

Revocation
of
Statement of Principles
concerning

HODGKIN'S DISEASE

and

Determination
of
Statement of Principles
concerning

HODGKIN'S LYMPHOMA

Veterans' Entitlements Act 1986
and
Military Rehabilitation and Compensation Act 2004

1. The Repatriation Medical Authority under subsection **196B(2)** and **(8)** of the *Veterans' Entitlements Act 1986* (the VEA):
 - (a) revokes Instrument No. 25 of 2000; 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 **Hodgkin's lymphoma** and **death from Hodgkin's lymphoma**.

- (b) For the purposes of this Statement of Principles, “**Hodgkin’s lymphoma**”, also known as Hodgkin’s disease or Hodgkin lymphoma, means a monoclonal lymphoid neoplasm characterised by the presence of mononuclear Hodgkin cells and multinucleated Reed-Sternberg cells, or lymphocytic and histiocytic Reed-Sternberg cell variants.
- (c) Hodgkin’s lymphoma attracts ICD-10-AM code C81.
- (d) In the application of this Statement of Principles, the definition of “**Hodgkin’s lymphoma**” is that given at paragraph 2(b) above.

Basis for determining the factors

- 3. The Repatriation Medical Authority is of the view that there is sound medical-scientific evidence that indicates that **Hodgkin’s lymphoma** and **death from Hodgkin’s lymphoma** can be related to relevant service rendered by veterans, members of Peacekeeping Forces, or members of the Forces under the VEA, or members under the *Military Rehabilitation and Compensation Act 2004* (the MRCA).

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 the relevant service rendered by the person.

Factors

- 5. The factor that must as a minimum exist before it can be said that a reasonable hypothesis has been raised connecting **Hodgkin’s lymphoma** or **death from Hodgkin’s lymphoma** with the circumstances of a person’s relevant service is:
 - (a) being infected with human immunodeficiency virus (HIV) before the clinical onset of Hodgkin’s lymphoma; or
 - (b) inhaling or absorbing a chemical agent contaminated by 2,3,7,8-tetrachlorodibenzo-para-dioxin (TCDD) for a cumulative period of at least thirty days, at least five years before the clinical onset of Hodgkin’s lymphoma; or
 - (c) being:
 - (i) on land in Vietnam, or
 - (ii) at sea in Vietnamese waters, or
 - (iii) on board a vessel and consuming potable water supplied on that vessel, when the water supply had been produced by evaporative distillation of estuarine Vietnamese waters,

for a cumulative period of at least thirty days, at least five years before the clinical onset of Hodgkin's lymphoma; or

- (d) being infected with Epstein-Barr virus before the clinical onset of Hodgkin's lymphoma; or
- (e) smoking at least ten pack years of cigarettes, or the equivalent thereof in other tobacco products, before the clinical onset of Hodgkin's lymphoma, and where smoking has ceased, the clinical onset has occurred within fifteen years of cessation; or
- (f) having rheumatoid arthritis at the time of the clinical onset of Hodgkin's lymphoma; or
- (g) undergoing solid organ or bone marrow transplantation before the clinical onset of Hodgkin's lymphoma; or
- (h) inability to obtain appropriate clinical management for Hodgkin's lymphoma.

Factors that apply only to material contribution or aggravation

- 6. Paragraph 5(h) applies only to material contribution to, or aggravation of, Hodgkin's lymphoma where the person's Hodgkin's lymphoma was suffered or contracted before or during (but not arising out of) the person's relevant service.

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 with Epstein-Barr virus” means serological evidence of infection with Epstein-Barr virus;

“being infected with human immunodeficiency virus (HIV)” means serological evidence of infection with human immunodeficiency virus;

“being:

- (i) on land in Vietnam, or**
- (ii) at sea in Vietnamese waters,”** means service in at least one of the areas and at the times described in Items 4 and 8 of Schedule 2 of the VEA;

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

“estuarine Vietnamese waters” means at least one of the waterways or harbours in the relevant areas described in Items 4 and 8 of Schedule 2 of the VEA;

“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), Fourth Edition, effective date of 1 July 2004, copyrighted by the National Centre for Classification in Health, Sydney, NSW, and having ISBN 1 86487 594 1;

“inhaling or absorbing a chemical agent” means:

- (a) undertaking work involving decanting or spraying,
- (b) undertaking work involving cleaning and maintenance of equipment used to apply,
- (c) having been sprayed with,
- (d) undertaking work involving the handling or sawing of timber treated with, or
- (e) working in an environment shrouded in dust from timber treated with,

one of the following chemicals

- 2,4,5-trichlorophenoxyacetic acid,
- 2,4,5-trichlorophenoxypropionic acid,
- 2,4,5-trichlorophenol,
- 2-(2,4,5-trichlorophenoxy)-ethyl 2,2-dichloropropionate,
- *o,o*-dimethyl-*o*-(2,4,5-trichlorophenyl)-phosphorothioate,
- pentachlorophenol,
- 2,3,4,6-tetrachlorophenol,
- 2,4,6-trichlorophenol,
- 1,3,4-trichloro-2-(4-nitrophenoxy)benzene,
- 2,4-dichloro-1-(4-nitrophenoxy)benzene, or
- 2,4-dichloro-1-(3-methoxy-4-nitrophenoxy)-benzene;

“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 per day for a period of one calendar year, or 7300 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 7300 cigarettes, or 7.3kg of smoking tobacco by weight. Tobacco products means either cigarettes, pipe tobacco or cigars smoked, alone or in any combination;

“potable water” means water used for drinking water, food preparation and beverage production;

“relevant service” means:

- (a) operational service under the VEA; or
- (b) peacekeeping service under the VEA; or
- (c) hazardous service under the VEA; or
- (d) warlike service under the MRCA; or
- (e) non-warlike service under the MRCA;

“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 VEA or section 338 of the MRCA applies.

Dated this *seventh* day of *October* 2004

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

KEN DONALD
CHAIRMAN