forwarding their booking details to us via Debra Fenton, Service Manager, Maternity at debra.fenton@middlemore.co.nz.

3rd October – invoice for Labour, Labour & Birth and Postnatal visits

Thank you also for your correspondence on 3rd October. I apologise for delays in responding while I checked with my staff on any changes to our position. I am also in receipt of your invoice for services received by us on 3 October 2019. Again, as I said when we met in August, I am not in a position to support payment of an invoice for services not requested by our DHB nor supported by an existing contract or Memorandum of Understanding.

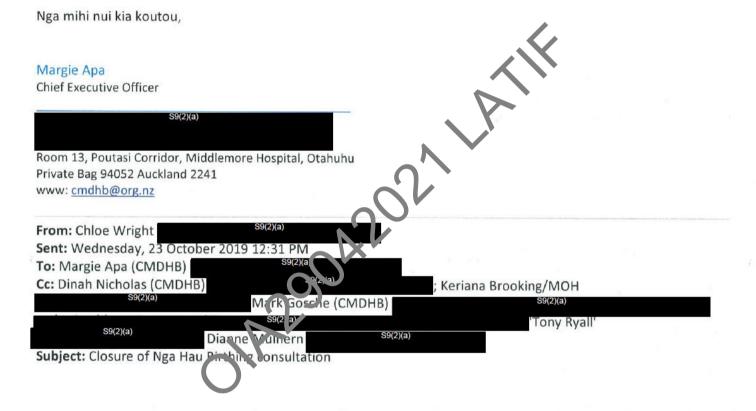
Further to your request and the proposal in your email below (23 October 2019), the Government rules for the procurement of services by DHBs are clear. They are designed to ensure there is open competition, processes are aligned across the country and all aspects of health and safety legislation, clinical credentialing and accreditation and appropriate clinical service delivery models are adhered to. Important tenets such as anti-corruption and conflict of interest rules are also key to guiding this process. We have

not yet undertaken any such due diligence in respect of new primary birthing units and are currently reviewing all our Women's Health strategies.

I was overly optimistic on the timeframes required to have such a process in place and, it is unlikely that we will have sought Board endorsement of a wider Maternity strategy that includes the directions for primary birthing, the arrangements (including tenders) for its implementation in this 19/20 financial year. This is because we are in the process of transitioning to a new Board and will be refreshing our approach to Maternity strategically in the District in context of change to s.88 Maternity Notice.

I am not in a position to offer your organisation a Memorandum of Intent or agreement at this point in time in light of the requirements mentioned above.

I do wish to thank you and Dianne for sharing information that may enable rapid implementation when we get to that point. I will revise the timeframes and make this available publicly to the sector before the end of the year. I am sorry this is not the news you may have expected.



Dear Margie,

Out of concern for our mothers and LMCs/midwives, over the Christmas – New Year period, I am writing to consult with you on a proposal that the Nga Hau Mangere Birthing Centre will close from Friday 20th of December 2019 until the Monday 6th January 2020.

We currently have 18 women booked in and around that period and subject to the outcome of consultation, we will refer these women and their LMCs to your facility for the duration of the closure.

We have always seen ourselves as a solution to the stresses put on secondary institutions, including the benefits of sharing midwifery staff. It is of great concern to us that women's legal entitlement of at least 48 hours of postnatal care after primary births plus longer care for complicated births in a setting that permits fathers to stay and support the family is not always being met. Multiple studies confirm that the first 48 hours are crucial to the attachment between mother and baby and for the long term mental and physical health of both.

We are aware that our services have been beneficial and, in some cases critical, to many families in your DHB area. LMCs and mothers are increasingly requesting to birth/postnatal at Nga Hau, particularly given the hardships of lack of transport and family connection.

As CEO of the Wright Family Foundation, the sole funder of Nga Hau Mangere Birthing Centre, I have a fiduciary responsibility to the WFF Board to ensure this initiative is sustainable through a healthy partnership with your DHB. Our stated goal is to bring best outcomes for mothers, and to bring attention to the need for change to the care and support of new mothers.

I look forward to your feedback on this proposal by close of day Tuesday 29th October 2019.

