

Revocation and Determination

of

Statement of Principles concerning

MELIOIDOSIS

Veterans' Entitlements Act 1986

1. The Repatriation Medical Authority under subsection **196B(3)** of the *Veterans' Entitlements Act 1986* (the Act):
 - (a) revokes Instrument No.345 of 1995 and Instrument No.15 of 2002; and
 - (b) determines in its place the following Statement of Principles.

Kind of injury, disease or death

2.
 - (a) This Statement of Principles is about **melioidosis** and **death from melioidosis**.
 - (b) For the purposes of this Statement of Principles, "**melioidosis**" means a clinical illness caused by the bacterium *Burkholderia pseudomallei*.
 - (c) Melioidosis attracts ICD-10-AM code A24.1, A24.2, A24.3 or A24.4.
 - (d) In the application of this Statement of Principles, the definition of "**melioidosis**" is that given at para 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 **melioidosis** and **death from melioidosis** can be related to relevant service rendered by veterans or members of the Forces.

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 any relevant service rendered by the person.

Factors

5. The factors that must exist before it can be said that, on the balance of probabilities, **melioidosis** or **death from melioidosis** is connected with the circumstances of a person's relevant service are:
 - (a) being in a specified area before the clinical onset of melioidosis;
or
 - (b) being in contact with animals (including birds) or raw animal products from species known to carry *Burkholderia pseudomallei* before the clinical onset of melioidosis; or
 - (c) being in an immuno-compromised state at the time of the clinical onset of melioidosis; or
 - (d) suffering from a specified condition at the time of the clinical onset of melioidosis; or;
 - (e) for men, consuming at least 110 kg of alcohol within the five year period immediately before the clinical onset of melioidosis; or
 - (f) for women, consuming at least 73 kg of alcohol within the five year period immediately before the clinical onset of melioidosis;
or
 - (g) being in an immuno-compromised state at the time of the clinical worsening of melioidosis; or
 - (h) suffering from a specified condition at the time of the clinical worsening of melioidosis; or;

- (i) for men, consuming at least 110 kg of alcohol within the five year period immediately before the clinical worsening of melioidosis; or
- (j) for women, consuming at least 73 kg of alcohol within the five year period immediately before the clinical worsening of melioidosis; or
- (k) inability to obtain appropriate clinical management for melioidosis.

Factors that apply only to material contribution or aggravation

- 6. Paragraphs 5(g) to 5(k) apply only to material contribution to, or aggravation of, melioidosis where the person's melioidosis was suffered or contracted before or during (but not arising out of) the person's relevant service; paragraph 8(1)(e), 9(1)(e) or 70(5)(d) of the Act refers.

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 specified area” means an area in which *Burkholderia pseudomallei* is reported to be endemic, including:

Bangladesh;

China;

Hong Kong;

India;

Korea;

Papua New Guinea;

South-East Asia;

Sri Lanka;

Taiwan;

That part of Australia north of the Tropic of Capricorn, including the Torres Strait Islands; or

an area reported in a peer reviewed medical or scientific publication to have cases of autochthonous *Burkholderia pseudomallei* infection;

“a specified condition” means one of the following:

- (i) chronic bronchitis and emphysema;
- (ii) chronic renal failure;
- (iii) congestive cardiac failure;
- (iv) cystic fibrosis;
- (v) diabetes mellitus; or
- (vi) idiopathic pulmonary haemosiderosis;

“chronic renal failure” means renal injury of a sustained nature that is not reversible and leads to destruction of nephron mass and is associated with a demonstrable functional abnormality of the kidney which raises the level of creatinine;

“congestive cardiac failure” means a clinical syndrome due to heart disease, resulting in congestion in the peripheral circulation with or without congestion of the lungs;

“cystic fibrosis” means a generalised, autosomal recessive disorder, in which there is widespread dysfunction of the exocrine glands, characterised by signs of chronic pulmonary disease, pancreatic deficiency, abnormally high levels of electrolytes in the sweat, and occasionally by biliary cirrhosis;

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

“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), Third Edition, effective date of 1 July 2002, copyrighted by the National Centre for Classification in Health, Sydney, NSW, and having ISBN 1 86487 413 9;

“idiopathic pulmonary haemosiderosis” means the deposit of an abnormal quantity of haemosiderin in the lungs with fibrosis;

“immuno-compromised state” means a state where the immune response has been attenuated by administration of immunosuppressive drugs, irradiation, certain types of infection, malnutrition, or a malignant disease process;

“raw animal products” means:

- (i) uncooked meat, offal, or eggs; or
- (ii) unpasteurised milk or dairy products;

“relevant service” means:

- (a) eligible war service (other than operational service); or
- (b) defence service (other than hazardous service);

“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

9. This Instrument applies to all matters to which section 120B of the Act applied.

Dated this **Eighth** day of **July** 2003

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

KEN DONALD
CHAIRMAN