



Australian Government
Repatriation Medical Authority

Statement of Principles
concerning
DENTAL CARIES
(Reasonable Hypothesis)
(No. 122 of 2015)

The Repatriation Medical Authority determines the following Statement of Principles under subsection 196B(2) of the *Veterans' Entitlements Act 1986*.

Dated 16 October 2015

The Common Seal of the
Repatriation Medical Authority
was affixed to this instrument
at the direction of:

A handwritten signature in black ink, appearing to read 'Nicholas Saunders'.

Professor Nicholas Saunders AO
Chairperson

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1 Name

This is the Statement of Principles concerning *dental caries (Reasonable Hypothesis)* (No. 122 of 2015).

2 Commencement

This instrument commences on 16 November 2015.

3 Authority

This instrument is made under subsection 196B(2) of the *Veterans' Entitlements Act 1986*.

4 Revocation

The Statement of Principles concerning dental caries No. 71 of 2007 made under subsection 196B(2) of the VEA is revoked.

5 Application

This instrument applies to a claim to which section 120A of the VEA or section 338 of the *Military Rehabilitation and Compensation Act 2004* applies.

6 Definitions

The terms defined in the Schedule 1 - Dictionary have the meaning given when used in this instrument.

7 Kind of injury, disease or death to which this Statement of Principles relates

- (1) This Statement of Principles is about dental caries and death from dental caries.

Meaning of dental caries

- (2) For the purposes of this Statement of Principles, dental caries means the localised destruction of susceptible dental hard tissues by acidic by-products from bacterial fermentation of dietary carbohydrates, leading to decalcification or cavity formation.
- (3) While dental caries attracts ICD-10-AM code K02.0, K02.1, K02.2, K02.3, K02.5, K02.8 or K02.9, in applying this Statement of Principles the meaning of dental caries is that given in subsection (2).
- (4) For subsection (3), a reference to an ICD-10-AM code is a reference to the code assigned to a particular kind of injury or disease in *The International Statistical Classification of Diseases and Related Health Problems, Tenth Revision, Australian Modification* (ICD-10-AM),

Death from dental caries

- (5) For the purposes of this Statement of Principles, dental caries, in relation to a person, includes death from a terminal event or condition that was contributed to by the person's dental caries.

Note: *terminal event* is defined in the Schedule 1 – Dictionary.

8 Basis for determining the factors

The Repatriation Medical Authority is of the view that there is sound medical-scientific evidence that indicates that dental caries and death from dental caries can be related to relevant service rendered by veterans, members of Peacekeeping Forces, or members of the Forces under the VEA, or members under the MRCA.

Note: *relevant service* is defined in the Schedule 1 – Dictionary.

9 Factors that must exist

At least one of the following factors must as a minimum exist before it can be said that a reasonable hypothesis has been raised connecting dental caries or death from dental caries with the circumstances of a person's relevant service:

- (1) being a prisoner of war before the clinical onset of dental caries;
- (2) being exposed to fermentable dietary carbohydrates as specified for a continuous period of at least three months, within the two years before the clinical onset of dental caries;

Note: *being exposed to fermentable dietary carbohydrates as specified* is defined in the Schedule 1 - Dictionary.

- (3) smoking at least three pack-years of cigarettes, or the equivalent thereof in other tobacco products, before the clinical onset of dental caries, and where smoking has ceased, the clinical onset of dental caries has occurred within ten years of cessation;

Note: *pack-years of cigarettes, or the equivalent thereof in other tobacco products* is defined in the Schedule 1 - Dictionary.

- (4) inability to obtain exposure to fluoride on more days than not for a continuous period of at least one year, within the five years before the clinical onset of dental caries;

Note: *exposure to fluoride* is defined in the Schedule 1 - Dictionary.

