

REVOKED

Statement of Principles

concerning

HEPATITIS B

ICD CODE: 070.2, 070.3

Veterans' Entitlements Act 1986
subsection 196B(3)

1. Being of the view that, on the sound medical-scientific evidence available to the Repatriation Medical Authority, it is more probable than not that **hepatitis B and death from hepatitis B** can be related to eligible war service (other than operational service) rendered by veterans and defence service (other than hazardous service) rendered by members of the Forces, the Repatriation Medical Authority determines, under subsection 196B(3) of the *Veterans' Entitlements Act 1986*, that the factors that must exist before it can be said that, on the balance of probabilities, **hepatitis B or death from hepatitis B** is connected with the circumstances of that service, are:
 - (a) in relation to hepatitis B where there was evidence of recent infection:
 - (i) having received a blood transfusion or blood product injection or organ transplant, that was positive for hepatitis B, within the six months immediately before the existence of the evidence of the recent infection; or

- (ii) having had a wound, laceration, or other injury or disease disrupting skin integrity that may have been contaminated by the body fluids of a person who was shown to be hepatitis B positive, and that contamination having occurred within the six months immediately before the existence of evidence of the recent Hepatitis B infection; or
- (b) in relation to hepatitis B where there is evidence of recent infection and there are no other significant risk factors:
 - (i) having received a blood transfusion or blood product injection or organ transplant, that was not screened for hepatitis B, within the six months immediately before the existence of the evidence of the recent hepatitis B infection; or
 - (ii) having had an injection or dental procedure or surgical procedure (including tattooing) within the six months immediately before the existence of the evidence of the recent hepatitis B infection and for which the instruments were not sterilised; or
 - (iii) having had a wound, laceration, or other injury or disease disrupting skin integrity that may have been contaminated by the body fluids of a person not shown to be hepatitis B negative, and that contamination having occurred within the six months immediately before the existence of evidence of the recent hepatitis B infection; or
 - (iv) being a parenteral drug user and sharing needles within the six months immediately before the existence of the evidence of the recent hepatitis B infection; or
 - (v) having had unprotected sexual intercourse with a person not proven to be negative for hepatitis B within the six months immediately before the existence of the evidence of the recent hepatitis B infection; or
- (c) in relation to hepatitis B where there was evidence of non-recent infection:
 - (i) having received a blood transfusion or blood product injection or organ transplant shown to be hepatitis B positive more than four months before the existence of the evidence of non-recent infection, or
 - (ii) having had a wound, laceration, or other injury or disease

disrupting skin integrity that may have been contaminated by the body fluids of a person shown to be hepatitis B positive, and that contamination occurring more than four months before the existence of evidence of non-recent hepatitis B infection; or

- (d) in relation to hepatitis B where there was evidence of non-recent infection and without other significant risk factors:
 - (i) having received a blood transfusion or blood product injection or organ transplant more than four months before the existence of the evidence of non-recent hepatitis B infection and that procedure was not screened for hepatitis B; or
 - (ii) having had an injection or dental procedure or surgical procedure (including tattooing) more than four months before the existence of the evidence of non recent hepatitis B infection and for which the instruments were not sterilised; or
 - (iii) having had a wound, laceration, or other injury or disease disrupting skin integrity that may have been contaminated by the body fluids of a person not shown to be hepatitis B negative, and that contamination occurring more than four months before the existence of evidence of non-recent hepatitis B infection; or
 - (iv) being a parenteral drug user and sharing needles more than four months before the evidence of the existence of the non-recent hepatitis B infection; or
 - (v) having had unprotected sexual intercourse with a person not proven to be negative for hepatitis B more than four months before the existence of the evidence of the non-recent hepatitis B infection; or
- (e) inability to obtain appropriate clinical management for hepatitis B.

2. Subject to clause 3 (below) at least one of the factors set out in subparagraphs **1(a)(i) to (ii)**, **1(b)(i) to (v)**, **(1)(c)(i) to (ii)**, **(1)(d)(i) to (v)**, and paragraph **(1)(e)** must be related to any service rendered by a person.

3. The factor set out in paragraph **1(e)** applies only where:

- (a) the person's **hepatitis B** was contracted prior to a period, or part of a period, of service to which the factor is related; and
- (b) the relationship suggested between the **hepatitis B** and the particular service of a person is a relationship set out in paragraph 8(1)(e), 9(1)(e) or 70(5)(d) of the Act.

4. For the purposes of this Statement of Principles:

“blood product injection” means the injection of material extracted from human blood;

“body fluids” means blood, serum, serous discharge, saliva, tears, seminal fluid, bile or vaginal secretions;

“evidence of non-recent infection” means declining levels of IgM anti-HBc or the presence of IgG anti-HBc;

“evidence of recent infection” means rising levels of hepatitis B Surface antigen (HBsAg) or the presence of IgM antibody to hepatitis B core Antigen (IgM anti-HBc);

“hepatitis B” means an infection with a partially double stranded deoxyribonucleic (DNA) acid virus which results in antigens to hepatitis B, and attracts ICD code 070.2 or 070.3.

“ICD code” means a number assigned to a particular kind of injury or disease in the *International Classification of Diseases* 9th Revision, Published by Commission on Professional and Hospital Activities; Library of Congress No. 77-94472 Effective date October 1, 1993.

“other significant risk factor” means the existence not due to eligible service of any of the factors that must be related to war service listed in paragraph 1, or having evidence supportive of infection via fetomaternal or childhood transmission.

“parenteral drug user” means a person who injects or causes to be injected addictive or recreational drugs into their body;

“sexual intercourse” means sexual intercourse in which there is an exchange of body fluids.

Dated this _____ day of _____ 1995

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

KEN DONALD
CHAIRMAN