

## Statement of Principles concerning

# No. 8 of 2013

for the purposes of the

### Veterans' Entitlements Act 1986 and Military Rehabilitation and Compensation Act 2004

#### **Title**

1. This Instrument may be cited as Statement of Principles concerning carpal tunnel syndrome No. 8 of 2013.

#### **Determination**

- 2. The Repatriation Medical Authority under subsection **196B(3)** and **(8)** of the *Veterans' Entitlements Act 1986* (the VEA):
  - (a) revokes Instrument No. 90 of 2001 concerning carpal tunnel syndrome; and
  - (b) determines in its place this Statement of Principles.

#### Kind of injury, disease or death

- **3.** (a) This Statement of Principles is about **carpal tunnel syndrome** and **death from carpal tunnel syndrome**.
  - (b) For the purposes of this Statement of Principles, "carpal tunnel syndrome" means an entrapment neuropathy of the median nerve at the wrist producing altered sensation, pain or weakness of the hand.
  - (c) Carpal tunnel syndrome attracts ICD-10-AM code G56.0.
  - (d) In the application of this Statement of Principles, the definition of **"carpal tunnel syndrome"** is that given at paragraph 3(b) above.

#### **Basis for determining the factors**

4. On the sound medical-scientific evidence available, the Repatriation Medical Authority is of the view that it is more probable than not that **carpal tunnel syndrome** and **death from carpal tunnel syndrome** can be related to relevant service rendered by veterans or members of the Forces under the VEA, or members under the *Military Rehabilitation and Compensation Act 2004* (the MRCA).

#### Factors that must be related to service

5. Subject to clause 7, at least one of the factors set out in clause 6 must be related to the relevant service rendered by the person.

#### **Factors**

- 6. The factor that must exist before it can be said that, on the balance of probabilities, **carpal tunnel syndrome** or **death from carpal tunnel syndrome** is connected with the circumstances of a person's relevant service is:
  - (a) performing any combination of repetitive activities or forceful activities with the affected hand for at least 260 hours within a period of 210 consecutive days before the clinical onset of carpal tunnel syndrome, and where the repetitive or forceful activities have not ceased more than 30 days before the clinical onset of carpal tunnel syndrome; or
  - (b) daily self-propulsion of a manual wheelchair for at least a cumulative period of 260 hours within a period of 210 consecutive days before the clinical onset of carpal tunnel syndrome, and where the self-propulsion of a manual wheelchair has not ceased more than 30 days before the clinical onset of carpal tunnel syndrome; or
  - (c) performing activities where the affected hand or forearm is directly vibrated for at least 260 hours within a period of 210 consecutive days before the clinical onset of carpal tunnel syndrome, and where those activities have not ceased more than 30 days before the clinical onset of carpal tunnel syndrome; or
  - (d) having an injury to the affected wrist or hand which does not involve a fracture or a dislocation but which:
    - (i) alters the normal contour of the carpal tunnel; or
    - (ii) damages the flexor tendons within the carpal tunnel,

within the one year before the clinical onset of carpal tunnel syndrome; or

- (e) having a fracture or dislocation to the distal radius, the distal ulna, a carpal bone or a metacarpal bone of the affected side which:
  - (i) alters the normal contour of the carpal tunnel; or
  - (ii) damages the flexor tendons within the carpal tunnel,

before the clinical onset of carpal tunnel syndrome; or

- (f) having surgery to the affected wrist or hand which:
  - (i) alters the normal contour of the carpal tunnel; or
  - (ii) damages the flexor tendons within the carpal tunnel,
  - within the one year before the clinical onset of carpal tunnel syndrome; or
- (g) being obese at the time of the clinical onset of carpal tunnel syndrome; or
- (h) undergoing haemodialysis or peritoneal dialysis for at least the one year before the clinical onset of carpal tunnel syndrome; or
- (i) having hypothyroidism at the time of the clinical onset of carpal tunnel syndrome; or
- (j) having acromegaly before the clinical onset of carpal tunnel syndrome; or
- (k) having amyloidosis at the time of the clinical onset of carpal tunnel syndrome; or
- (l) having gout in the affected wrist or hand at the time of the clinical onset of carpal tunnel syndrome; or
- (m) having a space-occupying lesion in the affected carpal tunnel at the time of the clinical onset of carpal tunnel syndrome; or
- (n) having oedema involving the affected carpal tunnel at the time of the clinical onset of carpal tunnel syndrome; or
- (o) having an external burn involving the affected wrist or palm requiring hospitalisation within the five years before the clinical onset of carpal tunnel syndrome; or
- (p) having haemorrhage involving the affected carpal tunnel at the time of the clinical onset of carpal tunnel syndrome; or
- (q) having infection involving the affected carpal tunnel at the time of the clinical onset of carpal tunnel syndrome; or
- (r) having inflammatory arthritis of the affected wrist or hand at the time of the clinical onset of carpal tunnel syndrome; or
- (s) having osteoarthritis of the affected wrist, carpus or trapeziometacarpal joint of the thumb at the time of the clinical onset of carpal tunnel syndrome; or
- (t) having diabetes mellitus at the time of the clinical onset of carpal tunnel syndrome; or
- (u) being treated with an aromatase inhibitor within the six months before the clinical onset of carpal tunnel syndrome; or
- (v) being pregnant within the three months before the clinical onset of carpal tunnel syndrome; or
- (w) performing any combination of repetitive activities or forceful activities with the affected hand for at least 260 hours within a period of 210

