

REVOKED

Amendment of Statement of Principles

concerning

LUMBAR SPONDYLOSIS

ICD CODES: 721.3, 721.42, 722.52, 722.73, 722.93

Veterans' Entitlements Act 1986
subsection 196B(2)

The Repatriation Medical Authority amends, under subsection 196B(2) of the *Veterans' Entitlements Act 1986* (the Act), Instrument No.105 of 1995 (Statement of Principles concerning lumbar spondylosis) by:

1. inserting immediately after paragraph (f) of clause 1, the following:
 - “(fa) suffering a trauma to the relevant joint before the clinical onset of lumbar spondylosis; or”;
2. omitting paragraph (g) of clause 1 and inserting in its place in clause 1 the following:
 - “(g) suffering a trauma to the relevant joint which has resulted in permanent ligamentous instability before the clinical worsening of lumbar spondylosis; or”;
3. inserting immediately after paragraph (g) of clause 1, the following:
 - “(h) suffering a trauma to the relevant joint before the clinical worsening of lumbar spondylosis.”;
4. omitting paragraph 2 and inserting in its place the following:

- “2. Subject to clause 3 (below) at least one of the factors set out in paragraphs **1(a) to 1(h)** must be related to any service rendered by a person.”;
5. omitting paragraph 3 and inserting in its place the following:
- “3. The factors set out in paragraphs **1(g) to 1(h)** apply only where:
- (a) the person’s **lumbar spondylosis** was contracted before a period, or part of a period, of service to which the factor is related; and
 - (b) the relationship suggested between the **lumbar spondylosis** and the particular service of a person is a relationship set out in paragraph 8(1)(e), 9(1)(e), 70(5)(d) or 70(5A)(d) of the Act.”;
6. omitting the definition of “lumbar spondylosis” in paragraph 4 and inserting in its place in paragraph 4, the following definition:
- “lumbar spondylosis'** means a degenerative joint disease, attracting ICD code 721.3, 721.42, 722.52, 722.73 or 722.93, affecting the lumbar spine, (L1-L5, L5), causing local pain and stiffness, sometimes with sciatic radiation due to nerve root pressure by protruding discs or osteophytes, and having degenerative changes in the lumbar spine;”;
7. inserting after the definition of “malalignment” in paragraph 4 the following definitions:
- “trauma to the relevant joint'** means injury caused by the force of an extraneous physical or mechanical agent that causes pain, swelling or tenderness of a joint affected by lumbar spondylosis within the 24 hours after the force has been applied;
- 'trauma to the relevant joint which has resulted in permanent ligamentous instability'** means abnormal mobility and instability of the joint due to ligamentous injury caused by the force of an extraneous physical or mechanical agent, and is characterised by the regular recurrence of episodes of pain and/or swelling of a joint affected by lumbar spondylosis.”.

The amendments made by this instrument apply to all matters to which Instrument No.105 of 1995 and section 120A of the Act apply.

Dated this **Twenty-ninth** day of
August 1995

The Common Seal of the)
Repatriation Medical Authority)
was affixed to this instrument)
in the presence of)

KEN DONALD
CHAIRMAN