



# **Statement of Principles concerning PATELLAR TENDINOPATHY (Balance of Probabilities) (No. 22 of 2020)**

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

Dated 24 April 2020

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 "Nicholas Saunders".

Professor Nicholas Saunders AO  
Chairperson

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**1 Name**

This is the Statement of Principles concerning *patellar tendinopathy (Balance of Probabilities)* (No. 22 of 2020).

**2 Commencement**

This instrument commences on 25 May 2020.

**3 Authority**

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

**4 Repeal**

The Statement of Principles concerning patellar tendinopathy No. 115 of 2011 (Federal Register of Legislation No. F2011L01745) made under subsection 196B(3) of the VEA is repealed.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 patellar tendinopathy and death from patellar tendinopathy.

*Meaning of patellar tendinopathy*

- (2) For the purposes of this Statement of Principles, patellar tendinopathy:
- (a) means an acquired clinically symptomatic condition involving inflammation or degeneration of the patellar tendon; and
  - (b) includes:
    - (i) degenerative distal quadriceps tendon tear or rupture;
    - (ii) degenerative patellar tendon tear or rupture;
    - (iii) distal quadriceps tendinitis or tendinopathy; and
    - (iv) patellar tendinitis; and
  - (c) excludes:
    - (i) Osgood-Schlatter disease;

- (ii) patellar tendon enthesopathy;
- (iii) patellar tendon lateral femoral condyle friction syndrome (Hoffa fat pad impingement syndrome); and
- (iv) Sinding-Larsen-Johansson syndrome.

Note: The symptoms of patellar tendinopathy include pain and tenderness localised to the distal quadriceps or patellar tendon at the front of the knee, and a worsening of the symptoms with physical activity.

- (3) While patellar tendinopathy attracts ICD-10-AM code M76.5, in applying this Statement of Principles the meaning of patellar tendinopathy 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 patellar tendinopathy*

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

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

- (1) running or jogging an average of at least 60 kilometres per week for at least the four weeks before the clinical onset of patellar tendinopathy;
- (2) undertaking weight bearing exercise involving jumping or repeated flexion and extension of the affected knee, at a minimum intensity greater than six METs for at least six hours per week, for at least the four weeks before the clinical onset of patellar tendinopathy;

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

- (3) increasing the frequency, duration or intensity of weight bearing activity involving the affected knee by at least 100 percent, to a minimum intensity of five METs for at least four hours per day, within the seven days before the clinical onset of patellar tendinopathy;

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

- (4) having direct trauma to the patellar tendon of the affected knee at the time of the clinical onset of patellar tendinopathy;
- (5) having gout of the patellar tendon or distal quadriceps tendon at the time of the clinical onset of patellar tendinopathy;
- (6) running or jogging an average of at least 60 kilometres per week for at least the four weeks before the clinical worsening of patellar tendinopathy;
- (7) undertaking weight bearing exercise involving jumping or repeated flexion and extension of the affected knee, at a minimum intensity greater than six METs for at least six hours per week, for at least the four weeks before the clinical worsening of patellar tendinopathy;

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

- (8) increasing the frequency, duration or intensity of weight bearing activity involving the affected knee by at least 100 percent, to a minimum intensity of five METs for at least four hours per day, within the seven days before the clinical worsening of patellar tendinopathy;
- Note: **MET** is defined in the Schedule 1 - Dictionary.
- (9) having direct trauma to the patellar tendon of the affected knee at the time of the clinical worsening of patellar tendinopathy;
- (10) having gout of the patellar tendon or distal quadriceps tendon at the time of the clinical worsening of patellar tendinopathy;
- (11) inability to obtain appropriate clinical management for patellar tendinopathy.

## 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 factors set out in subsections 9(6) to 9(11) apply only to material contribution to, or aggravation of, patellar tendinopathy where the person's patellar tendinopathy 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:

**MET** means a unit of measurement of the level of physical exertion. 1 MET = 3.5 ml of oxygen/kg of body weight per minute, or 1.0 kcal/kg of body weight per hour, or resting metabolic rate.

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

**patellar tendinopathy**—see subsection 7(2).

**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*.