

Statement of Principles
concerning

**FAMILIAL HYPERTROPHIC
CARDIOMYOPATHY**

No. 36 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 familial hypertrophic cardiomyopathy No. 36 of 2007.

Determination

2. 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

3. (a) This Statement of Principles is about **familial hypertrophic cardiomyopathy** and **death from familial hypertrophic cardiomyopathy**.
(b) For the purposes of this Statement of Principles, "**familial hypertrophic cardiomyopathy**" means a heritable disease of cardiac muscle caused by a variety of mutations in genes encoding sarcomeric proteins. It is characterised by left ventricular hypertrophy and diastolic dysfunction, and may cause obstruction to left ventricular outflow and symptoms and signs of heart failure.

Basis for determining the factors

4. On the sound medical-scientific evidence available, the Repatriation Medical Authority is of the view that it is more probable than not that **familial hypertrophic cardiomyopathy** and **death from familial hypertrophic cardiomyopathy** 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

5. Subject to clause 7, at least one of the factors set out in clause 6 must be related to the relevant service rendered by the person.

Factors

6. The factor that must exist before it can be said that, on the balance of probabilities, **familial hypertrophic cardiomyopathy** or **death from familial hypertrophic cardiomyopathy** is connected with the circumstances of a person's relevant service is:
 - (a) where the first manifestation of familial hypertrophic cardiomyopathy is heart failure or sudden cardiac death, undertaking physical activity of greater than five METs at the time of the clinical onset of familial hypertrophic cardiomyopathy; or
 - (b) undertaking physical activity of greater than five METs at the time of the clinical worsening of familial hypertrophic cardiomyopathy; or
 - (c) inability to obtain appropriate clinical management for familial hypertrophic cardiomyopathy.

Factors that apply only to material contribution or aggravation

7. Paragraphs **6(b) to 6(c)** apply only to material contribution to, or aggravation of, familial hypertrophic cardiomyopathy where the person's familial hypertrophic cardiomyopathy was suffered or contracted before or during (but not arising out of) the person's relevant service.

Inclusion of Statements of Principles

8. 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 as in force from time to time.

Other definitions

9. For the purposes of this Statement of Principles:

"death from familial hypertrophic cardiomyopathy" in relation to a person includes death from a terminal event or condition that was contributed to by the person's familial hypertrophic cardiomyopathy;

"MET" means a unit of measurement of the level of physical exertion. 1 MET = 3.5 ml of oxygen/kg of body weight per minute or, 1.0 kcal/kg of body weight per hour, or resting metabolic rate;

"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.

Date of effect

10. This Instrument takes effect from 7 March 2007.

Dated this *twenty-second* day of *February* 2007

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

KEN DONALD
CHAIRPERSON