

Revocation and Determination
of
Statement of Principles
concerning
CHRONIC LYMPHOID LEUKAEMIA

ICD-10-AM CODES: C91.1, C91.3, C91.4, C91.5

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.80 of 1995; 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 **chronic lymphoid leukaemia** and **death from chronic lymphoid leukaemia**.
 - (b) For the purposes of this Statement of Principles, “**chronic lymphoid leukaemia**” means an indolent malignant neoplasm of lymphocytes characterised by proliferation and accumulation of morphologically mature-appearing but biologically immature lymphocytes in the blood, bone marrow and lymphoid tissue, attracting ICD 10-AM code C91.1, C91.3, C91.4 or C91.5.

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 **chronic lymphoid leukaemia and death from chronic lymphoid leukaemia** 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, **chronic lymphoid leukaemia** or **death from chronic lymphoid leukaemia** is connected with the circumstances of a person's relevant service are:
 - (a) for Adult T-cell chronic lymphoid leukaemia only, being infected by the HTLV-1 virus before the clinical onset of chronic lymphoid leukaemia; or
 - (b) inability to obtain appropriate clinical management for chronic lymphoid leukaemia.

Factors that apply only to material contribution or aggravation

6. Paragraph 5(b) applies only to material contribution to, or aggravation of, chronic lymphoid leukaemia where the person's chronic lymphoid leukaemia 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:

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

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

“ICD-10-AM code” means a number assigned to a particular kind of injury or disease in The International Statistical Classification of

Diseases and Related Health Problems, 10th revision, Australian Modification (ICD-10-AM), Second Edition, effective date of 1 July 2000, copyrighted by the National Centre for Classification in Health, Sydney, NSW, and having ISBN 1 86487 271 3;

“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 *Twelfth* day of *September* 2001

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

KEN DONALD
CHAIRMAN