

REVOKED

Revocation and Determination

of

Statement of Principles concerning

NON-HODGKIN'S LYMPHOMA

ICD-9-CM CODES: 200.0, 200.1, 200.8, 202.0, 202.1, 202.2, 202.8

Veterans' Entitlements Act 1986

1. The Repatriation Medical Authority under subsection **196B(2)** of the *Veterans' Entitlements Act 1986* (the Act):
 - (a) revokes Instrument No.69 of 1997; 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 **non-Hodgkin's lymphoma** and **death from non-Hodgkin's lymphoma**.
- (b) For the purposes of this Statement of Principles, "**non-Hodgkin's lymphoma**" means a malignant neoplastic disease arising from the lymphoid components of the immune system, characterised by the absence of the Reed-Sternberg cells, attracting ICD-9-CM code 200.0, 200.1, 200.8, 202.0, 202.1, 202.2 or 202.8. This definition includes non-Hodgkin's lymphoma arising within parenchymal organs and excludes Burkitt's lymphoma, plasma cell malignancy, hairy cell leukemia and chronic lymphoid leukemia.

Basis for determining the factors

3. The Repatriation Medical Authority is of the view that there is sound medical-scientific evidence that indicates that **non-Hodgkin's**

lymphoma and death from non-Hodgkin's lymphoma can be related to relevant service rendered by veterans, members of Peacekeeping Forces, 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 as a minimum exist before it can be said that a reasonable hypothesis has been raised connecting **non-Hodgkin's lymphoma** or **death from non-Hodgkin's lymphoma** with the circumstances of a person's relevant service are:
 - (a) being infected with Human Immunodeficiency Virus (HIV) before the clinical onset of non-Hodgkin's lymphoma; or
 - (b) having received a solid organ or bone marrow transplant before the clinical onset of non-Hodgkin's lymphoma; or
 - (c) having received systemic immunosuppressive drug therapy for the treatment of rheumatoid arthritis, Sjogren's syndrome, dermatitis herpetiformis or chronic glomerulonephritis within the ten years immediately before the clinical onset of non-Hodgkin's lymphoma; or
 - (d) spraying or decanting a herbicide containing 2,4-dichlorophenoxyacetic acid (2,4-D) or 2,4,5-trichloroacetic acid (2,4,5-T), in circumstances likely to result in inhalation or absorption of the herbicide, at least five years before the clinical onset of non-Hodgkin's lymphoma; or
 - (e) being on land in Vietnam or at sea in Vietnamese waters, for at least 30 days, at least five years before the clinical onset of non-Hodgkin's lymphoma; or
 - (f) for adult T-cell leukaemia-lymphoma only, being infected with HTLV-1 before the clinical onset of non-Hodgkin's lymphoma; or
 - (g) for primary non-Hodgkin's lymphoma of the small intestine only, suffering from coeliac disease at the time of the clinical onset of non-Hodgkin's lymphoma; or

- (h) for primary B-cell lymphoma of the stomach only, having *Helicobacter pylori* infection at the time of the clinical onset of non-Hodgkin's lymphoma; or
- (j) inability to obtain appropriate clinical management for non-Hodgkin's lymphoma.

Factors that apply only to material contribution or aggravation

- 6. Paragraph 5(j) applies only to material contribution to, or aggravation of non-Hodgkin's lymphoma where the person's non-Hodgkin's lymphoma was suffered or contracted before or during (but not arising out of) the person's relevant service; paragraph 8(1)(e), 9(1)(e), 70(5)(d) or 70(5A)(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:

“adult T-cell leukaemia-lymphoma” means a malignancy of mature T lymphocytes with onset in adulthood characterised by circulating pleomorphic malignant lymphocytes, skin lesions, lymphadenopathy, hepatosplenomegaly and lytic bone lesions;

“being infected with Human Immunodeficiency Virus (HIV)” means serological evidence of infection with Human Immunodeficiency Virus;

“being infected with HTLV-1” means serological evidence of infection within the retro virus human T-cell lymphotropic virus Type 1;

“being on land in Vietnam or at sea in Vietnamese waters” means service in at least one of the areas and at the times described in Items 4 and 8 of Schedule 2 of the *Veterans' Entitlements Act 1986*;

“coeliac disease” means a malabsorptive disease of the small intestine precipitated by the ingestion of gluten-containing foods. It is also known as gluten enteropathy and non-tropical sprue;

“death from non-Hodgkin's lymphoma” in relation to a person includes death from a terminal event or condition that was contributed to by the person's non-Hodgkin's lymphoma;

“having received a solid organ or bone marrow transplant” means having had an hepatic, renal, or cardiac transplantation or bone marrow ablation and transplant, including autologous stem cell transplantation;

“*Helicobacter pylori* infection” means an infection of the mucus layer overlying gastric-type epithelium by the bacterium *Helicobacter pylori*;

“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;

“Reed-Sternberg cell” means a giant cell with two or more nuclei with prominent nucleoli with perinucleolar halos, also known as a giant histiocytic cell, and which is the common histological characteristic of Hodgkin’s disease;

“relevant service” means:

- (a) operational service; or
- (b) peacekeeping service; or
- (c) hazardous service;

“systemic immunosuppressive drug therapy” means the therapeutic administration continuously for a period of at least three months of a drug or drugs the primary function of which is suppression of the immune response;

“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 120A of the Act applies.

Dated this *Twenty-Fourth* day of *June* 1999

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

KEN DONALD
CHAIRMAN