



Australian Government
Repatriation Medical Authority

Statement of Principles
concerning
FIBROMUSCULAR DYSPLASIA
(Balance of Probabilities)
(No. 80 of 2016)

The Repatriation Medical Authority determines the following Statement of Principles under subsection 196B(3) of the *Veterans' Entitlements Act 1986*.

Dated 28 October 2016

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 'N. Saunders'.

Professor Nicholas Saunders AO
Chairperson

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1 Name

This is the Statement of Principles concerning *fibromuscular dysplasia (Balance of Probabilities)* (No. 80 of 2016).

2 Commencement

This instrument commences on 28 November 2016.

3 Authority

This instrument is made under subsection 196B(3) of the *Veterans' Entitlements Act 1986*.

4 Revocation

The Statement of Principles concerning fibromuscular dysplasia No. 61 of 2008 made under subsection 196B(3) of the VEA is revoked.

5 Application

This instrument applies to a claim to which section 120B of the VEA or section 339 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 fibromuscular dysplasia and death from fibromuscular dysplasia.

Meaning of fibromuscular dysplasia

- (2) For the purposes of this Statement of Principles, fibromuscular dysplasia means a nonatherosclerotic, noninflammatory segmental stenosing disease of the muscle layer of arterial walls, with or without focal aneurysmal outpouchings of the affected artery. The disease commonly involves medium-sized arteries and is most often found in the renal artery and the internal carotid artery.
- (3) While fibromuscular dysplasia attracts ICD-10-AM code I77.3, in applying this Statement of Principles the meaning of fibromuscular dysplasia 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*

Death from fibromuscular dysplasia

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

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

8 Basis for determining the factors

On the sound medical-scientific evidence available, the Repatriation Medical Authority is of the view that it is more probable than not that fibromuscular dysplasia and death from fibromuscular dysplasia can be related to relevant service rendered by veterans 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 exist before it can be said that, on the balance of probabilities, fibromuscular dysplasia or death from fibromuscular dysplasia is connected with the circumstances of a person's relevant service:

- (1) smoking at least ten pack-years of cigarettes, or the equivalent thereof in other tobacco products, before the clinical onset of fibromuscular dysplasia;

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

- (2) smoking at least five pack-years of cigarettes, or the equivalent thereof in other tobacco products, before the clinical worsening of fibromuscular dysplasia;

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

- (3) inability to obtain appropriate clinical management for fibromuscular dysplasia.

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 factors set out in subsections 9(2) and 9(3) apply only to material contribution to, or aggravation of, fibromuscular dysplasia where the

person's fibromuscular dysplasia 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(3) 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:

fibromuscular dysplasia—see subsection 7(2).

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) 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.

Note: ***MRCA*** and ***VEA*** are also defined in the Schedule 1 - Dictionary.

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*.