



SUMMARY OF CHANGES:

INSTRUMENT NOS. 90 to 99 OF 2018

Statements of Principles Nos. 90 to 99 of 2018 were signed by the Chairperson of the Repatriation Medical Authority (the Authority) on 26 October 2018.

The Instruments have been lodged and registered with the Federal Register of Legislation, pursuant to section 15G of the *Legislation Act 2003* (Legislation Act). The day of commencement is specified in each of the Statements of Principles. Instrument Nos. 90 to 98 of 2018 have a day of commencement of 26 November 2018. Instrument No. 99 of 2018 (Amendment Statement of Principles concerning motor neurone disease, determined to more accurately reflect the Specialist Medical Review Council (SMRC) Declaration No. 31 dated 20 June 2018) has a day of commencement of 21 June 2018.

In accordance with the Legislation Act, the Office of Parliamentary Counsel must generally deliver a legislative instrument for laying before each House of the Parliament within six sitting days of that House after the instrument is registered with the instrument's registered explanatory statement. The Instruments and the associated Explanatory Statements registered with the Federal Register of Legislation are available from <http://www.legislation.gov.au>.

Copies of each Instrument, the associated Explanatory Statement and a list of references relating to each Statement of Principles, are available in accordance with the *Veterans' Entitlements Act 1986* (the VEA), on written request from the RMA Secretariat.

The 'User Guide to the RMA Statements of Principles' explains the meaning and purpose of each section of the new Statement of Principles template which commenced in 2015. This document is available on the Authority's website at <http://www.rma.gov.au>.

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2 November 2018

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Instr. No.	Title	Date of Commencement	ICD-10-AM Code
REVOCATIONS			
90 & 91/2018	non-Hodgkin lymphoma	26/11/2018	Nil
92 & 93/2018	concussion	26/11/2018	Nil
94 & 95/2018	moderate to severe traumatic brain injury	26/11/2018	Nil
96 & 97/2018	human T-cell lymphotropic virus type-1 infection	26/11/2018	Z22.6
AMENDMENTS			
98/2018	migraine	26/11/2018	N/A
99/2018	motor neurone disease	21/06/2018	N/A

Note:

The investigation concerning 'non-Hodgkin's lymphoma' has resulted in the determination of Statements of Principles concerning **non-Hodgkin lymphoma**.

The investigation concerning 'human T-cell lymphotropic virus type-1' has resulted in the determination of Statements of Principles concerning **human T-cell lymphotropic virus type-1 infection**.

The amendment of the Statement of Principles concerning **motor neurone disease** corrects a cross reference to a factor in the Statement of Principles and is not the result of an RMA investigation. The change is made to more accurately reflect the direction of the SMRC in accordance with its Declaration No. 31 dated 20 June 2018.

