



**SUMMARY OF CHANGES:**

**INSTRUMENT NOS. 59 to 76 of 2021**

Statements of Principles Nos. 59 to 76 of 2021 were signed by the Chairperson of the Repatriation Medical Authority (the Authority) on 21 May 2021. The day of commencement as specified in each of these Instruments is 21 June 2021.

These Instruments have been lodged and registered with the Federal Register of Legislation, pursuant to section 15G of the *Legislation Act 2003* (Legislation Act). 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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2 June 2021

## SUMMARY OF CHANGES

Instr. No.	Title	Date of Commencement	ICD-10-AM Code
<b>REPEALS</b>			
59 & 60/2021	asbestosis	21/06/2021	J61
61 & 62/2021	gastro-oesophageal reflux disease	21/06/2021	K21
63 & 64/2021	IgA nephropathy	21/06/2021	N02.1, N02.2, N02.2.1, N02.3, N02.5 or N02.8
65 & 66/2021	malignant neoplasm of the oral cavity, oropharynx and hypopharynx	21/06/2021	Nil
67 & 68/2021	pes planus	21/06/2021	M21.4 or Q66.5
69 & 70/2021	porphyria cutanea tarda	21/06/2021	E80.1
<b>DETERMINATIONS</b>			
71 & 72/2021	transverse myelitis	21/06/2021	G37.3
73 & 74/2021	hypogonadism	21/06/2021	Nil
<b>AMENDMENTS</b>			
75 & 76/2021	non-Hodgkin lymphoma	21/06/2021	Nil

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<p>59 &amp; 60/2021</p>	<p>asbestosis</p>	<p>These Instruments result from an investigation notified by the Authority in the Government Notices Gazette of 5 January 2021 concerning <i>asbestosis</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><b>For RH SoP (Instrument No. 59/2021)</b></p> <ul style="list-style-type: none"> <li>• adopting the latest revised Instrument format, which commenced in 2015;</li> <li>• specifying a day of commencement for the Instrument in section 2;</li> <li>• revising the definition of 'asbestosis' in subsection 7(2);</li> <li>• revising the reference to 'ICD-10-AM code' in subsection 7(4);</li> <li>• revising the factor in subsection 9(1) concerning inhaling respirable asbestos fibres in an enclosed space, for clinical onset;</li> <li>• revising the factor in subsection 9(2) concerning inhaling respirable asbestos fibres in an open environment, for clinical onset;</li> <li>• revising the factor in subsection 9(3) concerning inhaling respirable asbestos fibres, for clinical worsening;</li> <li>• new definitions of 'MRCA' and 'VEA' in Schedule 1 - Dictionary; and</li> <li>• revising the definition of 'relevant service' in Schedule 1 - Dictionary.</li> </ul> <p><b>For BoP SoP (Instrument No. 60/2021)</b></p> <ul style="list-style-type: none"> <li>• adopting the latest revised Instrument format, which commenced in 2015;</li> <li>• specifying a day of commencement for the Instrument in section 2;</li> <li>• revising the definition of 'asbestosis' in subsection 7(2);</li> <li>• revising the reference to 'ICD-10-AM code' in subsection 7(4);</li> <li>• revising the factor in subsection 9(1) concerning inhaling respirable asbestos fibres in an enclosed space, for clinical onset;</li> <li>• revising the factor in subsection 9(2) concerning inhaling respirable asbestos fibres in an open environment, for clinical onset;</li> <li>• revising the factor in subsection 9(3) concerning inhaling respirable asbestos fibres, for clinical worsening;</li> <li>• new definitions of 'MRCA' and 'VEA' in Schedule 1 - Dictionary; and</li> <li>• revising the definition of 'relevant service' in Schedule 1 - Dictionary.</li> </ul> <p><b>The determining of these Instruments finalises the investigation in relation to <i>asbestosis</i> as advertised in the Government Notices Gazette of 5 January 2021.</b></p>
<p>61 &amp; 62/2021</p>	<p>gastro-oesophageal reflux disease</p>	<p>These Instruments result from an investigation notified by the Authority in the Government Notices Gazette of 5 January 2021 concerning <i>gastro-oesophageal reflux disease</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><b>For RH SoP (Instrument No. 61/2021)</b></p> <ul style="list-style-type: none"> <li>• adopting the latest revised Instrument format, which commenced in 2015;</li> <li>• specifying a day of commencement for the Instrument in section 2;</li> <li>• revising the definition of 'gastro-oesophageal reflux disease' in subsection 7(2);</li> <li>• revising the reference to 'ICD-10-AM code' in subsection 7(4);</li> <li>• revising the factors in subsections 9(2) and 9(12) concerning being overweight or obese;</li> <li>• revising the factors in subsections 9(3) and 9(13) concerning having smoked tobacco products;</li> <li>• revising the factors in subsections 9(4) and 9(14) concerning consuming alcohol, by the inclusion of a note;</li> <li>• revising the factors in subsections 9(5) and 9(15) concerning undergoing surgery to the region of the oesophageal hiatus or surgery involving the fundus or body of the stomach;</li> <li>• new factors in subsections 9(6) and 9(16) concerning taking a drug from the Specified List 1 of drugs;</li> <li>• revising the factors in subsections 9(7) and 9(17) concerning having a disease from the specified list of diseases;</li> <li>• new factors in subsections 9(9) and 9(19) concerning having diabetes mellitus;</li> </ul>

