



Australian Government
Repatriation Medical Authority

Statement of Principles
concerning
ROSS RIVER VIRUS INFECTION
(Balance of Probabilities)
(No. 95 of 2019)

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

Dated 18 October 2019

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

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1 Name

This is the Statement of Principles concerning *Ross River virus infection (Balance of Probabilities)* (No. 95 of 2019).

2 Commencement

This instrument commences on 18 November 2019.

3 Authority

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

4 Repeal

The Statement of Principles concerning Ross River virus infection No. 91 of 2010 (Federal Register of Legislation No. F2010L02847) made under subsection 196B(3) of the VEA is repealed.

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 Ross River virus infection and death from Ross River virus infection.

Meaning of Ross River virus infection

- (2) For the purposes of this Statement of Principles, Ross River virus infection means a symptomatic, clinical illness caused by infection with Ross River virus.

Note 1: Ross River virus is transmitted by *Aedes* and *Culex* mosquitoes.

Note 2: Typical symptoms of Ross River virus infection include fever with arthralgia, rash, myalgia and lethargy.

- (3) While Ross River virus infection attracts ICD-10-AM code B33.1, in applying this Statement of Principles the meaning of Ross River virus infection 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), Tenth Edition, effective date of 1 July 2017, copyrighted by the Independent Hospital Pricing Authority, ISBN 978-1-76007-296-4.

Death from Ross River virus infection

- (5) For the purposes of this Statement of Principles, 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.

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 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 MRCA.

Note: *MRCA*, *relevant service* and *VEA* are 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, Ross River virus infection or death from Ross River virus infection is connected with the circumstances of a person's relevant service:

- (1) being exposed to the Ross River virus between three and 21 days before the clinical onset of Ross River virus infection;

Note: *being exposed to the Ross River virus* is defined in the Schedule 1 - Dictionary.

- (2) being in a country or geographic area that has experienced Ross River virus transmission, between three and 21 days before the clinical onset of Ross River virus infection;

Note: *country or geographic area that has experienced Ross River virus transmission* is defined in the Schedule 1 - Dictionary.

- (3) inability to obtain appropriate clinical management for Ross River virus infection.

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(3) 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 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 Ross River virus means:

- (a) being bitten by a mosquito that is infected with Ross River virus; or
- (b) receiving a blood transfusion, a blood product, a stem cell transplant or an organ transplant, where the blood, tissue or organ is derived from a person infected with Ross River virus.

country or geographic area that has experienced Ross River virus transmission means:

- (a) American Samoa;
- (b) Australia;
- (c) Cook Islands;
- (d) East Timor;
- (e) Fiji;
- (f) French Polynesia;
- (g) Indonesia east of the Weber line;
- (h) New Caledonia;
- (i) Papua New Guinea;
- (j) Solomon Islands; or
- (k) Wallis and Futuna.

Note: The Weber line means a hypothetical boundary lying along the Australo-Papuan Shelf, which is the common boundary of the Asian and Australian faunal regions, and is located to the east of Timor.

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.

Ross River virus infection—see subsection 7(2).

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*.