

Revocation and Determination

of

Statement of Principles
concerning

**MALIGNANT NEOPLASM OF THE
OESOPHAGUS**

ICD CODE: 150

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.383 of 1995; and
 - (b) determines the following Statement of Principles.

Kind of injury, disease or death

2. (a) This Statement of Principles is about **malignant neoplasm of the oesophagus** and **death from malignant neoplasm of the oesophagus**.

(b) For the purposes of this Statement of Principles, “**malignant neoplasm of the oesophagus**” means a primary malignancy of the mucosa of the structure which begins proximally with the lower border of the hypopharynx and extends distally to the distal border of the lower oesophageal sphincter, attracting ICD code 150.

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 **malignant neoplasm of the oesophagus** 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, the factor set out in the paragraph in clause 5/the factors set out in at least one of the paragraphs 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, **malignant neoplasm of the oesophagus** or **death from malignant neoplasm of the oesophagus** is connected with the circumstances of a person's relevant service are:
 - (a) for squamous cell carcinoma of the oesophagus only:
 - (i) smoking ten or more cigarettes per day or the equivalent thereof in other tobacco products, for at least ten years, before the clinical onset of malignant neoplasm of the oesophagus; or
 - (ii) drinking at least 500 kilograms of alcohol before the clinical onset of malignant neoplasm of the oesophagus; or
 - (iii) ingestion of lye where ingestion occurred at least five years before the clinical onset of malignant neoplasm of the oesophagus; or
 - (b) for adenocarcinoma of the oesophagus only, suffering from Barrett's oesophagus for ten years immediately before the clinical onset of malignant neoplasm of the oesophagus; or
 - (c) inability to obtain appropriate clinical management for malignant neoplasm of the oesophagus.

Factors that apply only to material contribution or aggravation

6. Paragraph 5(c) applies only to material contribution to, or aggravation of, malignant neoplasm of the oesophagus where the person's malignant neoplasm of the oesophagus 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.

Other definitions

7. For the purposes of this Statement of Principles:

“adenocarcinoma of the oesophagus” means a primary carcinoma derived from oesophageal glandular tissue;

“Barrett's oesophagus” means that the normal squamous epithelium lining the oesophagus becomes replaced by metaplastic columnar epithelium. It may occur as a complication of chronic gastro-oesophageal reflux disease;

“ICD 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;

“ingestion of lye” means swallowing any amount of lye. Lye means any alkaline solution resulting from vegetable ashes by leaching. Household lye is usually a crude mixture of sodium hydroxide with some sodium carbonate. Lye was commonly used for washing purposes and as a liquid drain cleaner;

“relevant service” means:

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

“squamous cell carcinoma of the oesophagus” means a primary malignant neoplasm arising from the squamous cells of the oesophagus.

Application

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

Dated this *Sixteenth* day of *August* 1996

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