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- new factors in subsections 9(10) and 9(20) concerning performing or practising as a wind instrument musician;
- new factor in subsection 9(21) concerning having a disorder of mental health from the specified list of disorders of mental health, for clinical worsening only;
- revising the factor in subsection 9(22) concerning taking orally a drug from the Specified List 2 of drugs, for clinical worsening only;
- new factor in subsection 9(23) concerning taking orally a drug which is associated in the individual with the clinical worsening of gastro-oesophageal reflux disease during drug therapy, for clinical worsening only;
- deleting the factors concerning being treated with a smooth muscle relaxant drug, as these are now covered by the factors in subsections 9(6) and 9(16) concerning taking a drug from the Specified List 1 of drugs;
- deleting the factor concerning having a specified psychiatric condition, for clinical worsening only, as this is now covered by the factor in subsection 9(21) concerning having a disorder of mental health from the specified list of disorders of mental health, for clinical worsening only;
- new definitions of 'MRCA', 'one pack-year', 'Specified List 1 of drugs', 'Specified List 2 of drugs', 'specified list of diseases', 'specified list of disorders of mental health' and 'VEA' in Schedule 1 - Dictionary;
- revising the definitions of 'being overweight or obese', 'BMI' and 'relevant service' in Schedule 1 - Dictionary; and
- deleting the definitions of 'a disease from the specified list', 'a drug or a drug from a class of drugs from the specified list', 'alcohol', 'a smooth muscle relaxant drug', 'a specified psychiatric condition', 'pack-years of cigarettes, or the equivalent thereof in other tobacco products', 'Sjögren's syndrome' and 'Zollinger-Ellison syndrome'.

***For BoP SoP (Instrument No. 62/2021)***

- 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 'gastro-oesophageal reflux disease' in subsection 7(2);
- revising the reference to 'ICD-10-AM code' in subsection 7(4);
- revising the factors in subsections 9(2) and 9(10) concerning being overweight or obese;
- revising the factors in subsections 9(3) and 9(11) concerning having smoked tobacco products;
- revising the factors in subsections 9(4) and 9(12) concerning consuming alcohol, by the inclusion of a note;
- revising the factors in subsections 9(5) and 9(13) concerning undergoing surgery to the region of the oesophageal hiatus or surgery involving the fundus or body of the stomach;
- new factors in subsections 9(6) and 9(14) concerning taking a drug from the Specified List 1 of drugs;
- revising the factors in subsections 9(7) and 9(15) concerning having a disease from the specified list of diseases;
- new factor in subsection 9(17) concerning having a disorder of mental health from the specified list of disorders of mental health, for clinical worsening only;
- revising the factor in subsection 9(18) concerning taking orally a drug from the Specified List 2 of drugs, for clinical worsening only;
- new factor in subsection 9(19) concerning taking orally a drug which is associated in the individual with the clinical worsening of gastro-oesophageal reflux disease during drug therapy, for clinical worsening only;
- deleting the factors concerning being treated with a smooth muscle relaxant drug, as these are now covered by the factors in subsections 9(6) and 9(14) concerning taking a drug from the Specified List 1 of drugs;
- deleting the factor concerning having a specified psychiatric condition, for clinical worsening only, as this is now covered by the factor in subsection 9(17) concerning having a disorder of mental health from the specified list of disorders of mental health, for clinical worsening only;
- new definitions of 'MRCA', 'one pack-year', 'Specified List 1 of drugs', 'Specified List 2 of drugs', 'specified list of diseases', 'specified list of disorders of mental health' and 'VEA' in Schedule 1 - Dictionary;
- revising the definitions of 'being overweight or obese', 'BMI' and 'relevant service' in Schedule 1 - Dictionary; and
- deleting the definitions of 'a disease from the specified list', 'a drug or a drug from a class of drugs from the specified list', 'alcohol', 'a smooth muscle relaxant drug', 'a specified

