

Determination
of
Statement of Principles
concerning

LEPTOSPIROSIS

for the purposes of the

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

1. This Statement of Principles is determined by the Repatriation Medical Authority under subsection **196B(3)** of the *Veterans' Entitlements Act 1986* (the VEA).

Kind of injury, disease or death

2. (a) This Statement of Principles is about **leptospirosis** and **death from leptospirosis**.
(b) For the purposes of this Statement of Principles, "**leptospirosis**" means a clinical illness caused by infection with pathogenic *Leptospira* species. This definition includes Weil's syndrome, but excludes leptospiral uveitis.
(c) Leptospirosis attracts ICD-10-AM code A27.
(d) In the application of this Statement of Principles, the definition of "**leptospirosis**" 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 **leptospirosis** and **death from leptospirosis** 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, **leptospirosis** or **death from leptospirosis** is connected with the circumstances of a person's relevant service is:
 - (a) having direct contact with:
 - (i) water, soil, food, or other material contaminated with a pathogenic leptospire; or
 - (ii) urine, blood or tissue contaminated with a pathogenic leptospire; or
 - (iii) an animal infected with a pathogenic leptospire, within the thirty days before the clinical onset of leptospirosis; or
 - (b) inability to obtain appropriate clinical management for leptospirosis.

Factors that apply only to material contribution or aggravation

6. Paragraph **5(b)** applies only to material contribution to, or aggravation of, leptospirosis where the person's leptospirosis 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:

“a pathogenic leptospire” means a disease-producing bacteria belonging to the genus *Leptospira*;

“death from leptospirosis” in relation to a person includes death from a terminal event or condition that was contributed to by the person's leptospirosis;

“direct contact” means physical contact where no protective or impermeable barrier is used;

“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.

Dated this *sixteenth* day of *December* 2004

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

KEN DONALD
CHAIRMAN