

## Revocation and Determination

of

## Statement of Principles concerning

# MALIGNANT NEOPLASM OF THE BONE OR ARTICULAR CARTILAGE

ICD-10-AM CODES: C40, C41

### *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.236 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 **malignant neoplasm of the bone or articular cartilage** and **death from malignant neoplasm of the bone or articular cartilage**.
  - (b) For the purposes of this Statement of Principles, “**malignant neoplasm of the bone or articular cartilage**” means a primary malignant neoplasm of any non-haematopoietic cellular elements indigenous to skeletal bone or articular cartilage, but excludes soft tissue sarcoma. Malignant neoplasm of the bone or articular cartilage attracts ICD-10-AM code C40 or C41.

#### **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 bone or articular cartilage** and **death**

**from malignant neoplasm of the bone or articular cartilage** 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, **malignant neoplasm of the bone or articular cartilage** or **death from malignant neoplasm of the bone or articular cartilage** is connected with the circumstances of a person's relevant service are:
  - (a) suffering from Paget's disease of bone at the site before the clinical onset of malignant neoplasm of the bone or articular cartilage; or
  - (b) undergoing a course of therapeutic radiation to the affected site at least 10 years before the clinical onset of malignant neoplasm of the bone or articular cartilage; or
  - (c) undergoing treatment with radium-224, radium-226 or radium-228 before the clinical onset of malignant neoplasm of the bone or articular cartilage; or
  - (d) undergoing diagnostic scanning with a colloidal solution of thorium dioxide (Thorotrast) before the clinical onset of malignant neoplasm of the bone or articular cartilage; or
  - (e) inhaling plutonium-239 resulting in a body burden of at least 3 kiloBecquerel before the clinical onset of malignant neoplasm of the bone or articular cartilage; or
  - (f) inability to obtain appropriate clinical management for malignant neoplasm of the bone or articular cartilage.

**Factors that apply only to material contribution or aggravation**

6. Paragraph 5(f) applies only to material contribution to, or aggravation of, malignant neoplasm of the bone or articular cartilage where the person's malignant neoplasm of the bone or articular cartilage 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:

“**Becquerel**” means the unit for expressing the amount of radioactivity in a sample of matter; 1 Becquerel (Bq) is the quantity of radioactivity in which there is one atomic disintegration per second;

“**body burden**” means the total amount of radioactive material that is present in the body of a human or an animal;

“**death from malignant neoplasm of the bone or articular cartilage**” in relation to a person includes death from a terminal event or condition that was contributed to by the person’s malignant neoplasm of the bone or articular cartilage;

“**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. Where in this Statement of Principles an ICD code is referenced, such reference is not to constrain or limit the proper meaning of the definition or words preceding the alphanumeric code reference;

“**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 **Sixteenth** day of **April**  
2002

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

KEN DONALD  
CHAIRMAN