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		<p>psychiatric condition', 'pack-years of cigarettes, or the equivalent thereof in other tobacco products', 'Sjögren's syndrome' and 'Zollinger-Ellison syndrome'.</p> <p><b>The determining of these Instruments finalises the investigation in relation to <i>gastro-oesophageal reflux disease</i> as advertised in the Government Notices Gazette of 5 January 2021.</b></p>
63 & 64/2021	IgA nephropathy	<p>These Instruments result from an investigation notified by the Authority in the Government Notices Gazette of 29 October 2019 concerning <i>mesangial IgA glomerulonephritis</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><b><i>For RH SoP (Instrument No. 63/2021)</i></b></p> <ul style="list-style-type: none"> <li>• adopting the latest revised Instrument format, which commenced in 2015;</li> <li>• specifying a day of commencement for the Instrument in section 2;</li> <li>• revising the name of the condition from 'mesangial IgA glomerulonephritis' to 'IgA nephropathy';</li> <li>• new definition of 'IgA nephropathy' in subsection 7(2);</li> <li>• including ICD-10-AM codes for 'IgA nephropathy' in subsection 7(3);</li> <li>• revising the factors in subsections 9(1) and 9(8) concerning having cirrhosis of the liver or chronic liver disease, by the inclusion of a note;</li> <li>• revising the factors in subsections 9(2) and 9(9) concerning having an autoimmune disease from the specified list of autoimmune diseases;</li> <li>• revising the factors in subsections 9(4) and 9(11) concerning having an infection from the specified list of infections;</li> <li>• revising the factors in subsections 9(5) and 9(12) concerning taking a drug;</li> <li>• new factors in subsections 9(6) and 9(13) concerning taking a biologic agent for the treatment of cancer or autoimmune disease;</li> <li>• new factors in subsections 9(7) and 9(14) concerning undergoing kidney transplantation;</li> <li>• new factor in subsection 9(15) concerning being overweight or obese, for clinical worsening only;</li> <li>• revising the factor in subsection 9(16) concerning having smoked tobacco products, for clinical worsening only;</li> <li>• revising the factor in subsection 9(17) concerning inhaling, ingesting or having cutaneous contact with an organic solvent, for clinical worsening only;</li> <li>• deleting the factors concerning having a bacterial infection, as specific bacterial infections are now covered by the factors in subsections 9(4) and 9(11) concerning having an infection from the specified list of infections;</li> <li>• deleting the factors concerning having received a stem cell or organ transplant, as these are now partially covered by the factors in subsections 9(7) and 9(14) concerning undergoing kidney transplantation;</li> <li>• deleting the factor concerning being overweight, for clinical worsening only, as this is now covered by the factor in subsection 9(15) concerning being overweight or obese, for clinical worsening only;</li> <li>• deleting the factor concerning being obese, for clinical worsening only, as this is now covered by the factor in subsection 9(15) concerning being overweight or obese, for clinical worsening only;</li> <li>• new definitions of 'being overweight or obese', 'biologic agent', 'BMI', 'MRCA', 'one pack-year', 'organic solvent', 'specified list of autoimmune diseases', 'specified list of infections' and 'VEA' in Schedule 1 - Dictionary;</li> <li>• revising the definition of 'relevant service' in Schedule 1 - Dictionary; and</li> <li>• deleting the definitions of 'a specified autoimmune disorder', 'a specified infection', 'being obese', 'being overweight' and 'pack-years of cigarettes, or the equivalent thereof in other tobacco products'.</li> </ul> <p><b><i>For BoP SoP (Instrument No. 64/2021)</i></b></p> <ul style="list-style-type: none"> <li>• adopting the latest revised Instrument format, which commenced in 2015;</li> <li>• specifying a day of commencement for the Instrument in section 2;</li> <li>• revising the name of the condition from 'mesangial IgA glomerulonephritis' to 'IgA nephropathy';</li> <li>• new definition of 'IgA nephropathy' in subsection 7(2);</li> <li>• including ICD-10-AM codes for 'IgA nephropathy' in subsection 7(3);</li> </ul>

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		<ul style="list-style-type: none"> <li>• revising the factors in subsections 9(1) and 9(7) concerning having cirrhosis of the liver or chronic liver disease, by the inclusion of a note;</li> <li>• revising the factors in subsections 9(2) and 9(8) concerning having an autoimmune disease from the specified list of autoimmune diseases;</li> <li>• revising the factors in subsections 9(4) and 9(10) concerning taking a drug;</li> <li>• new factors in subsections 9(5) and 9(11) concerning taking a biologic agent;</li> <li>• new factors in subsections 9(6) and 9(12) concerning undergoing kidney transplantation;</li> <li>• new factor in subsection 9(13) concerning being overweight or obese, for clinical worsening only;</li> <li>• revising the factor in subsection 9(14) concerning smoking tobacco products, for clinical worsening only;</li> <li>• revising the factor in subsection 9(15) concerning inhaling, ingesting or having cutaneous contact with an organic solvent, for clinical worsening only;</li> <li>• deleting the factors concerning having received a stem cell or organ transplant, as these are now partially covered by the factors in subsections 9(6) and 9(12) concerning undergoing kidney transplantation;</li> <li>• deleting the factors concerning having a bacterial infection;</li> <li>• new definitions of 'being overweight or obese', 'biologic agent', 'BMI', 'MRCA', 'one pack-year', 'organic solvent', 'specified list of autoimmune diseases' and 'VEA' in Schedule 1 - Dictionary;</li> <li>• revising the definition of 'relevant service' in Schedule 1 - Dictionary; and</li> <li>• deleting the definitions of 'a specified autoimmune disorder' and 'pack-years of cigarettes, or the equivalent thereof in other tobacco products'.</li> </ul> <p>On 3 March 2021, the Authority wrote to organisations representing veterans, service personnel and their dependants regarding the proposed Instrument and the medical-scientific material considered by the Authority. This letter emphasised the deletion of factors relating to <i>having a bacterial infection in the one month before the clinical onset of mesangial IgA glomerulonephritis</i> and <i>having a bacterial infection in the one month before the clinical worsening of mesangial IgA glomerulonephritis</i> from the balance of probabilities Statement of Principles. The Authority provided an opportunity to the organisations to make representations in relation to the proposed Instrument prior to its determination. No submissions were received for consideration by the Authority. Minor changes were made to the proposed Instrument following this consultation process.</p> <p><b>The determining of these Instruments finalises the investigation in relation to <i>mesangial IgA nephropathy</i> as advertised in the Government Notices Gazette of 29 October 2019.</b></p>
<p>65 &amp; 66/2021</p>	<p>malignant neoplasm of the oral cavity, oropharynx and hypopharynx</p>	<p>These Instruments result from an investigation notified by the Authority in the Government Notices Gazette of 23 April 2020 concerning <i>malignant neoplasm of the oral cavity, oropharynx and hypopharynx</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><b><i>For RH SoP (Instrument No. 65/2021)</i></b></p> <ul style="list-style-type: none"> <li>• adopting the latest revised Instrument format, which commenced in 2015;</li> <li>• specifying a day of commencement for the Instrument in section 2;</li> <li>• revising the definition of 'malignant neoplasm of the oral cavity, oropharynx and hypopharynx' in subsection 7(2);</li> <li>• revising the factor in subsection 9(1) concerning having smoked tobacco products, for clinical onset only;</li> <li>• new factor in subsection 9(2) concerning having been exposed to second-hand smoke, for clinical onset only;</li> <li>• revising the factor in subsection 9(3) concerning the oral use of smokeless tobacco, for clinical onset only;</li> <li>• revising the factor in subsection 9(4) concerning chewing betel quid or areca nut, for clinical onset only;</li> <li>• revising the factor in subsection 9(5) concerning consuming maté, for clinical onset only;</li> <li>• revising the factor in subsection 9(6) concerning consuming alcohol, for clinical onset only;</li> <li>• revising the factor in subsection 9(7) concerning inhaling respirable asbestos fibres in an enclosed space, for clinical onset only;</li> </ul>