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90 & 91/2018	non-Hodgkin lymphoma	<p>These Instruments result from an investigation notified by the Authority in the Government Notices Gazette of 14 November 2017 concerning <i>non-Hodgkin's lymphoma</i> in accordance with section 196G of the VEA. The investigation involved an examination of the sound medical-scientific evidence now available to the Authority, including the sound medical-scientific evidence it has previously considered.</p> <p>The contents of these Instruments are in similar terms as the repealed Instruments. Comparing these Instruments and the repealed Instruments, the differences include:</p> <p>For RH SoP (Instrument No. 90/2018)</p> <ul style="list-style-type: none"> • adopting the latest revised Instrument format, which commenced in 2015; • specifying a day of commencement for the Instrument in section 2; • changing the title of the Instrument to 'non-Hodgkin lymphoma'; • revising the definition of 'non-Hodgkin lymphoma' in subsection 7(2); • revising the factor in subsection 9(1) concerning 'infection with human immunodeficiency virus'; • revising the factor in subsection 9(2) concerning 'undergoing solid organ, stem cell or bone marrow transplantation'; • revising the factor in subsection 9(3) concerning 'an autoimmune disease'; • revising the factor in subsection 9(4) concerning 'being treated with a drug or a drug from a class of drugs'; • revising the factor in subsection 9(5) concerning 'chronic lymphoid leukaemia/small lymphocytic lymphoma', for Richter syndrome only; • revising the factor in subsection 9(6) concerning 'infection with human T-cell lymphotropic virus type-1', for adult T-cell leukaemia-lymphoma only; • revising the factor in subsection 9(7) concerning 'infection with <i>Helicobacter pylori</i>', for gastric lymphoma and splenic marginal zone lymphoma only; • revising the factor in subsection 9(8) concerning 'infection with Epstein-Barr virus'; • revising the factor in subsection 9(9) concerning 'infection with Kaposi's sarcoma herpesvirus', for primary effusion lymphoma and Kaposi's sarcoma herpesvirus-positive diffuse large B-cell lymphoma not otherwise specified only; • revising the factor in subsection 9(10) concerning 'infection with <i>Campylobacter jejuni</i>', for small intestinal mucosa-associated lymphoid tissue lymphoma only; • revising the factor in subsection 9(11) concerning 'infection with <i>Chlamydia psittaci</i>', for ocular adnexal mucosa-associated lymphoid tissue lymphoma only; • revising the factor in subsection 9(12) concerning 'infection with specified bacteria belonging to the <i>Borrelia burgdorferi</i> sensu lato complex', for cutaneous mucosa-associated lymphoid tissue lymphoma only; • revising the factor in subsection 9(13) concerning 'infection with hepatitis C virus'; • revising the factor in subsection 9(14) concerning 'infection with hepatitis B virus'; • revising the factor in subsection 9(15) concerning 'infection with <i>Plasmodium falciparum</i>', for Burkitt lymphoma only; • revising the factor in subsection 9(16) concerning 'Hodgkin's lymphoma'; • revising the factor in subsection 9(17) concerning 'inhaling, ingesting or having cutaneous contact with a phenoxy acid herbicide'; • revising the factor in subsection 9(18) concerning 'serving in Vietnam or being on board a vessel and consuming potable water supplied on that vessel, when the water supply had been produced by evaporative distillation of estuarine Vietnamese waters'; • revising the factor in subsection 9(19) concerning 'inhaling, ingesting or having cutaneous contact with a chemical agent contaminated by 2,3,7,8-tetrachlorodibenzo-para-dioxin (TCDD)'; • revising the factor in subsection 9(20) concerning 'being exposed to benzene'; • revising the factor in subsection 9(21) concerning 'cumulative exposure to benzene'; • revising the factor in subsection 9(22) concerning 'inhaling ethylene oxide vapour'; • revising the factor in subsection 9(23) concerning 'being obese'; • revising the factor in subsection 9(24) concerning 'ionising radiation to the bone marrow'; • new factor in subsection 9(25) concerning 'chronic inflammation as specified at the affected site', for diffuse large B-cell lymphoma only; • new factor in subsection 9(26) concerning 'a breast implant', for anaplastic large cell lymphoma of the breast only; • new factor in subsection 9(27) concerning 'inhaling, ingesting or having cutaneous contact with lindane'; • new factor in subsection 9(28) concerning 'inhaling, ingesting or having cutaneous contact with pentachlorophenol'; • new factor in subsection 9(29) concerning 'inhaling, ingesting or having cutaneous contact with a chemical from the specified list';
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- new factor in subsection 9(30) concerning 'smoking', for T-cell lymphoma only;
- new factor in subsection 9(31) concerning 'atopic dermatitis';
- new factor in subsection 9(32) concerning 'being treated with hydrochlorothiazide', for mycosis fungoides or Sezary syndrome only;
- new definitions of 'BMI', 'chemical from the specified list', 'chronic inflammation as specified', 'lindane', 'MRCA', 'pack-years of cigarettes, or the equivalent thereof in other tobacco products', 'specified bacteria belonging to the *Borrelia burgdorferi* sensu lato complex', 'specified list of autoimmune diseases', 'specified list of systemic immunosuppressive drugs' and 'VEA' in Schedule 1 - Dictionary;
- revising the definitions of 'being exposed to benzene as specified', 'being obese', and 'relevant service' in Schedule 1 – Dictionary; and
- deleting the definition of 'an autoimmune disease from the specified list'.

For BoP SoP (Instrument No. 91/2018)

