

Revocation and Determination
of
Statement of Principles
concerning
SOFT TISSUE SARCOMA

ICD-9-CM CODE: 171

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.173 of 1996; 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 **soft tissue sarcoma** and **death from soft tissue sarcoma**.
- (b) For the purposes of this Statement of Principles, “**soft tissue sarcoma**” means a histologically and morphologically diverse group of extra-skeletal, non-haematopoietic, non-epithelial primary malignant neoplasms, attracting ICD-9-CM code 171, that originates in the soft tissues derived from the embryonic mesodermal layer, and which can occur at any site in the body, both within and between parenchymal organs, including atypical fibroxanthoma, but excluding mesothelioma, Kaposi's sarcoma, malignant neoplasm of the bone and cartilage and malignant neoplasm of the lymphopoietic and haematopoietic tissue.

Basis for determining the factors

3. The Repatriation Medical Authority is of the view that there is sound medical-scientific evidence that indicates that **soft tissue sarcoma and death from soft tissue sarcoma** 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 **soft tissue sarcoma or death from soft tissue sarcoma** with the circumstances of a person's relevant service are:
 - (a) being exposed to herbicides in Vietnam before the clinical onset of soft tissue sarcoma; or
 - (b) undergoing a course of therapeutic radiation to the affected region before the clinical onset of soft tissue sarcoma, where the first exposure occurred more than two years immediately before the clinical onset of soft tissue sarcoma; or
 - (c) for angiosarcoma only, suffering from lymphoedema of the affected limb before the clinical onset of soft tissue sarcoma; or
 - (d) for hepatic angiosarcoma only, being occupationally exposed to gaseous vinyl chloride during the production of polyvinyl chloride, before the clinical onset of soft tissue sarcoma; or
 - (e) for cutaneous atypical fibroxanthoma only, suffering from chronic solar skin damage of the skin involving the tumour, at the time of the clinical onset of soft tissue sarcoma; or
 - (f) inability to obtain appropriate clinical management for soft tissue sarcoma.

Factors that apply only to material contribution or aggravation

6. Paragraph 5(f) applies only to material contribution to, or aggravation of, soft tissue sarcoma where the person's soft tissue sarcoma 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:

“a course of therapeutic radiation” means one or more fractions (treatment portions) of ionising radiation administered with the aim of achieving palliation or cure with gamma rays, x-rays, alpha particles or beta particles;

“angiosarcoma” means lymphangiosarcoma or haemangiosarcoma;

“being exposed to herbicides in Vietnam” may be said to have occurred only if the person had:

- (a) rendered more than 30 days service on land in Vietnam; or
- (b) regularly eaten fish, fish products, crustaceans, shellfish, or meat from Vietnam; or
- (c) regularly eaten food cooked with water from Vietnam discoloured by sediment, or regularly drunk water from Vietnam discoloured by sediment; or
- (d) regularly inhaled dust in a defoliated area in Vietnam or regularly inhaled herbicide fog in Vietnam; or
- (e) sprayed or decanted herbicides in Vietnam as an occupational requirement;

“chronic solar skin damage” means a range of pathological skin changes, including solar keratosis and dermatosis;

“death from soft tissue sarcoma” in relation to a person includes death from a terminal event or condition that was contributed to by the person’s soft tissue sarcoma;

“hepatic angiosarcoma” means a soft tissue sarcoma arising from the vascular endothelial cells in the liver;

“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;

“lymphoedema” means chronic unilateral or bilateral oedema of the extremities due to accumulation of interstitial fluid as a result of stasis of lymph, which is secondary to obstruction of lymph vessels or disorders of the lymph nodes, such as that which occurs secondary to radical mastectomy;

“relevant service” means:

- (a) operational service; or
- (b) peacekeeping service; or
- (c) 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 120A 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