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- revising the factor in subsection 9(8) concerning inhaling respirable asbestos fibres in an open environment, for clinical onset only;
- revising the factor in subsection 9(10) concerning acquiring persistent infection of the oral cavity epithelium or oropharyngeal epithelium with human papilloma virus type 16 or 18, for clinical onset only;
- revising the factor in subsection 9(11) concerning having infection with human immunodeficiency virus, for clinical onset only;
- new factor in subsection 9(12) concerning taking an immunosuppressive drug for organ or tissue transplantation, for clinical onset only;
- new factor in subsection 9(13) concerning being obese, for clinical onset only;
- revising the factor in subsection 9(14) concerning an inability to consume fruits and vegetables, for clinical onset only;
- revising the factor in subsection 9(15) concerning having periodontitis, for clinical onset only;
- new factor in subsection 9(16) concerning having an oral lesion at the affected site, from the specified list of oral lesions, for clinical onset of malignant neoplasm of the oral cavity only;
- new factor in subsection 9(17) concerning having an oral lesion caused by systemic lupus erythematosus, for clinical onset of malignant neoplasm of the oral cavity only;
- deleting the factor concerning being in an atmosphere with a visible tobacco smoke haze in an enclosed space, for clinical onset only, as this is now covered by the factor in subsection 9(2) concerning having been exposed to second-hand smoke, for clinical onset only;
- deleting the factor concerning undergoing stem cell or solid organ transplantation, for clinical onset only, as this is now covered by the factor in subsection 9(12) concerning taking an immunosuppressive drug for organ or tissue transplantation, for clinical onset only;
- deleting the factor concerning having leukoplakia or erythroplakia, for clinical onset of malignant neoplasm of the oral cavity only, as this is now covered by the factor in subsection 9(16) concerning having an oral lesion at the affected site, from the specified list of oral lesions, for clinical onset of malignant neoplasm of the oral cavity only;
- new definitions of 'being obese', 'BMI', 'having been exposed to second-hand smoke', 'MRCA', 'one pack-year', 'organ or tissue transplantation', 'specified list of oral lesions' and 'VEA' in Schedule 1 - Dictionary;
- revising the definition of 'relevant service' in Schedule 1 - Dictionary; and
- deleting the definitions of 'alcohol', 'pack-years of cigarettes, or the equivalent thereof in other tobacco products' and 'respirable asbestos fibres'.

***For BoP SoP (Instrument No. 66/2021)***

- 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 oral cavity, oropharynx and hypopharynx' in subsection 7(2);
- revising the factor in subsection 9(1) concerning having smoked tobacco products, for clinical onset only;
- new factor in subsection 9(2) concerning having been exposed to second-hand smoke, for clinical onset only;
- revising the factor in subsection 9(3) concerning the oral use of smokeless tobacco, for clinical onset only;
- revising the factor in subsection 9(4) concerning chewing betel quid or areca nut, for clinical onset only;
- revising the factor in subsection 9(5) concerning consuming maté, for clinical onset only;
- revising the factor in subsection 9(6) concerning consuming alcohol, for clinical onset only;
- revising the factor in subsection 9(7) concerning acquiring persistent infection of the oral cavity epithelium or oropharyngeal epithelium with human papilloma virus type 16 or 18, for clinical onset only;
- revising the factor in subsection 9(8) concerning having infection with human immunodeficiency virus, for clinical onset only;
- new factor in subsection 9(9) concerning taking an immunosuppressive drug for organ or tissue transplantation, for clinical onset only;
- new factor in subsection 9(10) concerning having an oral lesion at the affected site, from the specified list of oral lesions, for clinical onset of malignant neoplasm of the oral cavity only;
- new factor in subsection 9(11) concerning having an oral lesion caused by systemic lupus erythematosus, for clinical onset only;

