



Statement of Principles

concerning

APLASTIC ANAEMIA

No. 51 of 2012

made under subsection 196B(3) of the

Veterans' Entitlements Act 1986

This compilation was prepared on 18 March 2016 taking into account Amendment Statement of Principles concerning APLASTIC ANAEMIA (*Instrument No. 32 of 2016*)

Prepared by the Repatriation Medical Authority Secretariat, Brisbane

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Compilation number 1

Statement of Principles

concerning

APLASTIC ANAEMIA

No. 51 of 2012

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 aplastic anaemia No. 51 of 2012.

Determination

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

Kind of injury, disease or death

3.
 - (a) This Statement of Principles is about **aplastic anaemia** and **death from aplastic anaemia**.
 - (b) For the purposes of this Statement of Principles, "**aplastic anaemia**" means acquired bone marrow failure, characterised by destruction of haematopoietic stem cells, with peripheral blood cytopaenia and a hypocellular bone marrow in which normal haematopoietic tissue is replaced by fatty marrow. This definition includes pure red cell aplasia, but excludes paroxysmal nocturnal haemoglobinuria, myelodysplastic syndrome, leukaemic bone marrow infiltration and inherited bone marrow failure syndromes (Fanconi's anaemia, dyskeratosis congenita, Shwachman-Diamond syndrome, Diamond-Blackfan anaemia and inherited amegakaryocytic thrombocytopaenia).
 - (c) Aplastic anaemia attracts ICD-10-AM code D60, D61.1, D61.2, D61.3 or D61.8.
 - (d) In the application of this Statement of Principles, the definition of "**aplastic anaemia**" 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 **aplastic anaemia** and **death from aplastic anaemia** 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, **aplastic anaemia** or **death from aplastic anaemia** is connected with the circumstances of a person's relevant service is:
 - (a) being treated with a drug or a drug from a class of drugs from the specified list, within the three months before the clinical onset of aplastic anaemia; or
 - (b) having acute hepatitis within the three months before the clinical onset of aplastic anaemia; or
 - (c) undergoing a course of therapeutic radiation for ankylosing spondylitis within the three months before the clinical onset of aplastic anaemia; or
 - (d) having a liver transplant within the three months before the clinical onset of aplastic anaemia; or
 - (e) being exposed to benzene as specified on at least 45 days within the six months before the clinical onset of aplastic anaemia; or
 - (f) having an autoimmune disease from the specified list within the one year before the clinical onset of aplastic anaemia; or
 - (g) being pregnant at the time of the clinical onset of aplastic anaemia; or
 - (h) having a thymoma or thymic carcinoma at the time of the clinical onset of aplastic anaemia; or
 - (i) inability to obtain appropriate clinical management for aplastic anaemia.

Factors that apply only to material contribution or aggravation

7. Paragraph **6(i)** applies only to material contribution to, or aggravation of, aplastic anaemia where the person's aplastic anaemia 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 drug or a drug from a class of drugs from the specified list" means:

- (a) 6-mercaptopurine;
- (b) acetazolamide;
- (c) alkylating agents (including temozolomide, busulfan, dacarbazine, cyclophosphamide, melphalan hydrochloride, nitrogen mustard);
- (d) antimetabolites (including allopurinol, 6-mercaptopurine, fluouracil);
- (e) carbamazepine;
- (f) carbimazole;
- (g) chloramphenicol;
- (h) chlordiazepoxide;
- (i) chloroquine;
- (j) chlorpheniramine;
- (k) chlorpropamide;
- (l) cimetidine;
- (m) daunorubicin;
- (n) d-penicillamine;
- (o) felbamate;
- (p) heavy metals (gold, arsenic, bismuth, mercury);
- (q) hydantoins;
- (r) leflunomide;
- (s) lenalidomide;
- (t) mepacrine;
- (u) meproamate;
- (v) mesalamine (mesalazine);
- (w) methazolamide;
- (x) methimazole;
- (y) methotrexate;
- (z) nizatidine;
- (aa) phenytoin;
- (bb) proguanil;
- (cc) propylthiouracil;
- (dd) quinacrine;
- (ee) sulphonylureas and sulphonamides (including trimethorim, sulfamethoxazole);
- (ff) thiazide diuretics;
- (gg) tolbutamide; or
- (hh) valproic acid;

"an autoimmune disease from the specified list" means:

- (a) eosinophilic fasciitis;
- (b) graft versus host disease;
- (c) hyperimmunoglobulinaemia; or

- (d) systemic lupus erythematosus;

"being exposed to benzene as specified" means:

- (a) having cutaneous contact with liquids containing benzene greater than 5% by volume; or
- (b) ingesting liquids containing benzene greater than 5% by volume; or
- (c) inhaling benzene vapour where such exposure occurs at an ambient 8-hour time-weighted average benzene concentration exceeding five parts per million;

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

"8-hour time-weighted average (TWA)" means the averaging of different exposure levels to benzene during an average exposure period equivalent to eight hours;

"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;

"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;

"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 5 September 2012.

Notes to Statement of Principles concerning aplastic anaemia No. 51 of 2012

The Statement of Principles concerning aplastic anaemia No. 51 of 2012 in force under subsection 196B(3) of the *Veterans' Entitlements Act 1986*, as shown in this compilation is amended as indicated in the Tables below.

Table of Instruments

Title	Date of FRLI registration	Date of commencement	Application, saving or transitional provisions
<i>Statement of Principles concerning aplastic anaemia No. 51 of 2012</i>	30 August 2012 F2012L01793	5 September 2012	
<i>Amendment Statement of Principles concerning aplastic anaemia No. 32 of 2016</i>	8 March 2016 F2016L00267	4 April 2016	

Table of Amendments

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
Clause 6(g)	rs. No. 32 of 2016
Clause 9 – "'being exposed to benzene as specified".....'	rs. No. 32 of 2016