

SUMMARY OF CHANGES:

INSTRUMENT NOS. 77 to 89 of 2019

Statements of Principles Nos. 77 to 89 of 2019 were signed by the Chairperson of the Repatriation Medical Authority (the Authority) on 23 August 2019.

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 as specified in each of the Instruments is 23 September 2019. 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 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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30 August 2019

SUMMARY OF CHANGES

Instr. No.	Title	Date of Commencement	ICD-10-AM Code		
REVOCATIONS					
77 & 78/2019	Morton metatarsalgia	23/09/2019	G57.6		
78 & 80/2019	varicocoele	23/09/2019	I86.1		
81 & 82/2019	conductive hearing loss	23/09/2019	Nil		
83 & 84/2019	malignant neoplasm of the bladder	23/09/2019	C67, D09.0		
85 & 86/2019	obstructive and reflux nephropathy	23/09/2019	N13		
87 & 88/2019	anal fissure	23/09/2019	K60.0, K60.1, K60.2		
AMENDMENTS	2				
AMENDMENT					
89/2019	hypertension	23/09/2019	N/A		

Note:

The investigation concerning 'Morton's metatarsalgia' has resulted in the determination of Statements of Principles concerning **Morton metatarsalgia**.

The investigation concerning 'varicocele' has resulted in the determination of Statements of Principles concerning **varicocele**.

Following its focussed review in respect of exposure to phenoxyherbicides/dioxin (Agent Orange) as a factor in hypertension, the Authority proposes to amend Statement of Principles No. 63 of 2013. The Authority does not propose to amend Statement of Principles No. 64 of 2013 and a Declaration is expected to appear in the Government Notices Gazette on 3 September 2019 advising of this outcome.

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77 & 78/2019	Morton metatarsalgia	These Instruments result from an investigation notified by the Authority in the Government Notices Gazette of 8 May 2018 concerning <i>Morton's metatarsalgia</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. The contents of these Instruments are in similar terms as the repealed Instruments. Comparing	
		these Instruments and the repealed Instruments, the differences include:	
		 For RH & BoP SoPs (Instrument Nos. 77 & 78/2019) adopting the latest revised Instrument format, which commenced in 2015; 	
		 specifying a day of commencement for the Instrument in section 2; 	
		 changing the name of the condition from 'Morton's metatarsalgia' to 'Morton metatarsalgia' to accord with contemporary medical nomenclature; revising the definition of 'Morton metatarsalgia' in subsection 7(2); 	
		 revising the reference to ICD-10-AM code in subsection 7(4); revising the factors in subsections 9(1) and 9(6) concerning footwear; 	
		 revising the factors in subsections 9(4) and 9(9) concerning deformity of the affected foot; revising the factors in subsections 9(5) and 9(10) concerning inflammatory arthritis; new definitions of 'MRCA', 'specified list of deformities of the foot' and 'VEA' in Schedule 1 – Dictionary; revising the definition of 'relevant service' in the Schedule 1 – Dictionary; and deleting the definitions of 'a biomechanical abnormality' and 'a condition as specified' in 	
		Schedule 1 – Dictionary. The determining of these Instruments finalises the investigation in relation to <i>Morton's metatarsalgia</i> as advertised in the Government Notices Gazette of 8 May 2018.	
79 & 80/2019	varicocoele	These Instruments result from an investigation notified by the Authority in the Government Notices Gazette of 8 May 2018 concerning <i>varicocele</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. The contents of these Instruments are in similar terms as the repealed Instruments. Comparing	
		these Instruments and the repealed Instruments, the differences include: For RH SoP (Instrument No. 79/2019)	
		adopting the latest revised Instrument format, which commenced in 2015;	
		 specifying a day of commencement for the Instrument in section 2; changing the name of the Statement of Principles from 'varicoccele' to 'varicoccele' in accordance with contemporary medical nomenclature; 	
		 revising the reference to ICD-10-AM code in subsection 7(4); revising the factors in subsections 9(1) and 9(6) concerning occlusion or stenosis of the testicular venous drainage system; 	
		 revising the factors in subsections 9(2) and 9(7) concerning nephrectomy; new factors in subsections 9(4) and 9(9) concerning ankylosing spondylitis; new factors in subsections 9(5) and 9(10) concerning Behcet disease; revising the factor in subsection 9(11) concerning physical activity; 	
		 new factors in subsection 9(12) concerning sexual intercourse and increased intra-abdominal pressure, for rupture of varicocoele only; new definitions of 'arteries supplying the testis', 'increased intra-abdominal pressure as 	
		 specified', 'MRCA', 'occlusion or stenosis' and 'VEA' in Schedule 1 – Dictionary; revising the definition of "relevant service" in Schedule 1 – Dictionary; and deleting the definitions of 'arteries of the testis', 'occlusion or narrowing' and 'testicular vein' in Schedule 1 – Dictionary. 	
		For BoP SoP (Instrument No. 80/2019	
		 adopting the latest revised Instrument format, which commenced in 2015; specifying a day of commencement for the Instrument in section 2; changing the name of the Statement of Principles from 'varicocele' to 'varicocoele' in 	
		 accordance with contemporary medical nomenclature; revising the reference to ICD-10-AM code in subsection 7(4); revising the factors in subsections 9(1) and 9(5) concerning occlusion or stenosis of the 	
		testicular venous drainage system; • revising the factors in subsections 9(2) and 9(6) concerning nephrectomy;	

