

REVOKED

Revocation and Determination

of

Statement of Principles concerning

ACQUIRED HALLUX VALGUS

ICD-9-CM CODE: 735.0

Veterans' Entitlements Act 1986

1. The Repatriation Medical Authority under subsection **196B(3)** of the *Veterans' Entitlements Act 1986* (the Act):
 - (a) revokes Instrument No.299 of 1995; and
 - (b) determines in its place the following Statement of Principles.

Kind of injury, disease or death

2. (a) This Statement of Principles is about **acquired hallux valgus and death from acquired hallux valgus**.
 - (b) For the purposes of this Statement of Principles, “**acquired hallux valgus**” means an acquired deformity of the foot, where the great toe is deflected laterally towards the other toes causing a bony prominence to develop over the medial aspect of the first metatarsal head and neck, attracting ICD code 735.0.

Basis for determining the factors

3. On the sound medical-scientific evidence available, the Repatriation Medical Authority is of the view that it is more probable than not that **acquired hallux valgus and death from acquired hallux valgus** can be related to relevant service rendered by veterans or members of the Forces.

Factors that must be related to service

4. Subject to clause 6, at least one of the factors set out in clause 5 must be related to any relevant service rendered by the person.

Factors

5. The factors that must exist before it can be said that, on the balance of probabilities, **acquired hallux valgus** or **death from acquired hallux valgus** is connected with the circumstances of a person's relevant service are:

- (a) wearing ill fitting footwear that causes lateral pressure on the great toe of the affected foot on a daily basis for a period of at least three years before the clinical onset of acquired hallux valgus; or
- (b) suffering from osteoarthritis of the first metatarsophalangeal joint of the affected foot before the clinical onset of acquired hallux valgus; or
- (c) suffering from pes planus of the affected foot before the clinical onset of acquired hallux valgus; or
- (d) suffering from amputation of the second toe or the second metatarsal head of the affected foot before the clinical onset of acquired hallux valgus; or
- (e) wearing ill fitting footwear that causes lateral pressure on the great toe of the affected foot on a daily basis for a period of at least three years before the clinical worsening of acquired hallux valgus; or
- (f) suffering from osteoarthritis of the first metatarsophalangeal joint of the affected foot before the clinical worsening of acquired hallux valgus; or
- (g) suffering from pes planus of the affected foot before the clinical worsening of hallux valgus; or
- (h) suffering from amputation of the second toe or the second metatarsal head of the affected foot before the clinical worsening of acquired hallux valgus; or
- (j) inability to obtain appropriate clinical management for acquired hallux valgus.

Factors that apply only to material contribution or aggravation

6. Paragraphs 5(e) to 5(j) apply only to material contribution to, or aggravation of, acquired hallux valgus where the person's acquired hallux valgus was suffered or contracted before or during (but not arising out of) the person's relevant service; paragraph 8(1)(e), 9(1)(e) or 70(5)(d) of the Act refers.

Inclusion of Statements of Principles

7. 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.

Other definitions

8. For the purposes of this Statement of Principles:

“amputation of the second toe or the second metatarsal head” means loss of one or more of the phalanges of the second digit of the foot or the head of the second metatarsal due to surgery or trauma or as a result of a disease process affecting that digit;

“death from acquired hallux valgus” in relation to a person includes death from a terminal event or condition that was contributed to by the person's acquired hallux valgus;

“ICD-9-CM code” means a number assigned to a particular kind of injury or disease in the Australian Version of The International Classification of Diseases, 9th revision, Clinical Modification (ICD-9-CM), effective date of 1 July 1996, copyrighted by the National Coding Centre, Faculty of Health Sciences, University of Sydney, NSW, and having ISBN 0 642 24447 2;

“osteoarthritis” means a heterogenous group of clinical joint disorders, associated with inflammation of the synovium and defective integrity of the articular cartilage and related changes in the underlying bone and joint margins, and which has the following clinical characteristics:

- (a) a history of pain;
- (b) impaired function;
- (c) joint swelling; and
- (d) stiffness;

“pes planus” means a deformity of the foot, in which the position of the bones relative to each other has been altered with the lowering of the longitudinal arch;

“relevant service” means:

- (a) eligible war service (other than operational service); or
- (b) defence service (other than hazardous service);

“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

- 9. This Instrument applies to all matters to which section 120B of the Act applies.

Dated this *Twenty-ninth* day of *June* 1998

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

KEN DONALD
CHAIRMAN