



**Australian Government**  
**Repatriation Medical Authority**

**Statement of Principles**  
**concerning**  
**HEPATITIS E**  
**(Balance of Probabilities)**  
**(No. 113 of 2015)**

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

Dated 21 August 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 *hepatitis E (Balance of Probabilities)* (No. 113 of 2015).

**2 Commencement**

This instrument commences on **21 September 2015**.

**3 Authority**

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

**4 Revocation**

The Statement of Principles concerning hepatitis E No. 32 of 2007 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 hepatitis E and death from hepatitis E.

*Meaning of hepatitis E*

- (2) For the purposes of this Statement of Principles, hepatitis E means a symptomatic, clinical illness due to infection with the hepatitis E virus. This infection is characterised by inflammation of the liver, commonly accompanied by fever, tiredness, loss of appetite, nausea, vomiting, abdominal discomfort and jaundice.
- (3) While hepatitis E attracts ICD-10-AM code B17.2, in applying this Statement of Principles the meaning of hepatitis E 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 hepatitis E*

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

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 hepatitis E and death from hepatitis E 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, hepatitis E or death from hepatitis E is connected with the circumstances of a person's relevant service:

- (1) being exposed to the hepatitis E virus between 15 and 64 days before the clinical onset of hepatitis E;

Note: *being exposed to the hepatitis E virus* is defined in the Schedule 1 - Dictionary

- (2) inability to obtain appropriate clinical management for hepatitis E.

**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(2) applies only to material contribution to, or aggravation of, hepatitis E where the person's hepatitis E 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:

***being exposed to the hepatitis E virus*** means:

- (a) being in the same household or immediate work environment as a person infected with the hepatitis E virus;
- (b) consuming water or food contaminated with the hepatitis E virus;
- (c) having direct contact with human or animal faecal material contaminated with the hepatitis E virus;
- (d) having direct physical contact with a human or animal infected with the hepatitis E virus;
- (e) having percutaneous exposure to blood or body fluids contaminated with the hepatitis E virus;
- (f) receiving a liver transplant contaminated with the hepatitis E virus; or
- (g) receiving a transfusion of blood or blood products contaminated with the hepatitis E virus.

***hepatitis E***—see subsection 7(2).

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

***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 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*.