- consecutive days before the clinical worsening of carpal tunnel syndrome, and where the repetitive or forceful activities have not ceased more than 30 days before the clinical worsening of carpal tunnel syndrome; or
- (x) daily self-propulsion of a manual wheelchair for at least a cumulative period of 260 hours within a period of 210 consecutive days before the clinical worsening of carpal tunnel syndrome, and where the self-propulsion of a manual wheelchair has not ceased more than 30 days before the clinical worsening of carpal tunnel syndrome; or
- (y) performing activities where the affected hand or forearm is directly vibrated for at least 260 hours within a period of 210 consecutive days before the clinical worsening of carpal tunnel syndrome, and where those activities have not ceased more than 30 days before the clinical worsening of carpal tunnel syndrome; or
- (z) having an injury to the affected wrist or hand which does not involve a fracture or a dislocation but which:
  - (i) alters the normal contour of the carpal tunnel; or
  - (ii) damages the flexor tendons within the carpal tunnel,
  - within the one year before the clinical worsening of carpal tunnel syndrome; or
- (aa) having a fracture or dislocation to the distal radius, the distal ulna, a carpal bone or a metacarpal bone of the affected side which:
  - (i) alters the normal contour of the carpal tunnel; or
  - (ii) damages the flexor tendons within the carpal tunnel,

before the clinical worsening of carpal tunnel syndrome; or

- (bb) having surgery to the affected wrist or hand which:
  - (i) alters the normal contour of the carpal tunnel; or
  - (ii) damages the flexor tendons within the carpal tunnel,
  - within the one year before the clinical worsening of carpal tunnel syndrome; or
- (cc) being obese at the time of the clinical worsening of carpal tunnel syndrome; or
- (dd) undergoing haemodialysis or peritoneal dialysis for at least the one year before the clinical worsening of carpal tunnel syndrome; or
- (ee) having hypothyroidism at the time of the clinical worsening of carpal tunnel syndrome; or
- (ff) having acromegaly before the clinical worsening of carpal tunnel syndrome; or
- (gg) having amyloidosis at the time of the clinical worsening of carpal tunnel syndrome; or
- (hh) having gout in the affected wrist or hand at the time of the clinical worsening of carpal tunnel syndrome; or

- (ii) having a space-occupying lesion in the affected carpal tunnel at the time of the clinical worsening of carpal tunnel syndrome; or
- (jj) having oedema involving the affected carpal tunnel at the time of the clinical worsening of carpal tunnel syndrome; or
- (kk) having an external burn involving the affected wrist or palm requiring hospitalisation within the five years before the clinical worsening of carpal tunnel syndrome; or
- (ll) having haemorrhage involving the affected carpal tunnel at the time of the clinical worsening of carpal tunnel syndrome; or
- (mm) having infection involving the affected carpal tunnel at the time of the clinical worsening of carpal tunnel syndrome; or
- (nn) having inflammatory arthritis of the affected wrist or hand at the time of the clinical worsening of carpal tunnel syndrome; or
- (oo) having osteoarthritis of the affected wrist, carpus or trapeziometacarpal joint of the thumb at the time of the clinical worsening of carpal tunnel syndrome; or
- (pp) having diabetes mellitus at the time of the clinical worsening of carpal tunnel syndrome; or
- (qq) being treated with an aromatase inhibitor within the six months before the clinical worsening of carpal tunnel syndrome; or
- (rr) being pregnant within the three months before the clinical worsening of carpal tunnel syndrome; or
- (ss) inability to obtain appropriate clinical management for carpal tunnel syndrome.