SUMMARY OF CHANGES new factors in subsections 9(4) and 9(8) concerning ankylosing spondylitis; new definitions of 'arteries supplying the testis'. 'MRCA', 'occlusion or stenosis' and 'VEA' in Schedule 1 – Dictionary: revising the definition of 'relevant service' in Schedule 1 – Dictionary; and deleting the definitions of 'arteries of the testis', 'occlusion or narrowing' and 'testicular vein' in Schedule 1 – Dictionary. The determining of these Instruments finalises the investigation in relation to varicocele as advertised in the Government Notices Gazette of 8 May 2018. These Instruments result from an investigation notified by the Authority in the Government 81 & conductive hearing 82/2019 Notices Gazette of 8 May 2018 concerning conductive hearing loss in accordance with section loss 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. The contents of these Instruments are in similar terms as the repealed Instruments. Comparing these Instruments and the repealed Instruments, the differences include: For RH SoP (Instrument No. 81/2019) adopting the latest revised Instrument format, which commenced in 2015; specifying a day of commencement for the Instrument in section 2; revising the factors in subsections 9(2) and 9(15) concerning bone diseases; new factors in subsections 9(3) and 9(16) concerning osteoporosis; revising the factors in subsections 9(4) and 9(17) concerning otitic barotrauma; revising the factors in subsections 9(5) and 9(18) concerning peak sound pressure level; new factors in subsections 9(6) and 9(19) concerning exposure to an explosive blast; new factors in subsections 9(7) and 9(20) concerning exposure to lightning strike; revising the factors in subsections 9(8) and 9(21) concerning blunt trauma, penetrating trauma or surgery; revising the factors in subsection 9(9) and 9(22) concerning permanent narrowing or obstruction of the external auditory canal; revising the factors in subsection 9(10) and 9(23) concerning chronic otitis media; new factors in subsections 9(11) and 9(24) concerning a benign or malignant neoplasm or other mass lesion of the middle ear; new factors in subsections 9(12) and 9(25) concerning autoimmune diseases; revising the factors in subsections 9(13) and 9(26) concerning therapeutic radiation; revising the definitions of 'chronic otitis media', 'conductive hearing apparatus' 'exostosis' and 'relevant service' in Schedule 1 – Dictionary; new definitions of 'dB(C)', 'fibrous dysplasia', 'MRCA', 'osteoma', 'specified list of autoimmune diseases', 'specified list of bone diseases', and 'VEA' in Schedule 1 -Dictionary; deleting the definitions of 'a course of therapeutic radiation', 'chronic otitis externa', 'granuloma' and 'obstruction of the external auditory canal' in Schedule 1 – Dictionary. For BoP SoP (Instrument No. 82/2019) adopting the latest revised Instrument format, which commenced in 2015; specifying a day of commencement for the Instrument in section 2; revising the factors in subsections 9(2) and 9(14) concerning bone diseases; revising the factors in subsections 9(3) and 9(15) concerning otitic barotrauma; revising the factors in subsections 9(4) and 9(16) concerning peak sound pressure level; new factors in subsections 9(5) and 9(17) concerning exposure to an explosive blast; new factors in subsections 9(6) and 9(18) concerning exposure to lightning strike; revising the factors in subsections 9(7) and 9(19) concerning blunt trauma, penetrating trauma or surgery; revising the factors in subsections 9(8) and 9(20) concerning permanent narrowing or obstruction of the external auditory canal; revising the factors in subsections 9(9) and 9(21) concerning chronic otitis media; new factors in subsections 9(10) and 9(22) concerning a benign or malignant neoplasm or other mass lesion of the middle ear; new factors in subsections 9(11) and 9(23) concerning autoimmune diseases; revising the factors in subsections 9(12) and 9(24) concerning therapeutic radiation; revising the definitions of 'chronic otitis media', 'conductive hearing apparatus' 'exostosis' and 'relevant service' in Schedule 1 – Dictionary; new definitions of 'dB(C)', 'fibrous dysplasia', 'MRCA', 'osteoma', 'specified list of autoimmune diseases', 'specified list of bone diseases' and 'VEA' in Schedule 1-Dictionary;

