

Statement of Principles
concerning

ASCARIASIS

No. 62 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 ascariasis No. 62 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. 135 of 1995 concerning ascariasis; and
 - (b) determines in its place this Statement of Principles.

Kind of injury, disease or death

3.
 - (a) This Statement of Principles is about **ascariasis** and **death from ascariasis**.
 - (b) For the purposes of this Statement of Principles, "**ascariasis**" means an infection with the intestinal roundworm *Ascaris lumbricoides*.
 - (c) Ascariasis attracts ICD-10-AM code B77.0-B77.9.
 - (d) In the application of this Statement of Principles, the definition of "**ascariasis**" 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 **ascariasis** and **death from ascariasis** 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 **ascariasis** or **death from ascariasis** with the circumstances of a person's relevant service is:
 - (a) ingesting food or drink contaminated with *Ascaris lumbricoides* eggs within the two years before the clinical onset of ascariasis; or
 - (b) being in an area endemic for *Ascaris lumbricoides* within the two years before the clinical onset of ascariasis; or
 - (c) inability to obtain appropriate clinical management for ascariasis.

Factors that apply only to material contribution or aggravation

7. Paragraph 6(c) applies only to material contribution to, or aggravation of, ascariasis where the person's ascariasis 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:

"an area endemic for *Ascaris lumbricoides*" means:

- (a) continental Africa;
- (b) Asia, including the continental area bounded in the west by a line running down the Ural Mountains from the Arctic Ocean to the Caspian Sea, across to the Black Sea, following the eastern shoreline of the Mediterranean, through the Suez Canal and down the Red Sea to Aden and in the east by the Bering Straits; Japan, the Philippines, Indonesia, Papua New Guinea, Sri Lanka and islands belonging to any of those countries;
- (c) Central and South America, being all that part of the Americas south of the United States of America /Mexico border;
- (d) the Caribbean, being all that archipelago of islands, countries and nations within the Caribbean Sea or the Gulf of Mexico; and
- (e) the states of Idaho, Wyoming, Colorado, Utah, Arizona, New Mexico, Texas, Oklahoma, Kansas, Nebraska, North Dakota, South Dakota, Iowa, Missouri, Arkansas, Mississippi, Alabama, Georgia, Florida, Louisiana, Tennessee, South Carolina and North Carolina in the United States of America;

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

"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), Sixth Edition, effective date of 1 July 2008, copyrighted by the National Centre for Classification in Health, Sydney, NSW, and having ISBN 978 1 74210 016 6;

"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;

"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 3 September 2008.

Dated this *twentieth* day of *August* 2008

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

KEN DONALD
CHAIRPERSON