- adopting the latest revised Instrument format, which commenced in 2015;
- specifying a day of commencement for the Instrument in section 2;
- changing the title of the Instrument to 'non-Hodgkin lymphoma';
- revising the definition of 'non-Hodgkin lymphoma' in subsection 7(2);
- revising the factor in subsection 9(1) concerning 'infection with human immunodeficiency virus';
- revising the factor in subsection 9(2) concerning 'undergoing solid organ, stem cell or bone marrow transplantation';
- revising the factor in subsection 9(3) concerning 'an autoimmune disease';
- revising the factor in subsection 9(4) concerning 'psoriasis', for cutaneous T-cell lymphoma only;
- revising the factor in subsection 9(5) concerning 'being treated with a drug or a drug from a class of drugs';
- revising the factor in subsection 9(6) concerning 'chronic lymphoid leukaemia/small lymphocytic lymphoma', for Richter syndrome only;
- revising the factor in subsection 9(7) concerning 'infection with human T-cell lymphotropic virus type-1', for adult T-cell leukaemia-lymphoma only;
- revising the factor in subsection 9(8) concerning 'infection with *Helicobacter pylori*', for gastric lymphoma only;
- revising the factor in subsection 9(9) concerning 'infection with Epstein-Barr virus', for Burkitt lymphoma, primary central nervous system lymphomas, extranodal nasal natural killer-T cell lymphoma, Epstein-Barr virus-positive diffuse large B-cell lymphoma not otherwise specified and systemic Epstein-Barr virus-positive T-cell lymphoma of childhood only;
- revising the factor in subsection 9(10) concerning 'infection with Kaposi's sarcoma herpesvirus', for primary effusion lymphoma and Kaposi's sarcoma herpesvirus-positive diffuse large B-cell lymphoma not otherwise specified only;
- revising the factor in subsection 9(11) concerning 'infection with *Campylobacter jejuni*', for small intestinal mucosa-associated lymphoid tissue lymphoma only;
- revising the factor in subsection 9(12) concerning 'infection with *Chlamydia psittaci*', for ocular adnexal mucosa-associated lymphoid tissue lymphoma only;
- revising the factor in subsection 9(13) concerning 'infection with specified bacteria belonging to the *Borrelia burgdorferi* sensu lato complex', for cutaneous mucosa-associated lymphoid tissue lymphoma only;
- revising the factor in subsection 9(14) concerning 'infection with hepatitis C virus';
- revising the factor in subsection 9(15) concerning 'infection with hepatitis B virus', for B-cell lymphoma only;
- new factor in subsection 9(16) concerning 'infection with *Plasmodium falciparum*', for Burkitt lymphoma only;
- revising the factor in subsection 9(17) concerning 'Hodgkin's lymphoma';
- revising the factor in subsection 9(18) concerning 'being obese';
- new factor in subsection 9(19) concerning 'chronic inflammation as specified at the affected site', for diffuse large B-cell lymphoma only;
- new factor in subsection 9(20) concerning 'a breast implant', for anaplastic large cell lymphoma of the breast only;
- new factor in subsection 9(21) concerning 'inhaling, ingesting or having cutaneous contact with lindane';
- new factor in subsection 9(22) concerning 'inhaling, ingesting or having cutaneous contact with pentachlorophenol';
- deleting existing factors concerning 'Hashimoto's thyroiditis or chronic lymphocytic thyroiditis' and 'inflammatory bowel disease' as these conditions are now covered by the factor in subsection 9(3) concerning 'an autoimmune disease';

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		<ul style="list-style-type: none"> • new definitions of 'BMI', 'chemical from the specified list', 'chronic inflammation as specified', 'lindane', 'MRCA', 'specified bacteria belonging to the <i>Borrelia burgdorferi</i> sensu lato complex', 'specified list of autoimmune disease', 'specified list of systemic immunosuppressive drugs' and 'VEA' in Schedule 1 - Dictionary; • revising the definitions of 'being obese', and 'relevant service' in Schedule 1 – Dictionary; and • deleting the definition of 'an autoimmune disease from the specified list'. <p>The determining of these Instruments finalises the investigation in relation to <i>non-Hodgkin's lymphoma</i> as advertised in the Government Notices Gazette of 14 November 2017.</p>
92 & 93/2018	concussion	<p>These Instruments result from an investigation notified by the Authority in the Government Notices Gazette of 9 January 2018 concerning <i>concussion</i> in accordance with section 196G of the VEA. The investigation involved an examination of the sound medical-scientific evidence now available to the Authority, including the sound medical-scientific evidence it has previously considered.</p> <p>The contents of these Instruments are in similar terms as the repealed Instruments. Comparing these Instruments and the repealed Instruments, the differences include:</p> <p>For RH & BoP SoPs (Instrument Nos. 92 & 93/2018)</p> <ul style="list-style-type: none"> • adopting the latest revised Instrument format, which commenced in 2015; • specifying a day of commencement for the Instrument in section 2; • revising the definition of 'concussion' in subsection 7(2); • revising the factor in subsection 9(1) concerning 'experiencing a specified event'; • new definitions of 'MRCA' and 'VEA' in Schedule 1 - Dictionary; and • revising the definition of 'specified event' in Schedule 1 – Dictionary. <p>The determining of these Instruments finalises the investigation in relation to <i>concussion</i> as advertised in the Government Notices Gazette of 9 January 2018.</p>
94 & 95/2018	moderate to severe traumatic brain injury	<p>These Instruments result from an investigation notified by the Authority in the Government Notices Gazette of 9 January 2018 concerning <i>moderate to severe traumatic brain injury</i> in accordance with section 196G of the VEA. The investigation involved an examination of the sound medical-scientific evidence now available to the Authority, including the sound medical-scientific evidence it has previously considered.</p> <p>The contents of these Instruments are in similar terms as the repealed Instruments. Comparing these Instruments and the repealed Instruments, the differences include:</p> <p>For RH & BoP SoPs (Instrument Nos. 94 & 95/2018)</p> <ul style="list-style-type: none"> • adopting the latest revised Instrument format, which commenced in 2015; • specifying a day of commencement for the Instrument in section 2; • revising the definition of 'moderate to severe traumatic brain injury' in subsection 7(2); • revising the factor in subsection 9(1) concerning 'experiencing a specified event'; • new definitions of 'MRCA' and 'VEA' in Schedule 1 - Dictionary; and • revising the definition of 'specified event' in Schedule 1 - Dictionary. <p>The determining of these Instruments finalises the investigation in relation to <i>moderate to severe traumatic brain injury</i> as advertised in the Government Notices Gazette of 9 January 2018.</p>
96 & 97/2018	human T-cell lymphotropic virus type-1 infection	<p>These Instruments result from an investigation notified by the Authority in the Government Notices Gazette of 19 October 2016 concerning <i>human T-cell lymphotropic virus type-1</i> in accordance with section 196G of the VEA. The investigation involved an examination of the sound medical-scientific evidence now available to the Authority, including the sound medical-scientific evidence it has previously considered.</p> <p>The contents of these Instruments are in similar terms as the repealed Instruments. Comparing these Instruments and the repealed Instruments, the differences include:</p> <p>For RH SoP (Instrument No. 96/2018)</p> <ul style="list-style-type: none"> • adopting the latest revised Instrument format, which commenced in 2015; • specifying a day of commencement for the Instrument in section 2; • changing the title of the Instrument to 'human T-cell lymphotropic virus type-1 infection'; • new definition of 'human T-cell lymphotropic virus type-1 infection' in subsection 7(2); • revising the reference to 'ICD-10-AM code' in subsection 7(4); • revising the factor in subsection 9(1) concerning 'being exposed to HTLV-1'; • new factor in subsection 9(2) concerning 'having: (a) herpes simplex virus type 2 anogenital infection; (b) a genital ulcerative disease; or (c) a non-ulcerative anogenital sexually transmitted infection'; • new factor in subsection 9(3) concerning 'having infection with human immunodeficiency virus'; • new definitions of 'MRCA' and 'VEA' in Schedule 1 - Dictionary; and