SUMMARY OF CHANGES deleting the definitions of 'a course of therapeutic radiation', 'chronic otitis externa', 'granuloma' and ' obstruction of the external auditory canal' in Schedule 1 – Dictionary. The determining of these Instruments finalises the investigation in relation to conductive hearing loss as advertised in the Government Notices Gazette of 8 May 2018. 83 & malignant neoplasm These Instruments result from an investigation notified by the Authority in the Government 84/2019 of the bladder Notices Gazette of 6 November 2018 concerning malignant neoplasm of the bladder 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 medicalscientific evidence it has previously considered. The contents of these Instruments are in similar terms as the repealed Instruments, Comparing these Instruments and the repealed Instruments, the differences include: For RH SoP (Instrument No. 83/2019) 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 'malignant neoplasm of the bladder' in subsection 7(2); revising the reference to ICD-10-AM code in subsection 7(4); revising the factor in subsection 9(1) concerning smoking; revising the factors in subsections 9(3) and 9(4) concerning exposure to polycyclic aromatic hydrocarbons; revising the factors in subsections 9(5) and 9(6) concerning aromatic amines; revising the factor in subsection 9(7) concerning tetrachloroethylene; new factor in subsection 9(8) concerning 2-mercaptobenzothiazole exposure; revising the factor in subsection 9(9) concerning diesel engine exhaust exposure; new factor in subsection 9(10) concerning exposure to lead; revising the factor in subsection 9(12) concerning working as a hairdresser or barber; revising the factor in subsection 9(13) concerning working as a painter; revising the factor in subsection 9(15) concerning chronic renal failure; revising the factor in subsection 9(16) concerning infection of the bladder with Schistosoma haematobium; revising the factor in subsection 9(17) concerning indwelling bladder catheter or other foreign boy in the bladder; revising the factor in subsection 9(18) concerning neurogenic bladder; new factor in subsection 9(19) concerning chronic urinary tract infection; revising the factor in subsection 9(21) concerning benign prostatic hyperplasia; revising the factor in subsection 9(22) concerning ingesting aristolochic acid; new factor in subsection 9(27) concerning taking opium; new definitions of 'being exposed to lead as specified', 'chronic renal failure', 'chronic urinary tract infection', 'lead risk work as specified', 'MRCA', 'soot', 'specified industrial or manufacturing process 1', 'specified industrial or manufacturing process 2', 'specified list of aromatic amines', 'specified list of agents containing high concentrations of polycyclic aromatic hydrocarbons', 'specified list of aromatic amines', 'untreated or mildly treated mineral oils' and 'VEA' in Schedule 1 - Dictionary; revising the definitions of 'neurogenic bladder', 'pack-years of cigarettes, or the equivalent thereof in other tobacco products', 'phenacetin', 'relevant service' and 'working as a painter' in Schedule 1 – Dictionary; and deleting the definitions of 'an aromatic amine from the specified list', 'an enclosed space' and 'in the specified circumstances'. For BoP SoP (Instrument No. 84/2019) 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 'malignant neoplasm of the bladder' in subsection 7(2); revising the reference to ICD-10-AM code in subsection 7(4); revising the factors in subsections 9(3) and 9(4) concerning exposure to polycyclic aromatic hydrocarbons; revising the factors in subsections 9(5) and 9(6) concerning aromatic amines; new factor in subsection 9(7) concerning tetrachloroethylene; revising the factor in subsection 9(9) concerning working as a painter; new factor in subsection 9(10) concerning renal stone disease or a bladder stone; revising the factor in subsection 9(11) concerning chronic renal failure;

