

Statement of Principles
concerning

CHARCOT-MARIE-TOOTH DISEASE

No. 9 of 2007

for the purposes of the

Veterans' Entitlements Act 1986
and
Military Rehabilitation and Compensation Act 2004

Title

1. This Instrument may be cited as Statement of Principles concerning Charcot-Marie-Tooth disease No. 9 of 2007.

Determination

2. The Repatriation Medical Authority under subsection **196B(2) and (8)** of the *Veterans' Entitlements Act 1986* (the VEA):
 - (a) revokes Instrument No. 51 of 1995 concerning Charcot-Marie-Tooth disease; and
 - (b) determines in its place the following Statement of Principles.

Kind of injury, disease or death

3.
 - (a) This Statement of Principles is about **Charcot-Marie-Tooth disease** and **death from Charcot-Marie-Tooth disease**.
 - (b) For the purposes of this Statement of Principles, "**Charcot-Marie-Tooth disease**" means one of a heterogeneous group of genetically distinct peripheral neuropathies which lead to muscle atrophy, weakness, and sensory abnormalities.
 - (c) Charcot-Marie-Tooth disease attracts ICD-10-AM code G60.0.

- (d) In the application of this Statement of Principles, the definition of "**Charcot-Marie-Tooth disease**" is that given at paragraph 3(b) above.

Basis for determining the factors

4. After examining the available sound medical-scientific evidence the Repatriation Medical Authority is of the view that there is sound medical-scientific evidence that indicates that the only factor that may be related to the cause of or material contribution to or aggravation of **Charcot-Marie-Tooth disease** or **death from Charcot-Marie-Tooth disease** and which can be related to relevant service rendered by veterans, members of Peacekeeping Forces, or members of the Forces under the VEA, or members under the *Military Rehabilitation and Compensation Act 2004* (the MRCA) is that set out in clause 5.

Factors that must be related to service

5. The factor that must as a minimum exist in relation to the circumstances of a person's relevant service causing or materially contributing to or aggravating **Charcot-Marie-Tooth disease** or **death from Charcot-Marie-Tooth disease** is inability to obtain appropriate clinical management for Charcot-Marie-Tooth disease.

Other definitions

6. For the purposes of this Statement of Principles:

"death from Charcot-Marie-Tooth disease" in relation to a person includes death from a terminal event or condition that was contributed to by the person's Charcot-Marie-Tooth disease;

"ICD-10-AM code" means a number assigned to a particular kind of injury or disease in The International Statistical Classification of Diseases and Related Health Problems, 10th revision, Australian Modification (ICD-10-AM), Fifth Edition, effective date of 1 July 2006, copyrighted by the National Centre for Classification in Health, Sydney, NSW, and having ISBN 1 86487 772 3;

"relevant service" means:

- (a) operational service under the VEA; or
- (b) peacekeeping service under the VEA; or
- (c) hazardous service under the VEA; or
- (d) warlike service under the MRCA; or
- (e) non-warlike service under the MRCA;

"terminal event" means the proximate or ultimate cause of death and includes:

- (a) pneumonia;
- (b) respiratory failure;
- (c) cardiac arrest;
- (d) circulatory failure; or
- (e) cessation of brain function.

Application

7. This Instrument applies to all matters to which section 120A of the VEA or section 338 of the MRCA applies.

Date of effect

8. This Instrument takes effect from 10 January 2007.

Dated this *eighteenth* day of *December* 2006

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

KEN DONALD
CHAIRPERSON