#### Factors that apply only to material contribution or aggravation

7. Paragraphs **6(w)** to **6(ss)** apply only to material contribution to, or aggravation of, carpal tunnel syndrome where the person's carpal tunnel syndrome was suffered or contracted before or during (but not arising out of) the person's relevant service.

#### **Inclusion of Statements of Principles**

8. In this Statement of Principles if a relevant factor applies and that factor includes an injury or disease in respect of which there is a Statement of Principles then the factors in that last mentioned Statement of Principles apply in accordance with the terms of that Statement of Principles as in force from time to time.

#### Other definitions

**9.** For the purposes of this Statement of Principles:

"acromegaly" means a chronic disease of adults due to hypersecretion of the pituitary growth hormone and characterised by enlargement of many parts of

the skeleton especially the distal portions, the nose, ears, jaws, fingers and toes;

"amyloidosis" means the accumulation of insoluble fibrillar proteins in organs or tissues of the body such that vital function is compromised;

#### "an aromatase inhibitor" means:

- (a) anastrozole:
- (b) exemestane; or
- (c) letrozole;

"being obese" means an increase in body weight by way of fat accumulation which results in a Body Mass Index (BMI) of thirty or greater.

The  $BMI = W/H^2$  and where:

W is the person's weight in kilograms; and

H is the person's height in metres;

"death from carpal tunnel syndrome" in relation to a person includes death from a terminal event or condition that was contributed to by the person's carpal tunnel syndrome;

"forceful activities" mean tasks requiring the generation of force by the hand:

- (a) equivalent to lifting or carrying loads of more than three kilograms; or
- (b) involving lifting or carrying an object in the hand greater than one kilogram in excess of ten times per hour;

"ICD-10-AM code" means a number assigned to a particular kind of injury or disease in The International Statistical Classification of Diseases and Related Health Problems, 10th Revision, Australian Modification (ICD-10-AM), Seventh Edition, effective date of 1 July 2010, copyrighted by the National Centre for Classification in Health, Sydney, NSW, and having ISBN 978 1 74210 154 5;

#### "inflammatory arthritis" means one of the following diseases:

- (a) ankylosing spondylitis;
- (b) arthropathy associated with inflammatory bowel disease;
- (c) chondrocalcinosis (also known as pseudogout);
- (d) dermatomyositis;
- (e) eosinophilia myalgia syndrome;
- (f) eosinophilic fasciitis;
- (g) multifocal fibrosclerosis;
- (h) other inflammatory arthritis requiring treatment with a disease modifying agent or a biological agent;
- (i) polymyositis;
- (j) psoriatic arthropathy;
- (k) reactive arthritis;
- (l) rheumatoid arthritis;
- (m) sarcoidosis;
- (n) sicca syndrome (which includes keratoconjunctivitis sicca and Sjogren's disease);
- (o) systemic fibrosclerosing syndrome;

- (p) systemic lupus erythematosus;
- (q) systemic sclerosis (which includes circumscribed scleroderma and CREST syndrome); or
- (r) unspecified diffuse connective tissue disease;

"oedema" means the presence of abnormally large amounts of fluid in the intercellular tissue spaces of the body and demonstrated by accumulation of excessive fluid in the subcutaneous tissues;

#### "relevant service" means:

- (a) eligible war service (other than operational service) under the VEA;
- (b) defence service (other than hazardous service and British nuclear test defence service) under the VEA; or
- (c) peacetime service under the MRCA;

#### "repetitive activities" mean:

- (a) bending or twisting of the hand or wrist; or
- (b) carrying out the same or similar movements in the hand or wrist,

at least 50 times per hour;

"space-occupying lesion in the affected carpal tunnel" means one of the following entities occupying space within the carpal tunnel:

- (a) aneurysm;
- (b) calcification;
- (c) cyst;
- (d) ganglion; or
- (e) neoplasm;

"terminal event" means the proximate or ultimate cause of death and includes:

- (a) pneumonia;
- (b) respiratory failure;
- (c) cardiac arrest;
- (d) circulatory failure; or
- (e) cessation of brain function.

#### **Application**

**10.** This Instrument applies to all matters to which section 120B of the VEA or section 339 of the MRCA applies.

#### Date of effect

11. This Instrument takes effect from 9 January 2013.

Dated this fourteenth day of	December 2012
The Common Seal of the	)
Repatriation Medical Authority	)
was affixed to this instrument	)
in the presence of:	)
	PROFESSOR NICHOLAS SAUNDERS AO
	CHAIRPERSON