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		<ul style="list-style-type: none"> revising the definitions of 'being exposed to HTLV-1', 'relevant service' and 'specified body substance' in Schedule 1 – Dictionary. <p>For BoP SoP (Instrument No. 97/2018)</p> <ul style="list-style-type: none"> adopting the latest revised Instrument format, which commenced in 2015; specifying a day of commencement for the Instrument in section 2; changing the title of the Instrument to 'human T-cell lymphotropic virus type-1 infection'; new definition of 'human T-cell lymphotropic virus type-1 infection' in subsection 7(2); revising the reference to 'ICD-10-AM code' in subsection 7(4); revising the factor in subsection 9(1) concerning 'being exposed to HTLV-1'; new definitions of 'MRCA' and 'VEA' in Schedule 1 - Dictionary; and revising the definitions of 'being exposed to HTLV-1', 'relevant service' and 'specified body substance' in Schedule 1 – Dictionary. <p>The determining of these Instruments finalises the investigation in relation to <i>human T-cell lymphotropic virus type-1</i> as advertised in the Government Notices Gazette of 19 October 2016.</p>
98/2018	migraine	<p>Amendment</p> <p>This Instrument amends Statement of Principles concerning migraine (Reasonable Hypothesis) (No. 7 of 2018) (Federal Register of Legislation No. F2018L00012) by:</p> <p>For RH Amendment SoP (Instrument No. 98/2018)</p> <ul style="list-style-type: none"> inserting new factors in subsections 9(2a) & 9(4a) concerning 'concussion or moderate to severe traumatic brain injury'; and specifying the day of commencement of these amendments. <p>The determining of this Instrument finalises the investigation in relation to <i>migraine</i> as advertised in the Government Notices Gazette of 3 July 2018.</p>
99/2018	motor neurone disease	<p>Amendment</p> <p>This instrument amends Statement of Principles No. 67 of 2013 concerning <i>motor neurone disease</i> by:</p> <p>For RH Amendment SoP (Instrument No. 99/2018)</p> <ul style="list-style-type: none"> correcting a cross reference to another factor in the Statement of Principles. The error occurs in paragraph 7 which contains an incorrect cross-reference to "paragraph 6(d)" when "paragraph 6(b)" was intended. The error arose as the amendment to paragraph 7 should have been included as part of Amendment Statement of Principles concerning motor neurone disease No. 88 of 2018. That Instrument repealed the then existing factors numbered 6(b) and 6(c) and it was then necessary to adjust the cross-reference in paragraph 7; and specifying the day of commencement of the amendment. <p>The above changes are made to more accurately reflect the direction of the SMRC in accordance with its Declaration No. 31 dated 20 June 2018 [https://www.legislation.gov.au/Details/C2018G00472]. In accordance with subsections 12(1A) and 12(2) of the <i>Legislation Act 2003</i> the date of commencement will be 21 June 2018.</p>