Thank you for agreeing to meet with myself, Dianne Mulhern CEO, and Tish at Nga Hau recently. We respectfully request that you consider a contract that financially supports primary birthing and/or postnatal stays at the purpose built facility Nga Hau Mangere Birthing Centre, which is only minutes away from Middlemore Hospital. As we explained when you visited us at Nga Hau, we are part of the solution to the challenges your service face. We value the strong community support and interest in our service.

As always, we would welcome you and any of your team to visit Nga Hau Mangere at any time.

We request a memorandum of Intent not later than close of day Tuesday 29th Octob 2 2019 with an agreement in place not later than Monday 2nd December 2019.

31A2290120211

Chloe Wright
Founder/Chair,
Birthing Centre.
CEO,
Wright Family Foundation



From: Chloe Wright Sent: Thursday, 03 October 2019 9:21 a.m. To: Margie Apa (CMDHB) Dinah Nicholas (CMDHB) Cc: Carmel Ellis (CMDHB) >; Tony Ryall S9(2)(a) S9(2)(a) Dianne Mulhern ; Traci Fricker S9(2)(a) Tish Taihia

Subject: FW: Invoice INV-0399 from Birthing Centre Ltd for Counties Manukau DHB

Dear Margie,

I hope this beautiful day finds you well. I understand you will have been kept busy with the pressures of the measles outbreak and the many issues that befall your role.

We continue to provide primary birthing and postnatal care to the mothers of Manukau but it is a strain on our finances and we are not able to expand the service beyond the six birthing rooms that we have opened. The families of the region and LMCs are continuing to pressure us for more service. Attached is an account for the births and postnatal stays provided since opening at the rates we are paid by other DHBs.

I trust you can find a way to pay this account and look forward to the day we can both enjoy a partnership to provide these wanted services.

I would appreciate either a call or another visit in the immediate future to update me on progress towards a formal provider contract for the services offered by Nga Hau Birthing Centre to the worthy A290A201 women of this region.

Kindest Regards Chloe Wright Founder/Director **Birthing Centre Ltd**





TAX INVOICE

Counties Manukau DHB C/- Middlemore Hospital Private Bag 93311 Otahuhu Auckland 1640

Invoice Date 30 Sep 2019

Invoice Number INV-0399

Reference **DHB** Requested

GST Number 111-286-892

Birthing Centre Ltd PO Box 13-465 Tauranga Central Tauranga 3141

Description	Quantity	Unit Price	Amount NZD
W02020 Labour Only - for period up to 30th September 2019	7.90	425.00	2,975.00
W02020 Labour & Birth - for period up to 30th September 2019	30.30	1,180.00	70,800.00
W02020 Post Natal - for period up to 30th September 2019	66.00	1,123.02	74,119.32
		Subtotal	147,894.32
	тота	L GST 15%	22,184.15
		TOTAL NZD	170,078.47
Due Date: 20 Oct 2019 Account Name: Birthing Centre Limited Account Number: 02-0466-0317456-000 Branch: Cameron Rd, Tauranga			

Provider Number: 934675 Agreement Number: 359256/02







View and pay online now

PAYMENT ADVICE

To: Birthing Centre Ltd PO Box 13-465 Tauranga Central Tauranga 3141

Customer	Counties Manukau DHB	
Invoice Number	INV-0399	
Amount Due	170,078.47	
Due Date	20 Oct 2019	
Amount Enclosed		

Enter the amount you are paying above

BOARD MEMBERS' DISCLOSURE OF INTERESTS January 2014

Member	Disclosure of Interest
Dr Lee Mathias, Chair	 MD Lee Mathias Limited Trustee, Lee Mathias Family Trust Trustee, Awamoana Family Trust Chair Health Promotion Agency Deputy Chair Auckland District Health Board Director, Pictor Limited Director, iAC Limited Advisory Chair, Company of Women Limited Director, John Seabrook Heldings Limited

BOARD MEMBERS DISCLOSURE OF INTERESTS December 1014

Member	Dis Josure of Interest
Dr Lee Mathias, Chair	MD Lee Mathias Limited Trustee, Lee Mathias Family Trust Trustee, Awamoana Family Trust Chair Health Promotion Agency Deputy Chair Auckland District Health Board Director, Pictor Limited Director, iAC Limited Advisory Chair, Company of Women Limited Director, John Seabrook Holdings Limited Chairman, Unitec External Advisor, National Health Committee Director, Health Innovation Hub Director, healthAlliance Ltd Director, healthAlliance (FPSC) Ltd