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		<ul style="list-style-type: none"> <li>• deleting the factor concerning being in an atmosphere with a visible tobacco smoke haze in an enclosed space, for clinical onset only, as this is now covered by the factor in subsection 9(2) concerning having been exposed to second-hand smoke, for clinical onset only;</li> <li>• deleting the factor concerning undergoing stem cell or solid organ transplantation, for clinical onset only, as this is now covered by the factor in subsection 9(9) concerning taking an immunosuppressive drug for organ or tissue transplantation, for clinical onset only;</li> <li>• deleting the factor concerning having leukoplakia or erythroplakia, for clinical onset of malignant neoplasm of the oral cavity only, as this is now covered by the factor in subsection 9(10) concerning having an oral lesion at the affected site, from the specified list of oral lesions, for clinical onset of malignant neoplasm of the oral cavity only;</li> <li>• deleting the factor concerning being exposed to mustard gas, for clinical onset only;</li> <li>• new definitions of 'having been exposed to second-hand smoke', 'MRCA', 'one pack-year', 'organ or tissue transplantation', 'specified list of oral lesions' and 'VEA' in Schedule 1 - Dictionary;</li> <li>• revising the definition of 'relevant service' in Schedule 1 - Dictionary; and</li> <li>• deleting the definitions of 'alcohol' and 'pack-years of cigarettes, or the equivalent thereof in other tobacco products'.</li> </ul> <p>On 3 March 2021, the Authority wrote to organisations representing veterans, service personnel and their dependants regarding the proposed Instrument and the medical-scientific material considered by the Authority. This letter emphasised the deletion of the factor relating to <i>being exposed to mustard gas at least ten years before the clinical onset of malignant neoplasm of the oral cavity, oropharynx or hypopharynx</i> from the balance of probabilities Statement of Principles. The Authority provided an opportunity to the organisations to make representations in relation to the proposed Instrument prior to its determination. No submissions were received for consideration by the Authority. Minor changes were made to the proposed Instrument following this consultation process.</p> <p><b>The determining of these Instruments finalises the investigation in relation to malignant neoplasm of the oral cavity, oropharynx and hypopharynx as advertised in the Government Notices Gazette of 23 April 2020.</b></p>
<p>67 &amp; 68/2021</p>	<p>pes planus</p>	<p>These Instruments result from an investigation notified by the Authority in the Government Notices Gazette of 29 October 2019 concerning <i>pes planus</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><b>For RH SoP (Instrument No. 67/2021)</b></p> <ul style="list-style-type: none"> <li>• adopting the latest revised Instrument format, which commenced in 2015;</li> <li>• specifying a day of commencement for the Instrument in section 2;</li> <li>• revising the definition of 'pes planus' in subsection 7(2);</li> <li>• revising the reference to 'ICD-10-AM code' in subsection 7(4);</li> <li>• revising the factors in subsections 9(1) and 9(13) concerning having a fracture or osteonecrosis;</li> <li>• revising the factors in subsections 9(2) and 9(14) concerning having a dislocation of a joint or subluxation of a joint or joint instability;</li> <li>• new factors in subsections 9(3) and 9(15) concerning having a sprain, penetrating trauma or surgery to the ligaments;</li> <li>• new factors in subsections 9(4) and 9(16) concerning having a strain, penetrating trauma or surgery involving the muscles or tendons;</li> <li>• revising the factor in subsection 9(5) concerning having rupture or division of the plantar fascia, for clinical onset;</li> <li>• revising the factors in subsections 9(6) and 9(18) concerning having weakness or paralysis of the supinators;</li> <li>• new factors in subsections 9(7) and 9(19) concerning having spasticity or shortening of the pronators;</li> <li>• new factors in subsections 9(8) and 9(20) concerning having posterior tibialis tendinopathy;</li> <li>• revising the factor in subsection 9(9) concerning having a space occupying lesion, for clinical onset;</li> <li>• revising the factors in subsections 9(10) and 9(22) concerning having arthritis or other destructive lesion;             <ul style="list-style-type: none"> <li>• revising the factor in subsection 9(11) concerning being obese, for clinical onset;</li> </ul> </li> </ul>



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- new factors in subsections 9(12) and 9(24) concerning being pregnant;
- revising the factor in subsection 9(25) concerning running or jogging, for clinical worsening only;
- revising the factor in subsection 9(26) concerning walking while carrying loads, for clinical worsening only;
- deleting the factors concerning having a discrete ligamentous, muscular or tendon injury, including that from surgery, resulting in instability of one or more of the tarsal or tarso-metatarsal joints of the affected foot, as these are now covered by the factors in:
  - subsections 9(3) and 9(15) concerning having a sprain, penetrating trauma or surgery to the ligaments; and
  - subsections 9(4) and 9(16) concerning having a strain, penetrating trauma, or surgery involving the muscles or tendons;
- deleting the factors concerning having tightening of pronators, as these are now covered by the factors in subsections 9(7) and 9(19) concerning having spasticity or shortening of the pronators;
- new definitions of 'BMI', 'MRCA', 'tarsal or metatarsal bones of the medial longitudinal arch' and 'VEA' in Schedule 1 - Dictionary;
- revising the definitions of 'being obese' and 'relevant service' in Schedule 1 - Dictionary; and
- deleting the definitions of 'tightening of pronators' and 'weakness or paralysis of supinators or small muscles of the sole of the foot'.

