

Statement of Principles  
concerning

**BRONCHIOLITIS OBLITERANS  
ORGANISING PNEUMONIA**

**No. 63 of 2009**

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 bronchiolitis obliterans organising pneumonia No. 63 of 2009.

**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 **bronchiolitis obliterans organising pneumonia** and **death from bronchiolitis obliterans organising pneumonia**.  
(b) For the purposes of this Statement of Principles, "**bronchiolitis obliterans organising pneumonia**" ('BOOP') means a histological pattern of organising pneumonia, or pulmonary repair in response to lung injury, consisting of the patchy filling of alveoli and alveolar ducts by loose plugs of connective tissue (Masson bodies), and occurring in the presence of respiratory symptoms or other clinical evidence of pulmonary dysfunction. This definition includes organising pneumonia that occurs in the primary clinicopathological syndrome of cryptogenic organising

pneumonia, which is also known as idiopathic bronchiolitis obliterans organising pneumonia.

This definition excludes pulmonary inflammation that is confined to the bronchioles. This definition excludes organising pneumonia that coexists with fibrosing interstitial lung disease, acute respiratory distress syndrome or infectious pneumonia, or which occurs as a complication of a systemic neoplastic, autoimmune or inflammatory disease.

#### **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 **bronchiolitis obliterans organising pneumonia** and **death from bronchiolitis obliterans organising pneumonia** 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, **bronchiolitis obliterans organising pneumonia** or **death from bronchiolitis obliterans organising pneumonia** is connected with the circumstances of a person's relevant service is:
  - (a) being treated with a drug or a drug from a class of drugs from the specified list, at the time of the clinical onset of bronchiolitis obliterans organising pneumonia; or
  - (b) having a solid organ transplant, stem cell transplant or bone marrow transplant before the clinical onset of bronchiolitis obliterans organising pneumonia; or
  - (c) undergoing a course of therapeutic radiation for the treatment of malignant neoplasm of the breast within the one year before the clinical onset of bronchiolitis obliterans organising pneumonia; or
  - (d) having bronchial obstruction immediately adjacent to a focus of pulmonary organisation, at the time of the clinical onset of bronchiolitis obliterans organising pneumonia; or

- (e) inhaling fumes of Acramin FWN textile printing dye whilst in an enclosed space, resulting in loss of consciousness, or signs and symptoms of acute and serious damage to the respiratory tract, within the four weeks before the clinical onset of bronchiolitis obliterans organising pneumonia; or
- (f) inhaling fumes of sulphur mustard, resulting in signs and symptoms of acute and serious damage to the respiratory tract, within the four weeks before the clinical onset of bronchiolitis obliterans organising pneumonia; or
- (g) being treated with a drug or a drug from a class of drugs from the specified list, at the time of the clinical worsening of bronchiolitis obliterans organising pneumonia; or
- (h) having a solid organ transplant, stem cell transplant or bone marrow transplant before the clinical worsening of bronchiolitis obliterans organising pneumonia; or
- (i) undergoing a course of therapeutic radiation for the treatment of malignant neoplasm of the breast within the one year before the clinical worsening of bronchiolitis obliterans organising pneumonia; or
- (j) having bronchial obstruction immediately adjacent to a focus of pulmonary organisation, at the time of the clinical worsening of bronchiolitis obliterans organising pneumonia; or
- (k) inhaling fumes of Acramin FWN textile printing dye whilst in an enclosed space, resulting in loss of consciousness, or signs and symptoms of acute and serious damage to the respiratory tract, within the four weeks before the clinical worsening of bronchiolitis obliterans organising pneumonia; or
- (l) inhaling fumes of sulphur mustard, resulting in signs and symptoms of acute and serious damage to the respiratory tract, within the four weeks before the clinical worsening of bronchiolitis obliterans organising pneumonia; or
- (m) inability to obtain appropriate clinical management for bronchiolitis obliterans organising pneumonia.

### **Factors that apply only to material contribution or aggravation**

7. Paragraphs **6(g) to 6(m)** apply only to material contribution to, or aggravation of, bronchiolitis obliterans organising pneumonia where the person's bronchiolitis obliterans organising pneumonia 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;

**"a drug or a drug from a class of drugs from the specified list"** means:

- (a) 5-aminosalicylic acid;
- (b) acebutolol;
- (c) amiodarone;
- (d) amphotericin B;
- (e) barbiturates;
- (f) beta-blockers;
- (g) bleomycin;
- (h) bucillamine;
- (i) busulphan;
- (j) carbamazepine;
- (k) cephalosporins;
- (l) chlorambucil;
- (m) cyclophosphamide
- (n) dihydroergocryptine;
- (o) doxorubicin;
- (p) ergots;
- (q) FK 506;
- (r) fluvastatin;
- (s) gemcitabine;
- (t) gold salts (aurothiopropionates);

- (u) hexamethonium;
- (v) interferons alpha, beta and gamma;
- (w) L-tryptophan;
- (x) mecamylamine;
- (y) mesalamine;
- (z) mesalazine;
- (aa) methotrexate;
- (bb) minocycline;
- (cc) mitomycin-c;
- (dd) nilutamide;
- (ee) nitrofurantoin;
- (ff) penicillamine;
- (gg) phenytoin;
- (hh) risedronate;
- (ii) rituximab;
- (jj) simvastatin (simvastin);
- (kk) sirolimus;
- (ll) sotalol;
- (mm) sulfamethoxypyridazine;
- (nn) sulfasalazine;
- (oo) tacrolimus;
- (pp) temozolomide;
- (qq) ticlopidine; or
- (rr) vinbarbital-aprobarbital;

**"bronchial obstruction"** means occlusion of the lumen of a bronchus or bronchiole due to an endogenous pathological process or structure, or from exogenous material, such as a foreign body;

**"death from bronchiolitis obliterans organising pneumonia"** in relation to a person includes death from a terminal event or condition that was contributed to by the person's bronchiolitis obliterans organising pneumonia;

**"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 2 September 2009.

Dated this *nineteenth* day of *August* 2009

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

KEN DONALD  
CHAIRPERSON