

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(3)** and **(8)** of the *Veterans' Entitlements Act 1986* (the VEA):
 - (a) revokes Instrument No. 26 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. On the sound medical-scientific evidence available, the Repatriation Medical Authority is of the view that it is more probable than not that **Hodgkin’s lymphoma** and **death from Hodgkin’s lymphoma** can be related to relevant service rendered by veterans 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 exist before it can be said that, on the balance of probabilities, **Hodgkin’s lymphoma** or **death from Hodgkin’s lymphoma** is connected 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) being infected with Epstein-Barr virus before the clinical onset of Hodgkin’s lymphoma; or
 - (c) inability to obtain appropriate clinical management for Hodgkin’s lymphoma.

Factors that apply only to material contribution or aggravation

- 6. Paragraph 5(c) 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;

“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;

“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) eligible war service (other than operational service) under the VEA; or
- (b) defence service (other than hazardous service) under the VEA; or
- (c) peacetime 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 120B of the VEA or section 339 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