***For BoP SoP (Instrument No. 68/2021)***

- 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 'pes planus' 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(12) concerning having a fracture or osteonecrosis;
- revising the factors in subsections 9(2) and 9(13) concerning having a dislocation of a joint or subluxation of a joint or joint instability;
- new factors in subsections 9(3) and 9(14) concerning having a sprain, penetrating trauma or surgery to the ligaments;
- new factors in subsections 9(4) and 9(15) concerning having a strain, penetrating trauma or surgery involving the muscles or tendons;
- revising the factor in subsection 9(5) concerning having rupture or division of the plantar fascia, for clinical onset;
- revising the factors in subsections 9(6) and 9(17) concerning having weakness or paralysis of the supinators;
- new factors in subsections 9(7) and 9(18) concerning having spasticity or shortening of the pronators;
- new factors in subsections 9(8) and 9(19) concerning having posterior tibialis tendinopathy;
- revising the factor in subsection 9(9) concerning having a space occupying lesion, for clinical onset;
- revising the factors in subsections 9(10) and 9(21) concerning having arthritis or other destructive lesion;
- revising the factor in subsection 9(11) concerning being obese, for clinical onset;
- deleting the factors concerning having a discrete ligamentous, muscular or tendon injury, including that from surgery, resulting in instability of one or more of the tarsal or tarso-metatarsal joints of the affected foot, as these are now covered by the factors in:
  - subsections 9(3) and 9(14) concerning having a sprain, penetrating trauma or surgery to the ligaments; and
  - subsections 9(4) and 9(15) concerning having a strain, penetrating trauma, or surgery involving the muscles or tendons;
- deleting the factors concerning having tightening of pronators, as these are now covered by the factors in subsections 9(7) and 9(18) concerning having spasticity or shortening of the pronators;
- deleting the factor concerning running, for clinical worsening;
- deleting the factor concerning walking while carrying loads, for clinical worsening;
- new definitions of 'BMI', 'MRCA', 'tarsal or metatarsal bones of the medial longitudinal arch' and 'VEA' in Schedule 1 - Dictionary;
- revising the definitions of 'being obese' and 'relevant service' in Schedule 1 - Dictionary; and

**SUMMARY OF CHANGES**

		<ul style="list-style-type: none"> <li>deleting the definitions of 'tightening of pronators' and 'weakness or paralysis of supinators or small muscles of the sole of the foot'.</li> </ul> <p>On 3 March 2021, the Authority wrote to organisations representing veterans, service personnel and their dependants regarding the proposed Instrument and the medical-scientific material considered by the Authority. This letter emphasised the deletion of factors relating to <i>running an average of at least 15 kilometres per week, for the one month before the clinical worsening of pes planus</i> and <i>walking while carrying loads of at least 15 kilograms, an average of at least 15 kilometres per week, for the one month before the clinical worsening of pes planus</i> from the balance of probabilities Statement of Principles. The Authority provided an opportunity to the organisations to make representations in relation to the proposed Instrument prior to its determination. No submissions were received for consideration by the Authority. No changes were made to the proposed Instrument following this consultation process.</p> <p><b>The determining of these Instruments finalises the investigation in relation to <i>pes planus</i> as advertised in the Government Notices Gazette of 29 October 2019.</b></p>
<p>69 &amp; 70/2021</p>	<p>porphyria cutanea tarda</p>	<p>These Instruments result from an investigation notified by the Authority in the Government Notices Gazette of 29 October 2019 concerning <i>porphyria cutanea tarda</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><b><i>For RH SoP (Instrument No. 69/2021)</i></b></p> <ul style="list-style-type: none"> <li>adopting the latest revised Instrument format, which commenced in 2015;</li> <li>specifying a day of commencement for the Instrument in section 2;</li> <li>revising the definition of 'porphyria cutanea tarda' in subsection 7(2);</li> <li>revising the reference to 'ICD-10-AM code' in subsection 7(4);</li> <li>revising the factors in subsections 9(1) and 9(13) concerning consuming alcohol, for males;</li> <li>revising the factors in subsections 9(2) and 9(14) concerning consuming alcohol, for females;</li> <li>new factors in subsections 9(3) and 9(15) concerning having alcohol use disorder;</li> <li>new factors in subsections 9(4) and 9(16) concerning having cirrhosis of the liver or steatohepatitis;</li> <li>new factors in subsections 9(5) and 9(17) concerning having chronic renal failure;</li> <li>revising the factors in subsections 9(6) and 9(18) concerning having hepatic iron overload, by the inclusion of a note;</li> <li>new factors in subsections 9(7) and 9(19) concerning having a viral infection from the specified list of viral infections;</li> <li>revising the factors in subsections 9(8) and 9(20) concerning taking a drug from the specified list of drugs;</li> <li>revising the factors in subsections 9(9) and 9(21) concerning taking a drug;</li> <li>revising the factors in subsections 9(10) and 9(22) concerning inhaling, ingesting or having cutaneous contact with a chemical agent contaminated by 2,3,7,8-tetrachlorodibenzo-para-dioxin (TCDD);</li> <li>new factors in subsections 9(11) and 9(23) concerning ingesting food contaminated with hexachlorobenzene;</li> <li>revising the factors in subsections 9(12) and 9(24) concerning having smoked tobacco products;</li> <li>deleting the factors concerning having a liver disease from the specified list, as these are now covered by the factors in:             <ul style="list-style-type: none"> <li>subsections 9(4) and 9(16) concerning having cirrhosis of the liver or steatohepatitis; and</li> <li>subsections 9(7) and 9(19) concerning having a viral infection from the specified list of viral infections;</li> </ul> </li> <li>deleting the factors concerning undergoing haemodialysis or peritoneal dialysis, as these are now covered by the factors in subsections 9(5) and 9(17) concerning having chronic renal failure;</li> <li>deleting the factors concerning being infected with human immunodeficiency virus, as these are now covered by the factors in subsections 9(7) and 9(19) concerning having a viral infection from the specified list of viral infections;</li> </ul>

