



Australian Government
Repatriation Medical Authority

Statement of Principles
concerning
ANIMAL ENVENOMATION
(Balance of Probabilities)
(No. 82 of 2016)

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

Dated 28 October 2016

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

A handwritten signature in black ink, appearing to read 'N. Saunders'.

Professor Nicholas Saunders AO
Chairperson

Contents

1	Name	3
2	Commencement	3
3	Authority	3
4	Revocation	3
5	Application.....	3
6	Definitions.....	3
7	Kind of injury, disease or death to which this Statement of Principles relates	3
8	Basis for determining the factors	4
9	Factors that must exist.....	4
10	Relationship to service	4
11	Factors referring to an injury or disease covered by another Statement of Principles.....	5
Schedule 1 - Dictionary		6
1	Definitions.....	6

1 Name

This is the Statement of Principles concerning *animal envenomation (Balance of Probabilities)* (No. 82 of 2016).

2 Commencement

This instrument commences on 28 November 2016.

3 Authority

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

4 Revocation

The Statement of Principles concerning animal envenomation No. 67 of 2008 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 animal envenomation and death from animal envenomation.

Meaning of animal envenomation

- (2) For the purposes of this Statement of Principles, animal envenomation means experiencing the toxic or hypersensitivity effects of contact with animal venom.
- (3) While animal envenomation attracts ICD-10-AM code T63, X20-X25, X26, X27 or X29, excluding specified and unspecified plants in X26 and X29, in applying this Statement of Principles the meaning of animal envenomation 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)*,

Ninth Edition, effective date of 1 July 2015, copyrighted by the Independent Hospital Pricing Authority, ISBN 978-1-76007-020-5.

Death from animal envenomation

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

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 animal envenomation and death from animal envenomation 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, animal envenomation or death from animal envenomation is connected with the circumstances of a person's relevant service:

- (1) having external contact with venom from a venomous animal at the time of the clinical onset of animal envenomation;

Note: *venomous animal* is defined in the Schedule 1 - Dictionary.

- (2) having internal absorption of venom from a venomous animal, by means of a bite, sting or injection, within the three days before the clinical onset of animal envenomation;

Note: *venomous animal* is defined in the Schedule 1 - Dictionary.

- (3) having internal absorption of venom from a tick of the family *Ixodidae* within the 12 days before the clinical onset of animal envenomation;

- (4) inability to obtain appropriate clinical management for animal envenomation.

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(4) applies only to material contribution to, or aggravation of, animal envenomation where the

person's animal envenomation 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:

animal envenomation—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.

Note: ***MRCA*** and ***VEA*** are also defined in the Schedule 1 - Dictionary.

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*.

venomous animal means a member of the subkingdom Metazoa with specific glands for the production of venom. Such organisms include:

- (a) venomous centipedes and millipedes;
- (b) venomous frogs and toads;
- (c) venomous insects (including hornets, wasps, bees, ants and caterpillars);
- (d) venomous mammals (including platypus and shrews);
- (e) venomous marine animals (including shellfish, jellyfish, stingrays and venomous fish);
- (f) venomous snakes and lizards; and
- (g) venomous spiders, scorpions and ticks.

This definition excludes animals with toxins distributed within their bodily tissues that cause toxic effects or death after ingestion.