Statement of Principles  
concerning  
HEPATITIS E  
(Balance of Probabilities)  
(No. 113 of 2015)

The Repatriation Medical Authority determines the following Statement of Principles under subsection 196B(3) of the Veterans’ Entitlements Act 1986.

Dated  21 August 2015

The Common Seal of the  
Repatriation Medical Authority  
was affixed to this instrument  
at the direction of:

[Signature]

Professor Nicholas Saunders AO  
Chairperson
Statement of Principles concerning
Hepatitis E (Balance of Probabilities) (No. 113 of 2015)
Veterans’ Entitlements Act 1986
1 Name
This is the Statement of Principles concerning hepatitis E (Balance of Probabilities) (No. 113 of 2015).

2 Commencement
This instrument commences on 21 September 2015.

3 Authority
This instrument is made under subsection 196B(3) of the Veterans’ Entitlements Act 1986.

4 Revocation
The Statement of Principles concerning hepatitis E No. 32 of 2007 made under subsection 196B(3) of the VEA is revoked.

5 Application
This instrument applies to a claim to which section 120B of the VEA or section 339 of the Military Rehabilitation and Compensation Act 2004 applies.

6 Definitions
The terms defined in the Schedule 1 - Dictionary have the meaning given when used in this instrument.

7 Kind of injury, disease or death to which this Statement of Principles relates
(1) This Statement of Principles is about hepatitis E and death from hepatitis E.

Meaning of hepatitis E
(2) For the purposes of this Statement of Principles, hepatitis E means a symptomatic, clinical illness due to infection with the hepatitis E virus. This infection is characterised by inflammation of the liver, commonly accompanied by fever, tiredness, loss of appetite, nausea, vomiting, abdominal discomfort and jaundice.

(3) While hepatitis E attracts ICD-10-AM code B17.2, in applying this Statement of Principles the meaning of hepatitis E is that given in subsection (2).

(4) For subsection (3), a reference to an ICD-10-AM code is a reference to the code assigned to a particular kind of injury or disease in The International Statistical Classification of Diseases and Related Health Problems, Tenth Revision, Australian Modification (ICD-10-AM),
Death from hepatitis E

(5) For the purposes of this Statement of Principles, hepatitis E, in relation to a person, includes death from a terminal event or condition that was contributed to by the person’s hepatitis E.

Note: terminal event is defined in the Schedule 1 – Dictionary.

8 Basis for determining the factors

On the sound medical-scientific evidence available, the Repatriation Medical Authority is of the view that it is more probable than not that hepatitis E and death from hepatitis E can be related to relevant service rendered by veterans or members of the Forces under the VEA, or members under the MRCA.

Note: relevant service is defined in the Schedule 1 – Dictionary.

9 Factors that must exist

At least one of the following factors must exist before it can be said that, on the balance of probabilities, hepatitis E or death from hepatitis E is connected with the circumstances of a person’s relevant service:

(1) being exposed to the hepatitis E virus between 15 and 64 days before the clinical onset of hepatitis E;

Note: being exposed to the hepatitis E virus is defined in the Schedule 1 - Dictionary

(2) inability to obtain appropriate clinical management for hepatitis E.

10 Relationship to service

(1) The existence in a person of any factor referred to in section 9 must be related to the relevant service rendered by the person.

(2) The factor set out in subsection 9(2) applies only to material contribution to, or aggravation of, hepatitis E where the person’s hepatitis E was suffered or contracted before or during (but did not arise out of) the person’s relevant service.

11 Factors referring to an injury or disease covered by another Statement of Principles

In this Statement of Principles:

(1) if a factor referred to in section 9 applies in relation to a person; and

(2) that factor refers to an injury or disease in respect of which a Statement of Principles has been determined under subsection 196B(3) of the VEA;
then the factors in that Statement of Principles apply in accordance with the terms of that Statement of Principles as in force from time to time.
Schedule 1 - Dictionary

Note: See Section 6

1 Definitions

In this instrument:

**being exposed to the hepatitis E virus** means:
(a) being in the same household or immediate work environment as a person infected with the hepatitis E virus;
(b) consuming water or food contaminated with the hepatitis E virus;
(c) having direct contact with human or animal faecal material contaminated with the hepatitis E virus;
(d) having direct physical contact with a human or animal infected with the hepatitis E virus;
(e) having percutaneous exposure to blood or body fluids contaminated with the hepatitis E virus;
(f) receiving a liver transplant contaminated with the hepatitis E virus; or
(g) receiving a transfusion of blood or blood products contaminated with the hepatitis E virus.

**hepatitis E**—see subsection 7(2).

**MRCA** means the Military Rehabilitation and Compensation Act 2004.

**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 the following:
(a) pneumonia;
(b) respiratory failure;
(c) cardiac arrest;
(d) circulatory failure; or
(e) cessation of brain function.

**VEA** means the Veterans’ Entitlements Act 1986.