

Statement of Principles
concerning

ROSS RIVER VIRUS INFECTION

No. 91 of 2010

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 Ross River virus infection No. 91 of 2010.

Determination

2. The Repatriation Medical Authority under subsection **196B(3)** and **(8)** of the *Veterans' Entitlements Act 1986* (the VEA):
 - (a) revokes Instrument No. 80 of 1997 concerning Ross River fever; and
 - (b) determines in its place this Statement of Principles.

Kind of injury, disease or death

3.
 - (a) This Statement of Principles is about **Ross River virus infection** and **death from Ross River virus infection**.
 - (b) For the purposes of this Statement of Principles, "**Ross River virus infection**" means a clinical illness due to infection with the Ross River virus. The illness is characterised by polyarthritis and arthralgia, and usually fever, rash, myalgia and lethargy.
 - (c) Ross River virus infection attracts ICD-10-AM code B33.1.
 - (d) In the application of this Statement of Principles, the definition of "**Ross River virus infection**" 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 **Ross River virus infection** and **death from Ross River virus infection** 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, **Ross River virus infection** or **death from Ross River virus infection** is connected with the circumstances of a person's relevant service is:
 - (a) being bitten by a mosquito infected with Ross River virus at least three days, but not more than 21 days, before the clinical onset of Ross River virus infection; or
 - (b) being in an area that is endemic for Ross River virus at least three days, but not more than 21 days, before the clinical onset of Ross River virus infection; or
 - (c) inability to obtain appropriate clinical management for Ross River virus infection.

Factors that apply only to material contribution or aggravation

7. Paragraph 6(c) applies only to material contribution to, or aggravation of, Ross River virus infection where the person's Ross River virus infection 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:

"an area that is endemic for Ross River virus" means:

- (a) Australia;
- (b) East Timor;
- (c) Indonesia;
- (d) Papua New Guinea; or
- (e) Solomon Islands;

"death from Ross River virus infection" in relation to a person includes death from a terminal event or condition that was contributed to by the person's Ross River virus infection;

"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), Seventh Edition, effective date of 1 July 2010, copyrighted by the National Centre for Classification in Health, Sydney, NSW, and having ISBN 978 1 74210 154 5;

"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

10. This Instrument applies to all matters to which section 120B of the VEA or section 339 of the MRCA applies.

Date of effect

11. This Instrument takes effect from 10 November 2010.

Dated this *twenty-seventh* day of *October* 2010

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

KEN DONALD
CHAIRPERSON