**SUMMARY OF CHANGES**

- deleting the factors concerning taking a course of oral oestrogen therapy, as these are now covered by the factors in subsections 9(8) and 9(20) concerning taking a drug from the specified list of drugs;
- deleting the factors concerning having exposure to a halogenated aromatic hydrocarbon as specified, as these are now partially covered by the factors in subsections 9(11) and 9(23) concerning ingesting food contaminated with hexachlorobenzene;
- deleting the factors concerning having the affected area of skin exposed to sunlight or ultraviolet light;
- deleting the factors concerning having a porphyrin-generating hepatocellular tumour;
- new definitions of 'chronic renal failure', 'inhaling, ingesting or having cutaneous contact with a chemical agent contaminated by 2,3,7,8-tetrachlorodibenzo-para-dioxin (TCDD)', 'MRCA', 'specified list of drugs', 'specified list of viral infections' and 'VEA' in Schedule 1 - Dictionary;
- revising the definitions of 'cigarettes per day or the equivalent thereof in other tobacco products', 'iron overload' and 'relevant service' in Schedule 1 - Dictionary; and
- deleting the definitions of 'a drug or a drug from a class of drugs from the specified list', 'a halogenated aromatic hydrocarbon from the specified list', 'alcohol', 'a liver disease from the specified list', 'a specified chemical agent', 'having exposure as specified to a chemical agent contaminated with 2,3,7,8-tetrachlorodibenzo-para-dioxin (TCDD)', 'having exposure to a halogenated aromatic hydrocarbon' and 'porphyrin-generating hepatocellular tumour'.

***For BoP SoP (Instrument No. 70/2021)***

- 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 'porphyria cutanea tarda' 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(11) concerning consuming alcohol, for males;
- revising the factors in subsections 9(2) and 9(12) concerning consuming alcohol, for females;
- new factors in subsections 9(3) and 9(13) concerning having alcohol use disorder;
- new factors in subsections 9(4) and 9(14) concerning having cirrhosis of the liver or steatohepatitis;
- new factors in subsections 9(5) and 9(15) concerning having chronic renal failure;
- revising the factors in subsections 9(6) and 9(16) concerning having hepatic iron overload, by the inclusion of a note;
- new factors in subsections 9(7) and 9(17) concerning having a viral infection from the specified list of viral infections;
- revising the factors in subsections 9(8) and 9(18) concerning taking a drug from the specified list of drugs;
- revising the factors in subsections 9(9) and 9(19) concerning taking a drug;
- new factor in subsections 9(10) and 9(20) concerning ingesting food contaminated with hexachlorobenzene;
- deleting the factors concerning having a liver disease from the specified list, as these are now covered by the factors in:
  - subsections 9(4) and 9(14) concerning having cirrhosis of the liver or steatohepatitis; and
  - subsections 9(7) and 9(17) concerning having a viral infection from the specified list of viral infections;
- deleting the factors concerning undergoing haemodialysis or peritoneal dialysis, as these are now covered by the factors in subsections 9(5) and 9(15) concerning having chronic renal failure;
- deleting the factors concerning being infected with human immunodeficiency virus, as these are now covered by the factors in subsections 9(7) and 9(17) concerning having a viral infection from the specified list of viral infections;
- deleting the factors concerning taking a course of oral oestrogen therapy, as these are now covered by the factors in subsections 9(8) and 9(18) concerning taking a drug from the specified list of drugs;
- deleting the factors concerning having exposure to a halogenated aromatic hydrocarbon as specified, as these are now partially covered by the factors in subsections 9(10) and 9(20) concerning ingesting food contaminated with hexachlorobenzene;
- deleting the factors concerning having the affected area of skin exposed to sunlight or ultraviolet light;
- deleting the factors concerning having a porphyrin-generating hepatocellular tumour;