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		 revising the factor in subsection 9(12) concerning infection of the bladder with Schistosoma haematobium; revising the factor in subsection 9(13) concerning indwelling bladder catheter or other foreign boy in the bladder; revising the factor in subsection 9(14) concerning neurogenic bladder; revising the factor in subsection 9(15) concerning ingesting aristolochic acid; new definitions of 'chronic renal failure', 'MRCA', 'soot', 'specified industrial or manufacturing process 1', 'specified industrial or manufacturing process 2', 'specified list of agents containing high concentrations of polycyclic aromatic hydrocarbons', 'specified list of aromatic amines' and 'VEA' in Schedule 1 - Dictionary; revising the definitions of 'neurogenic bladder', 'pack-years of cigarettes, or the equivalent thereof in other tobacco products', 'phenacetin', 'relevant service' and 'working as a painter' in Schedule 1 - Dictionary; and deleting the definitions of 'an aromatic amine from the specified list' and 'in the specified circumstances'. The determining of these Instruments finalises the investigation in relation malignant neoplasm of the bladder as advertised in the Government Notices Gazette of 	
85 & 86/2019	obstructive and reflux nephropathy	6 November 2018. These Instruments result from an investigation notified by the Authority in the Government Notices Gazette of 6 November 2018 concerning obstructive and reflux nephropathy 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.	
		The contents of these Instruments are in similar terms as the repealed Instruments. Comparing these Instruments and the repealed Instruments, the differences include:	
		For RH & BoP SoPs (Instrument Nos. 85 & 86/2019)	
		 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 'obstructive and reflux nephropathy' in subsection 7(2); revising the reference to ICD-10-AM code in subsection 7(4); revising the factors in subsections 9(1) and 9(5) concerning upper urinary tract obstruction, due to partial or complete blockage of the renal pelvicalyceal system, ureter or ureteropelvic junction; 	
		 revising the factors in subsections 9(2) and 9(6) concerning lower urinary tract obstruction, due to partial or complete blockage of the bladder outlet or urethra; revising the factors in subsections 9(3) and 9(7) concerning renal or ureteric transplant; revising the factors in subsections 9(4) and 9(8) concerning neurogenic bladder; deleting the factors concerning being treated with a drug from a class of drugs; new definitions of 'MRCA', 'neurogenic bladder' and 'VEA' in Schedule 1 - Dictionary; revising the definition of 'relevant service' in Schedule 1 - Dictionary; and deleting the definitions of 'a drug from a class of drugs in the specified list', 'functional obstruction of the ureter or renal calyx', 'obstruction of the bladder outlet or urethra' and 'obstruction of the ureter or renal calyx'. 	
		On 12 April 2019, the Authority wrote to organisations representing veterans, service personnel and their dependants regarding the proposed Instruments and the medical-scientific material considered by the Authority. This letter emphasised the deletion of factors relating to being treated with a drug from a class of drugs. The Authority provided an opportunity to the organisations to make representations in relation to the proposed Instruments prior to their determination. No submissions were received for consideration by the Authority. Only minor changes were made to the proposed Instruments following this consultation process. The determining of these Instruments finalises the investigation in relation to	
		obstructive and reflux nephropathy as advertised in the Government Notices Gazette of 6 November 2018.	
87 & 88/2019	anal fissure	These Instruments result from an investigation notified by the Authority in the Government Notices Gazette of 14 November 2017 concerning <i>anal fissure</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.	

