

Statement of Principles
concerning

SYSTEMIC SCLEROSIS

No. 65 of 2009

for the purposes of the

Veterans' Entitlements Act 1986
and

Military Rehabilitation and Compensation Act 2004

Title

1. This Instrument may be cited as Statement of Principles concerning systemic sclerosis No. 65 of 2009.

Determination

2. This Statement of Principles is determined by the Repatriation Medical Authority under subsection **196B(3)** of the *Veterans' Entitlements Act 1986* (the VEA).

Kind of injury, disease or death

3. (a) This Statement of Principles is about **systemic sclerosis and death from systemic sclerosis**.
(b) For the purposes of this Statement of Principles, "**systemic sclerosis**" (also known as scleroderma), means a connective tissue disorder which is characterised by deposition of fibrous connective tissue in skin and other organs; microvascular lesions, especially in the skin, lungs, and kidneys; and autoimmunity and inflammation. This condition includes CREST (calcinosis, Raynaud syndrome, oesophageal dysmotility, sclerodactyly and telangiectasia) syndrome. This definition excludes localised sclerosis.
(c) Systemic sclerosis attracts ICD-10-AM code M34.

- (d) In the application of this Statement of Principles, the definition of "**systemic sclerosis**" is that given at paragraph 3(b) above.

Basis for determining the factors

4. On the sound medical-scientific evidence available, the Repatriation Medical Authority is of the view that it is more probable than not that **systemic sclerosis** and **death from systemic sclerosis** 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

5. Subject to clause 7, at least one of the factors set out in clause 6 must be related to the relevant service rendered by the person.

Factors

6. The factor that must exist before it can be said that, on the balance of probabilities, **systemic sclerosis** or **death from systemic sclerosis** is connected with the circumstances of a person's relevant service is:
- (a) inhaling respirable crystalline silica dust, at the time material containing crystalline silica was being:
 - (i) produced;
 - (ii) excavated;
 - (iii) drilled, cut or ground; or
 - (iv) used in construction, manufacturing, cleaning or blasting,for a cumulative period of at least 5000 hours before the clinical onset of systemic sclerosis; or
 - (b) inhaling, ingesting or having cutaneous contact with trichloroethylene for a cumulative period of at least 5000 hours within a period of ten consecutive years, before the clinical onset of systemic sclerosis; or
 - (c) being treated with bleomycin at the time of the clinical onset of systemic sclerosis; or
 - (d) inhaling respirable crystalline silica dust, at the time material containing crystalline silica was being:
 - (i) produced;
 - (ii) excavated;
 - (iii) drilled, cut or ground; or
 - (iv) used in construction, manufacturing, cleaning or blasting,

for a cumulative period of at least 5000 hours before the clinical worsening of systemic sclerosis; or

- (e) inhaling, ingesting or having cutaneous contact with trichloroethylene for a cumulative period of at least 5000 hours within a period of ten consecutive years, before the clinical worsening of systemic sclerosis; or
- (f) being treated with bleomycin at the time of the clinical worsening of systemic sclerosis; or
- (g) inability to obtain appropriate clinical management for systemic sclerosis.

Factors that apply only to material contribution or aggravation

7. Paragraphs **6(d) to 6(g)** apply only to material contribution to, or aggravation of, systemic sclerosis where the person's systemic sclerosis was suffered or contracted before or during (but not arising out of) the person's relevant service.

Inclusion of Statements of Principles

8. 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 as in force from time to time.

Other definitions

9. For the purposes of this Statement of Principles:

"death from systemic sclerosis" in relation to a person includes death from a terminal event or condition that was contributed to by the person's systemic sclerosis;

"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), Sixth Edition, effective date of 1 July 2008, copyrighted by the National Centre for Classification in Health, Sydney, NSW, and having ISBN 978 1 74210 016 6;

"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.

Date of effect

10. This Instrument takes effect from 2 September 2009.

Dated this *nineteenth* day of *August* 2009

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

KEN DONALD
CHAIRPERSON