

Revocation and Determination

of

Statement of Principles concerning

INGUINAL HERNIA

ICD-9-CM CODE: 550

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.30 of 1994 and Instrument No.228 of 1995; and
 - (b) determines in their place the following Statement of Principles.

Kind of injury, disease or death

2. (a) This Statement of Principles is about **inguinal hernia** and **death from inguinal hernia**.
- (b) For the purposes of this Statement of Principles, "**inguinal hernia**" means a protrusion of contents of the abdominal cavity through that part of the abdominal wall known as the inguinal canal, attracting ICD-9-CM code 550. An inguinal hernia may be classified as either direct or indirect depending upon the anatomical route taken by the hernia.

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 **inguinal hernia and death from inguinal hernia** 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, **inguinal hernia** or **death from inguinal hernia** is connected with the circumstances of a person's relevant service are:
 - (a) the presence of increased intra-abdominal pressure within the three days before the clinical onset of inguinal hernia; or
 - (b) the presence of increased intra-abdominal pressure within the three days before the clinical worsening of inguinal hernia; or
 - (c) inability to obtain appropriate clinical management for inguinal hernia.

Factors that apply only to material contribution or aggravation

6. Paragraphs **5(b) to 5(c)** apply only to material contribution to, or aggravation of, inguinal hernia where the person's inguinal hernia 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:

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

“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;

“increased intra-abdominal pressure” means either an intermittent or continuous elevation of the pressure within the abdominal cavity due to ascites, surgically induced pneumoperitoneum, chronic ambulatory peritoneal dialysis, chronic cough, lifting heavy weights, straining during defaecation due to constipation, or straining during micturition due to bladder outlet or urethral obstruction;

“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 *Thirteenth* day of *October* 1998

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

KEN DONALD
CHAIRMAN