SUMMARY OF CHANGES The contents of these Instruments are in similar terms as the repealed Instruments. Comparing these Instruments and the repealed Instruments, the differences include: For RH SoP (Instrument No. 87/2019) 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 'anal fissure' in subsection 7(2); including ICD-10-AM codes for 'anal fissure' in subsection 7(3); revising the reference to ICD-10-AM code in subsection 7(4); revising the factor in subsection 9(1) concerning trauma to the anal area: revising the factor in subsection 9(2) concerning infection with human immunodeficiency virus: revising the factor in subsection 9(3) concerning straining at stool due to constipation; revising the factor in subsection 9(4) concerning being treated with isotretinoin, by removing 'nicorandil'; deleting the factor concerning inflammatory bowel disease; new definitions of 'MRCA', 'trauma to the anal area' and 'VEA' in Schedule 1 - Dictionary; revising the definition of 'relevant service' in Schedule 1 - Dictionary; and deleting the definition of 'trauma to the perianal area'. For BoP SoP (Instrument No. 88/2019) 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 'anal fissure' in subsection 7(2): including ICD-10-AM codes for 'anal fissure' in subsection 7(3); revising the reference to ICD-10-AM code in subsection 7(4); revising the factor in subsection 9(1) concerning trauma to the anal area; revising the factor in subsection 9(2) concerning infection with human immunodeficiency virus. revising the factor in subsection 9(3) concerning straining at stool due to constipation; new factor in subsection 9(4) concerning being treated with isotretinoin; deleting the factor concerning inflammatory bowel disease; deleting the factor concerning nicorandil; new definitions of 'MRCA', 'trauma to the anal area' and 'VEA' in Schedule 1 - Dictionary; revising the definition of 'relevant service' in Schedule 1 - Dictionary; and deleting the definition of 'trauma to the perianal area'. On 12 April 2019, the Authority wrote to organisations representing veterans, service personnel and their dependants regarding the proposed Instruments and the medical-scientific material considered by the Authority. This letter emphasised the deletion of factors relating to inflammatory bowel disease in both Statements of Principles, and relating to nicorandil in the Balance of Probabilities Statement of Principles. The Authority provided an opportunity to the organisations to make representations in relation to the proposed Instruments prior to their determination. No submissions were received for consideration by the Authority. No changes were made to the proposed Instruments following this consultation process. The determining of these Instruments finalises the investigation in relation to anal fissure as advertised in the Government Notices Gazette of 14 November 2017. 89/2019 hypertension **Amendment** This instrument amends Statement of Principles No. 63 of 2013 concerning *hypertension* by: For RH SoP (Instrument No. 89/2019) inserting new factors concerning contact with a phenoxy acid herbicide in paragraphs 6(pa) and 6(ffa); inserting new factors concerning contact with a chemical agent contaminated by 2,3,7,8tetrachlorodibenzo-para-dioxin (TCDD) in paragraphs 6(pb) and 6(ffb); amending paragraph 7 to refer to paragraphs 6(ffa) and 6(ffb); and inserting new definitions of 'inhaling, ingesting or having cutaneous contact with a chemical agent contaminated by 2,3,7,8-tetrachlorodibenzo-para-dioxin (TCDD)' and 'phenoxy acid herbicide from the specified list' in paragraph 9.

The determining of this Instrument finalises the investigation in relation to hypertension

as advertised in the Government Notices Gazette of 8 January 2019.