

Revocation
of
Statement of Principles
concerning
JAKOB-CREUTZFELDT DISEASE

and
Determination
of
Statement of Principles
concerning
CREUTZFELDT-JAKOB DISEASE

for the purposes of the
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. 63 of 1995, as amended by Instrument No. 49 of 1997; and
 - (b) determines in their place the following Statement of Principles.

Kind of injury, disease or death

2. (a) This Statement of Principles is about **Creutzfeldt-Jakob disease** and **death from Creutzfeldt-Jakob disease**.

- (b) For the purposes of this Statement of Principles, “**Creutzfeldt-Jakob disease**” also known as “CJD” and “Jakob-Creutzfeldt disease” means a spongiform encephalopathy, existing in sporadic, familial, and transmissible forms, associated with abnormal prion protein accumulation. This definition also includes variant Creutzfeldt-Jakob disease.
- (c) Creutzfeldt-Jakob disease attracts ICD-10-AM code A81.0.
- (d) In the application of this Statement of Principles, the definition of “**Creutzfeldt-Jakob disease**” 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 **Creutzfeldt-Jakob disease** and **death from Creutzfeldt-Jakob disease** 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. 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 **Creutzfeldt-Jakob disease** or **death from Creutzfeldt-Jakob disease** with the circumstances of a person’s relevant service is:
 - (a) undergoing a course of treatment with human pituitary growth hormone before the clinical onset of Creutzfeldt-Jakob disease; or
 - (b) undergoing a course of treatment with human pituitary gonadotrophins before the clinical onset of Creutzfeldt-Jakob disease; or
 - (c) undergoing surgery before the clinical onset of Creutzfeldt-Jakob disease; or
 - (d) undergoing a dura mater graft before the clinical onset of Creutzfeldt-Jakob disease; or

- (e) having been treated with blood or blood products before the clinical onset of Creutzfeldt-Jakob disease; or
- (f) for variant Creutzfeldt-Jakob disease only, consuming beef or a beef product from an area reported in a peer reviewed medical or scientific publication to have bovine spongiform encephalopathy infection in cattle, before the clinical onset of Creutzfeldt-Jakob disease.

Inclusion of Statements of Principles

- 6. 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

- 7. For the purposes of this Statement of Principles:

“a dura mater graft” means a surgical procedure where a dura mater graft from a human donor is used;

“blood products” means material extracted from human blood;

“bovine spongiform encephalopathy infection” also known as “mad cow disease”, means a disease of cattle caused by consumption of prion-contaminated meat and bone meal;

“death from Creutzfeldt-Jakob disease” in relation to a person includes death from a terminal event or condition that was contributed to by the person’s Creutzfeldt-Jakob disease;

“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;

“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
- (f) cessation of brain function.

Application

8. 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