**SUMMARY OF CHANGES**

		<ul style="list-style-type: none"> <li>deleting the factors concerning having exposure as specified to a chemical agent contaminated with 2,3,7,8-tetrachlorodibenzo-para-dioxin (TCDD);</li> <li>new definitions of 'chronic renal failure', 'MRCA', 'specified list of drugs', 'specified list of viral infections' and 'VEA' in Schedule 1 - Dictionary;</li> <li>revising the definitions of 'iron overload' and 'relevant service' in Schedule 1 - Dictionary; and</li> <li>deleting the definitions of 'a drug or a drug from a class of drugs from the specified list', 'a halogenated aromatic hydrocarbon from the specified list', 'alcohol', 'a liver disease from the specified list', 'a specified chemical agent', 'having exposure as specified to a chemical agent contaminated with 2,3,7,8-tetrachlorodibenzo-para-dioxin (TCDD)', 'having exposure to a halogenated aromatic hydrocarbon' and 'porphyrin-generating hepatocellular tumour'.</li> </ul> <p>On 3 March 2021, the Authority wrote to organisations representing veterans, service personnel and their dependants regarding the proposed Instrument and the medical-scientific material considered by the Authority. This letter emphasised the deletion of factors relating to <i>having a porphyrin-generating hepatocellular tumour at the time of the clinical onset of porphyria cutanea tarda, having the affected area of skin exposed to sunlight or ultraviolet light within the five days before the clinical onset of porphyria cutanea tarda, having a porphyrin-generating hepatocellular tumour at the time of the clinical worsening of porphyria cutanea tarda and having the affected area of skin exposed to sunlight or ultraviolet light within the five days before the clinical worsening of porphyria cutanea tarda</i> from the reasonable hypothesis Statement of Principles and the deletion of factors relating to <i>having exposure as specified to a chemical agent contaminated with 2,3,7,8-tetrachlorodibenzo-para-dioxin (TCDD) within the one year before the clinical onset of porphyria cutanea tarda, having a porphyrin-generating hepatocellular tumour at the time of the clinical onset of porphyria cutanea tarda, having the affected area of skin exposed to sunlight or ultraviolet light within the five days before the clinical onset of porphyria cutanea tarda, having exposure as specified to a chemical agent contaminated with 2,3,7,8-tetrachlorodibenzo-para-dioxin (TCDD) within the one year before the clinical worsening of porphyria cutanea tarda, having a porphyrin-generating hepatocellular tumour at the time of the clinical worsening of porphyria cutanea tarda and having the affected area of skin exposed to sunlight or ultraviolet light within the five days before the clinical worsening of porphyria cutanea tarda</i> from the balance of probabilities Statement of Principles. The Authority provided an opportunity to the organisations to make representations in relation to the proposed Instrument prior to its determination. No submissions were received for consideration by the Authority. Minor changes were made to the proposed Instruments following this consultation process.</p> <p><b>The determining of these Instruments finalises the investigation in relation to <i>porphyria cutanea tarda</i> as advertised in the Government Notices Gazette of 29 October 2019.</b></p>
71 & 72/2021	transverse myelitis	<p><b>New Condition</b></p> <p>These Instruments result from an investigation notified by the Authority in the Government Notices Gazette of 9 November 2020 concerning <i>transverse myelitis</i> in accordance with section 196G of the VEA. The investigation involved an examination of the sound medical-scientific evidence available to the Authority.</p> <p><b>The determining of these new Instruments finalises the investigation in relation to <i>transverse myelitis</i> as advertised in the Government Notices Gazette of 9 November 2020.</b></p>
73 & 74/2021	hypogonadism	<p><b>New Condition</b></p> <p>These Instruments result from an investigation notified by the Authority in the Government Notices Gazette of 5 January 2021 concerning <i>hypogonadism</i> in accordance with section 196G of the VEA. The investigation involved an examination of the sound medical-scientific evidence available to the Authority.</p> <p><b>The determining of these new Instruments finalises the investigation in relation to <i>hypogonadism</i> as advertised in the Government Notices Gazette of 5 January 2021.</b></p>
75 & 76/2021	non-Hodgkin lymphoma	<p><b>Amendment</b></p> <p>These instruments amend Statements of Principles Nos. 90 and 91 of 2018 concerning <i>non-Hodgkin lymphoma</i> by:</p> <p><b>For RH SoP (Instrument No. 90/2018)</b></p> <ul style="list-style-type: none"> <li>revising the existing factor in subsection 9(8) concerning 'having infection with Epstein-Barr virus'.</li> </ul> <p><b>For BoP SoP (Instrument No. 91/2018)</b></p>

**SUMMARY OF CHANGES**

		<ul style="list-style-type: none"><li>replacing the existing factor in subsection 9(9) concerning 'having infection with Epstein-Barr virus'.</li></ul> <p><b>The determining of these Instruments finalises the investigation in relation to <i>non-Hodgkin lymphoma</i> as advertised in the Government Notices Gazette of 9 March 2021.</b></p>
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