- (5) inability to perform effective personal dental hygiene for a continuous period of at least three months, within the two years before the clinical onset of dental caries;

- (6) inability to access preventive professional dental care, including regular cleaning and application of fluoride, at least every 15 months, within the five years before the clinical onset of dental caries;
- (7) having hyposalivation as a result of a course of therapeutic radiation to the head or neck, for at least the four weeks before the clinical onset of dental caries;
Note: *hyposalivation* is defined in the Schedule 1 - Dictionary.
- (8) having xerostomia for a continuous period of at least three months, within the two years before the clinical onset of dental caries;
Note: *xerostomia* is defined in the Schedule 1 - Dictionary.
- (9) having an acquired enamel defect of the affected tooth for at least the four weeks before the clinical onset of dental caries;
Note: *acquired enamel defect* is defined in the Schedule 1 - Dictionary.
- (10) for root surface caries only, having gingival recession of the affected tooth for at least the four weeks before the clinical onset of dental caries;
Note: *gingival recession* is defined in the Schedule 1 - Dictionary.
- (11) inability to obtain appropriate clinical management for dental caries.

10 Relationship to service

- (1) The existence in a person of any factor referred to in section 9 must be related to the relevant service rendered by the person.
- (2) The factor set out in subsection 9(11) applies only to material contribution to, or aggravation of, dental caries where the person's dental caries was suffered or contracted before or during (but did not arise out of) the person's relevant service.

11 Factors referring to an injury or disease covered by another Statement of Principles

In this Statement of Principles:

- (1) if a factor referred to in section 9 applies in relation to a person; and
- (2) that factor refers to an injury or disease in respect of which a Statement of Principles has been determined under subsection 196B(2) of the VEA;

then the factors in that Statement of Principles apply in accordance with the terms of that Statement of Principles as in force from time to time.

Schedule 1 - Dictionary

Note: See Section 6

1 Definitions

In this instrument:

acquired enamel defect means abnormal loss of tooth substance due to trauma, abrasion or erosion.

being exposed to fermentable dietary carbohydrates as specified means exposure of the teeth to fermentable dietary carbohydrates, either continuously over a period of at least six hours per day, or on at least ten separate occasions per day with more than 30 minutes between exposures.

Note: *fermentable dietary carbohydrates* is also defined in the Schedule 1 - Dictionary.

dental caries—see subsection 7(2).

exposure to fluoride means application of fluoride to the teeth in one of the following forms:

- (a) fluoridated drinking water in locations with low naturally-occurring fluoride concentration in the water supply;
- (b) fluoridated toothpaste with a fluoride concentration of at least 1 000 parts per million; or
- (c) liquid, tablet or lozenge formulation.

fermentable dietary carbohydrates means sugars or heat-processed starch which can be converted by oral bacteria to acids.

gingival recession means the loss of gum tissue from the base of a tooth with exposure of the root surface.

hyposalivation means an abnormally reduced salivary flow, to a resting whole saliva flow rate of 0.1 ml/minute or less, or to a stimulated whole saliva flow rate of 0.5 ml/minute or less.

MRCA means the *Military Rehabilitation and Compensation Act 2004*.

pack-years of cigarettes, or the equivalent thereof in other tobacco products means a calculation of consumption where one pack-year of cigarettes equals 20 tailor-made cigarettes per day for a period of one calendar year, or 7 300 cigarettes. One tailor-made cigarette approximates one gram of tobacco or one gram of cigar or pipe tobacco by weight. One pack-year of tailor-made cigarettes equates to 7.3 kilograms of smoking tobacco by weight. Tobacco products mean cigarettes, pipe tobacco or cigars, smoked alone or in any combination.

relevant service means:

- (a) operational service under the VEA;
- (b) peacekeeping service under the VEA;
- (c) hazardous service under the VEA;

- (d) British nuclear test defence service under the VEA;
- (e) warlike service under the MRCA; or
- (f) non-warlike service under the MRCA.

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

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

VEA means the *Veterans' Entitlements Act 1986*.

xerostomia means dry mouth resulting from severely reduced saliva flow and which results from various medical conditions, including Sjogren's syndrome, or a wide variety of drugs, including anticholinergics, tricyclic antidepressants and amphetamines.