

Statement of Principles
concerning

ACCOMMODATION DISORDER

No. 5 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 accommodation disorder No. 5 of 2009.

Determination

2. The Repatriation Medical Authority under subsection **196B(2)** and **(8)** of the *Veterans' Entitlements Act 1986* (the VEA):
 - (a) revokes Instrument No. 296 of 1995 concerning accommodation disorder; and
 - (b) determines in its place this Statement of Principles.

Kind of injury, disease or death

3.
 - (a) This Statement of Principles is about **accommodation disorder** and **death from accommodation disorder**.
 - (b) For the purposes of this Statement of Principles, "**accommodation disorder**" means the inability to adjust the lens of the eye to various distances. This definition excludes processes primarily affecting the lens (presbyopia and cataract) or shape of the eyeball (myopia, hypermetropia and astigmatism). This definition also excludes reversible paralysis of ciliary muscle function by means of pharmacological agents.
 - (c) Accommodation disorder attracts ICD-10-AM code H52.5.

- (d) In the application of this Statement of Principles, the definition of **"accommodation disorder"** is that given at paragraph 3(b) above.

Basis for determining the factors

4. The Repatriation Medical Authority is of the view that there is sound medical-scientific evidence that indicates that **accommodation disorder** and **death from accommodation disorder** 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 *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 as a minimum exist before it can be said that a reasonable hypothesis has been raised connecting **accommodation disorder** or **death from accommodation disorder** with the circumstances of a person's relevant service is:
- (a) having an injury or disorder affecting the function of the oculomotor nerve or ciliary muscle of the affected eye, at the time of the clinical onset of accommodation disorder; or
 - (b) inability to obtain appropriate clinical management for accommodation disorder.

Factors that apply only to material contribution or aggravation

7. Paragraph 6(b) applies only to material contribution to, or aggravation of, accommodation disorder where the person's accommodation disorder 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:

"an injury or disorder affecting the function of the oculomotor nerve or ciliary muscle" means any pathological process affecting the brain stem or the oculomotor nerve anywhere along its course (including the oculomotor nucleus, fascicles, subarachnoid space, cavernous sinus or orbit) that leads to a disturbance in the oculomotor nerve function, or ciliary muscle function, causing impairment of accommodation;

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

"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) operational service under the VEA;
- (b) peacekeeping service under the VEA;
- (c) hazardous service under the VEA;
- (d) warlike service under the MRCA; or
- (e) non-warlike 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.

Application

10. This Instrument applies to all matters to which section 120A of the VEA or section 338 of the MRCA applies.

Date of effect

11. This Instrument takes effect from 14 January 2009.

Dated this nineteenth day of
December 2008

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

KEN DONALD
CHAIRPERSON