

Revocation and Determination
of
Statement of Principles
concerning
MOTOR NEURON DISEASE

ICD-10-AM CODE: G12.2

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.245 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 **motor neuron disease and death from motor neuron disease**.
 - (b) For the purposes of this Statement of Principles, “**motor neuron disease**” is a progressive neurodegenerative disease with clinical signs of lower and upper motor neuron damage in the absence of electrophysiological and neuroimaging evidence of other disease processes that explain the clinical signs, attracting ICD-10-AM code G12.2, but excluding familial motor neuron disease.

Basis for determining the factors

3. The Repatriation Medical Authority is of the view that there is sound medical-scientific evidence that indicates that **motor neuron disease and death from motor neuron disease** 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 **motor neuron disease** or **death from motor neuron disease** with the circumstances of a person's relevant service are:
 - (a) smoking at least 20 pack years of cigarettes or the equivalent thereof in other tobacco products before the clinical onset of motor neuron disease; or
 - (b) suffering an electrical injury within the five years before the clinical onset of motor neuron disease; or
 - (c) inability to obtain appropriate clinical management for motor neuron disease.

Factors that apply only to material contribution or aggravation

6. Paragraph 5(c) applies only to material contribution to, or aggravation of, motor neuron disease where the person's motor neuron disease 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:

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

“electrical injury” means:

- (a) lightning strike resulting in loss of consciousness or burns; or
- (b) electric shock from alternating current resulting in loss of consciousness or burns;

“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;

“pack years of cigarettes or the equivalent thereof in other tobacco products” means a calculation of consumption where one pack year of cigarettes equals twenty tailor made cigarettes (being the “standard” cigarette pack contents) per day for a period of one calendar year, or 7 300 cigarettes. One tailor made cigarette approximates one gram of tobacco or one gram of cigar or pipe tobacco by weight. One pack year of tailor made cigarettes equates to 7 300 cigarettes, or 7.3 kg of smoking tobacco by weight. Tobacco products means either cigarettes, pipe tobacco or cigars smoked, alone or in any combination;

“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 applied.

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