

Statement of Principles
concerning

**BENIGN NEOPLASM OF THE EYE AND
ADNEXA**

No. 33 of 2008

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 benign neoplasm of the eye and adnexa No. 33 of 2008.

Determination

2. The Repatriation Medical Authority under subsection **196B(2)** and **(8)** of the *Veterans' Entitlements Act 1986* (the VEA):
 - (a) revokes Instrument No. 182 of 1995 concerning benign neoplasm of the eye; and
 - (b) determines in its place this Statement of Principles.

Kind of injury, disease or death

3.
 - (a) This Statement of Principles is about **benign neoplasm of the eye and adnexa** and **death from benign neoplasm of the eye and adnexa**.
 - (b) For the purposes of this Statement of Principles, "**benign neoplasm of the eye and adnexa**" means a non-malignant neoplastic proliferation of the cells of the eye classified according to site as conjunctiva, cornea, retina, choroid, ciliary body, lacrimal gland, lacrimal duct and orbit. This definition excludes benign neoplasms of eyelids, optic nerve, meninges, orbital bone,

lipoma, haemangioma, lymphangioma, melanocytic naevi and neurofibromatosis.

- (c) Benign neoplasm of the eye and adnexa attracts ICD-10-AM code D31.
- (d) In the application of this Statement of Principles, the definition of "**benign neoplasm of the eye and adnexa**" is that given at paragraph 3(b) above.

Basis for determining the factors

- 4. The Repatriation Medical Authority is of the view that there is sound medical-scientific evidence that indicates that **benign neoplasm of the eye and adnexa** and **death from benign neoplasm of the eye and adnexa** 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).

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 as a minimum exist before it can be said that a reasonable hypothesis has been raised connecting **benign neoplasm of the eye and adnexa** or **death from benign neoplasm of the eye and adnexa** with the circumstances of a person's relevant service is:
 - (a) for keratoacanthoma of the conjunctiva only, having sunlight exposure to the unprotected eye for at least 2250 hours while in a tropical area, or having equivalent sunlight exposure in other latitude zones, before the clinical onset of benign neoplasm of the eye and adnexa; or
 - (b) for papilloma of the conjunctiva only, having human papilloma virus infection at the time of the clinical onset of benign neoplasm of the eye and adnexa; or
 - (c) for schwannoma only,
 - (i) having received a cumulative equivalent dose of at least 0.10 Sievert of atomic radiation to the eye or orbit where this dose was accumulated at least five years before the clinical onset of benign neoplasm of the eye and adnexa; or

- (ii) undergoing a course of therapeutic radiation to the head or neck region, where the first exposure to therapeutic radiation occurred at least five years before the clinical onset of benign neoplasm of the eye and adnexa; or
- (d) inability to obtain appropriate clinical management for benign neoplasm of the eye and adnexa.

Factors that apply only to material contribution or aggravation

7. Paragraph **6(d)** applies only to material contribution to, or aggravation of, benign neoplasm of the eye and adnexa where the person's benign neoplasm of the eye and adnexa 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:

"a course of therapeutic radiation" means one or more fractions (treatment portions) of ionising radiation administered with the aim of achieving palliation or cure with gamma rays, x-rays, alpha particles or beta particles;

"atomic radiation" means ionising radiation excluding:

- (a) natural background radiation;
- (b) therapeutic radiation; and
- (c) radiation from diagnostic procedures;

"cumulative equivalent dose" means the total equivalent dose of radiation from all types of ionising radiation. It accounts for the differences in biological effectiveness of various types of radiation and allows doses from different radiations to be combined. Each component is calculated by multiplying the absorbed dose in a particular tissue or organ for a given type of radiation by the radiation weighting factor for that radiation. The unit of equivalent dose is the Sievert;

"death from benign neoplasm of the eye and adnexa" in relation to a person includes death from a terminal event or condition that was contributed to by the person's benign neoplasm of the eye and adnexa;

"equivalent sunlight exposure in other latitude zones" means the cumulative hours of sunlight exposure equivalent to that specified for a tropical area, calculated by multiplying the hours of exposure in each latitude zone by the latitude weighting factor for the zone as per the latitude weighting factor schedule and adding together the result for each zone:

Latitude weighting factor schedule

<i>Latitude zone</i>	<i>Latitude weighting factor</i>
a latitude between 23° 27' S and 23° 27' N	1.0
a latitude from > 23° 27' to 35°	0.75
a latitude from > 35° to 45°	0.5
a latitude from > 45° to 65°	0.25;

"human papilloma virus" means a strain of human papilloma virus capable of causing genital warts. Infection with human papilloma virus can occur without clinically obvious evidence of warts;

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

"schwannoma" means a benign neoplasm originating from Schwann cells of the myelin sheath of neurons of peripheral nerves and comprise two types, neurilemmomas and neurofibromas;

"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

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

Date of effect

11. This Instrument takes effect from 30 April 2008.

Dated this *fourteenth* day of *April* 2008

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

KEN DONALD
CHAIRPERSON