



Australian Government
Repatriation Medical Authority

Statement of Principles
concerning
SCHEUERMANN'S DISEASE (KYPHOSIS)
(Balance of Probabilities)
(No. 46 of 2025)

The Repatriation Medical Authority determines the following Statement of Principles under subsection 196B(3) of the *Veterans' Entitlements Act 1986*.

Dated 15 April 2025

Professor Terence Campbell AM
Chairperson
by and on behalf of
The Repatriation Medical Authority

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1 Name

This is the Statement of Principles concerning *Scheuermann's disease (kyphosis) (Balance of Probabilities)* (No. 46 of 2025).

2 Commencement

This instrument commences on 19 May 2025.

3 Authority

This instrument is made under subsection 196B(3) of the *Veterans' Entitlements Act 1986*.

4 Repeal

The Statement of Principles concerning Scheuermann's disease No. 76 of 2016 (Federal Register of Legislation No. F2016L01343) made under subsection 196B(3) of the VEA is repealed.

5 Application

This instrument applies to a claim to which section 120B of the VEA or section 339 of the *Military Rehabilitation and Compensation Act 2004* applies.

6 Definitions

The terms defined in the Schedule 1 - Dictionary have the meaning given when used in this instrument.

7 Kind of injury, disease or death to which this Statement of Principles relates

- (1) This Statement of Principles is about Scheuermann's disease (kyphosis) and death from Scheuermann's disease (kyphosis).

Meaning of Scheuermann's disease (kyphosis)

- (2) For the purposes of this Statement of Principles, Scheuermann's disease (kyphosis) (also known as juvenile osteochondrosis of the spine):
- (a) means a disease of children and adolescents involving necrosis and regeneration in the growth centres of the thoracic or thoracolumbar vertebrae. It is characterised by a rigid hyperkyphosis due to anterior wedging of at least 5° in one or more consecutive vertebrae; and
 - (b) clinical manifestations of postural deformity and/or subacute thoracic pain; and
 - (c) excludes postural kyphosis.

- (3) While Scheuermann's disease (kyphosis) attracts ICD-10-AM code M42.0, in applying this Statement of Principles the meaning of Scheuermann's disease (kyphosis) is that given in subsection (2).
- (4) For subsection (3), a reference to an ICD-10-AM code is a reference to the code assigned to a particular kind of injury or disease in *The International Statistical Classification of Diseases and Related Health Problems, Tenth Revision, Australian Modification* (ICD-10-AM), Tenth Edition, effective date of 1 July 2017, copyrighted by the Independent Hospital Pricing Authority, ISBN 978-1-76007-296-4.

Death from Scheuermann's disease (kyphosis)

- (5) For the purposes of this Statement of Principles, Scheuermann's disease (kyphosis), in relation to a person, includes death from a terminal event or condition that was contributed to by the person's Scheuermann's disease (kyphosis).

Note: *terminal event* is defined in the Schedule 1 – Dictionary.

8 Basis for determining the factors

On the sound medical-scientific evidence available, the Repatriation Medical Authority is of the view that it is more probable than not that Scheuermann's disease (kyphosis) and death from Scheuermann's disease (kyphosis) can be related to relevant service rendered by veterans or members of the Forces under the VEA, or members under the MRCA.

Note: *MRCA*, *relevant service* and *VEA* are defined in the Schedule 1 – Dictionary.

9 Factors that must exist

The following factor must exist before it can be said that, on the balance of probabilities, Scheuermann's disease (kyphosis) or death from Scheuermann's disease (kyphosis) is connected with the circumstances of a person's relevant service:

- (1) inability to obtain appropriate clinical management for Scheuermann's disease (kyphosis) before clinical worsening.

Note: *clinical worsening* is defined in the Schedule 1 – Dictionary.

10 Relationship to service

- (1) The existence in a person of any factor referred to in section 9, must be related to the relevant service rendered by the person.
- (2) The factor set out in subsection 9(1) applies only to material contribution to, or aggravation of, Scheuermann's disease (kyphosis) where the person's Scheuermann's disease (kyphosis) was suffered or contracted before or during (but did not arise out of) the person's relevant service.

11 Factors referring to an injury or disease covered by another Statement of Principles

In this Statement of Principles:

- (1) if a factor referred to in section 9 applies in relation to a person; and
- (2) that factor refers to an injury or disease in respect of which a Statement of Principles has been determined under subsection 196B(3) of the VEA;

then the factors in that Statement of Principles apply in accordance with the terms of that Statement of Principles as in force from time to time.

Schedule 1 - Dictionary

Note: See Section 6

1 Definitions

In this instrument:

clinical worsening means the point backwards in time from the date of presentation to a registered medical practitioner first confirming the signs and/or symptoms of preexisting Scheuermann's disease to the date at which the signs and/or symptoms of Scheuermann's disease were permanently present, as assessed by a registered medical practitioner.

MRCA means the *Military Rehabilitation and Compensation Act 2004*.

relevant service means:

- (a) eligible war service (other than operational service) under the VEA;
- (b) defence service (other than hazardous service and British nuclear test defence service) under the VEA; or
- (c) peacetime service under the MRCA.

Note: ***MRCA*** and ***VEA*** are also defined in the Schedule 1 - Dictionary.

scheuermann's disease (kyphosis)—see subsection 7(2).

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

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

VEA means the *Veterans' Entitlements Act 1986*.