



Australian Government
Repatriation Medical Authority

Statement of Principles concerning

PLEURAL PLAQUE

No. 46 of 2014

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 pleural plaque No. 46 of 2014.

Determination

2. The Repatriation Medical Authority under subsection **196B(3)** and **(8)** of the *Veterans' Entitlements Act 1986* (the VEA):
 - (a) revokes Instrument No. 52 of 2003 concerning pleural plaque; and
 - (b) determines in its place this Statement of Principles.

Kind of injury, disease or death

3.
 - (a) This Statement of Principles is about **pleural plaque** and **death from pleural plaque**.
 - (b) For the purposes of this Statement of Principles, "**pleural plaque**" means a circumscribed patch of thickening of the pleura which may or may not be associated with calcification.
 - (c) Pleural plaque attracts ICD-10-AM code J92.0.
 - (d) In the application of this Statement of Principles, the definition of "**pleural plaque**" 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 **pleural plaque** and **death from pleural plaque** 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, **pleural plaque** or **death from pleural plaque** is connected with the circumstances of a person's relevant service is:
 - (a) inhaling respirable asbestos fibres in an enclosed space:
 - (i) at the time material containing asbestos fibres was being applied, removed, dislodged, cut or drilled; and
 - (ii) the first such inhalation of asbestos fibres occurred at least ten years before the clinical onset of pleural plaque; or
 - (b) inhaling respirable asbestos fibres for a cumulative period of at least 1 000 hours in an open environment:
 - (i) at the time material containing asbestos fibres was being applied, removed, dislodged, cut or drilled; and
 - (ii) the first such inhalation of asbestos fibres occurred at least ten years before the clinical onset of pleural plaque; or
 - (c) inability to obtain appropriate clinical management for pleural plaque.

Factors that apply only to material contribution or aggravation

7. Paragraph 6(c) applies only to material contribution to, or aggravation of, pleural plaque where the person's pleural plaque 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 pleural plaque" in relation to a person includes death from a terminal event or condition that was contributed to by the person's pleural plaque;

"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), Eighth Edition, effective date of 1 July 2013, copyrighted by the Independent Hospital Pricing Authority, and having ISBN 978-1-74128-213-9;

"relevant service" means:

- (a) eligible war service (other than operational service) under the VEA;
- (b) defence service (other than hazardous service and British nuclear test defence 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 7 May 2014.

Dated this **twenty-fourth** day of **April** 2014

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

PROFESSOR NICHOLAS SAUNDERS AO
CHAIRPERSON