

Statement of Principles
concerning
LOCALISED SCLEROSIS
No. 67 of 2009

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 localised sclerosis No. 67 of 2009.

Determination

2. This Statement of Principles is determined by the Repatriation Medical Authority under subsection **196B(3)** of the *Veterans' Entitlements Act 1986* (the VEA).

Kind of injury, disease or death

3.
 - (a) This Statement of Principles is about **localised sclerosis** and **death from localised sclerosis**.
 - (b) For the purposes of this Statement of Principles, "**localised sclerosis**" (also known as localised scleroderma, morphea or linear scleroderma), means a connective tissue disorder characterised by deposition of fibrous connective tissue in skin and autoimmunity and inflammation. This definition excludes systemic sclerosis.
 - (c) Localised sclerosis attracts ICD-10-AM code L94.0 or L94.1.
 - (d) In the application of this Statement of Principles, the definition of "**localised sclerosis**" 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 **localised sclerosis** and **death from localised sclerosis** 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, **localised sclerosis** or **death from localised sclerosis** is connected with the circumstances of a person's relevant service is:
 - (a) inhaling respirable crystalline silica dust, at the time material containing crystalline silica was being:
 - (i) produced;
 - (ii) excavated;
 - (iii) drilled, cut or ground; or
 - (iv) used in construction, manufacturing, cleaning or blasting,for a cumulative period of at least 5000 hours before the clinical onset of localised sclerosis; or
 - (b) inhaling, ingesting or having cutaneous contact with trichloroethylene for a cumulative period of at least 5000 hours within a period of ten consecutive years, before the clinical onset of localised sclerosis; or
 - (c) being treated with a drug from the specified list at the time of the clinical onset of localised sclerosis; or
 - (d) undergoing a course of therapeutic radiation to the affected region within the one year before the clinical onset of localised sclerosis; or
 - (e) having chronic graft versus host disease from haematopoietic cell transplantation, before the clinical onset of localised sclerosis; or
 - (f) inhaling a cumulative dose of at least 200 ppm-years of gaseous vinyl chloride before the clinical onset of localised sclerosis; or

- (g) inhaling respirable crystalline silica dust, at the time material containing crystalline silica was being:
 - (i) produced;
 - (ii) excavated;
 - (iii) drilled, cut or ground; or
 - (iv) used in construction, manufacturing, cleaning or blasting,for a cumulative period of at least 5000 hours before the clinical worsening of localised sclerosis; or
- (h) inhaling, ingesting or having cutaneous contact with trichloroethylene for a cumulative period of at least 5000 hours within a period of ten consecutive years, before the clinical worsening of localised sclerosis; or
- (i) being treated with a drug from the specified list at the time of the clinical worsening of localised sclerosis; or
- (j) undergoing a course of therapeutic radiation to the affected region within the one year before the clinical worsening of localised sclerosis; or
- (k) having chronic graft versus host disease from haematopoietic cell transplantation, before the clinical worsening of localised sclerosis; or
- (l) inhaling a cumulative dose of at least 200 ppm-years of gaseous vinyl chloride before the clinical worsening of localised sclerosis; or
- (m) inability to obtain appropriate clinical management for localised sclerosis.

Factors that apply only to material contribution or aggravation

- 7. Paragraphs **6(g) to 6(m)** apply only to material contribution to, or aggravation of, localised sclerosis where the person's localised sclerosis 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:

"a course of therapeutic radiation" means one or more fractions (treatment portions) of ionising radiation administered with the aim of achieving palliation or cure with gamma rays, x-rays, alpha particles or beta particles;

"a drug from the specified list" means:

- (a) balicatib;
- (b) bleomycin;
- (c) docetaxel;
- (d) enfuvirtide;
- (e) fosinopril; or
- (f) paclitaxel;

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

"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), Sixth Edition, effective date of 1 July 2008, copyrighted by the National Centre for Classification in Health, Sydney, NSW, and having ISBN 978 1 74210 016 6;

"relevant service" means:

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

"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.

Date of effect

10. This Instrument takes effect from 2 September 2009.

Dated this **nineteenth** day of
August 2009

The Common Seal of the)
Repatriation Medical Authority)
was affixed to this instrument)
in the presence of:)

KEN DONALD
CHAIRPERSON