

Revocation and Determination
of
Statement of Principles
concerning
CHRONIC LYMPHOID LEUKAEMIA

for the purposes of the
Veterans' Entitlements Act 1986
and
Military Rehabilitation and Compensation Act 2004

1. The Repatriation Medical Authority under subsection **196B(3)** and **(8)** of the *Veterans' Entitlements Act 1986* (the VEA):
 - (a) revokes Instrument No. 68 of 2001; and
 - (b) determines in its place the following Statement of Principles.

Kind of injury, disease or death

2.
 - (a) This Statement of Principles is about **chronic lymphoid leukaemia** and **death from chronic lymphoid leukaemia**.
 - (b) For the purposes of this Statement of Principles, “**chronic lymphoid leukaemia**” means an indolent malignant neoplasm of B-lymphocytes or T-lymphocytes characterised by proliferation and accumulation of morphologically mature-appearing but biologically immature lymphocytes in the blood, bone marrow and lymphoid tissue. This definition includes hairy cell leukaemia, adult T-cell leukaemia and chronic lymphocytic leukaemia, but excludes myeloma, Hodgkin's lymphoma, and all forms of non-Hodgkin's lymphoma including small lymphocytic lymphoma.
 - (c) chronic lymphoid leukaemia attracts ICD-10-AM code C91.1, C91.3, C91.4 or C91.5.

- (d) In the application of this Statement of Principles, the definition of “**chronic lymphoid leukaemia**” is that given at paragraph 2(b) above.

Basis for determining the factors

3. On the sound medical-scientific evidence available, the Repatriation Medical Authority is of the view that it is more probable than not that **chronic lymphoid leukaemia** and **death from chronic lymphoid leukaemia** can be related to relevant service rendered by veterans or members of the Forces under the VEA, or members under the *Military Rehabilitation and Compensation Act 2004* (the MRCA).

Factors that must be related to service

4. Subject to clause 6, at least one of the factors set out in clause 5 must be related to the relevant service rendered by the person.

Factors

5. The factor that must exist before it can be said that, on the balance of probabilities, **chronic lymphoid leukaemia** or **death from chronic lymphoid leukaemia** is connected with the circumstances of a person’s relevant service is:
- (a) for adult T-cell chronic lymphoid leukaemia only, being infected by the HTLV-1 virus before the clinical onset of chronic lymphoid leukaemia; or
 - (b) inability to obtain appropriate clinical management for chronic lymphoid leukaemia.

Factors that apply only to material contribution or aggravation

6. Paragraph 5(b) applies only to material contribution to, or aggravation of, chronic lymphoid leukaemia where the person’s chronic lymphoid leukaemia was suffered or contracted before or during (but not arising out of) the person’s relevant service.

Inclusion of Statements of Principles

7. In this Statement of Principles if a relevant factor applies and that factor includes an injury or disease in respect of which there is a Statement of Principles then the factors in that last mentioned Statement of Principles apply in accordance with the terms of that Statement of Principles.

Other definitions

8. For the purposes of this Statement of Principles:

“adult T-cell chronic lymphoid leukaemia” means mature T-cell chronic or smouldering leukaemia, consisting of a monoclonal proliferation of CD4+ post-thymic T-cells with clonal proviral integrations and clonal T-cell receptor gene rearrangements, and which presents with a leukaemic or disseminated clinical picture;

“being infected by the HTLV-1 virus” means serological evidence of infection with the retro virus human T-cell lymphotropic virus Type 1;

“death from chronic lymphoid leukaemia” in relation to a person includes death from a terminal event or condition that was contributed to by the person’s chronic lymphoid leukaemia;

“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), Fourth Edition, effective date of 1 July 2004, copyrighted by the National Centre for Classification in Health, Sydney, NSW, and having ISBN 1 86487 594 1;

“relevant service” means:

- (a) eligible war service (other than operational service) under the VEA; or
- (b) defence service (other than hazardous service) under the VEA; or
- (c) peacetime 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

9. This Instrument applies to all matters to which section 120B of the VEA or section 339 of the MRCA applies.

Date of effect

10. This Instrument takes effect from 9 March 2005.

Dated this **twenty-fourth** day of
February 2005

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

KEN DONALD
CHAIRMAN