Statement of Principles
concerning

MYELODYSPLASTIC DISORDER

Instrument No. 37 of 2006 as amended

made under section 196B(2) of the

Veterans’ Entitlements Act 1986

This compilation was prepared on 8 July 2011 taking into account Amendment of Statement of Principles concerning MYELODYSPLASTIC DISORDER (Instrument No. 45 of 2011)

Prepared by the Repatriation Medical Authority Secretariat, Brisbane
Statement of Principles
centreing
MYELODYSPLASTIC DISORDER
No. 37 of 2006
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 myelodysplastic disorder No. 37 of 2006.

Determination
2. The Repatriation Medical Authority under subsection 196B(2) and (8) of the Veterans’ Entitlements Act 1986 (the VEA):
   (a) revokes Instrument No. 15 of 2000 and
   (b) determines in its place this Statement of Principles.

Kind of injury, disease or death
3. (a) This Statement of Principles is about myelodysplastic disorder and death from myelodysplastic disorder.
   (b) For the purposes of this Statement of Principles, “myelodysplastic disorder” is one of a diverse group of clonal haematopoietic stem cell disorders characterised by ineffective haematopoiesis, resulting in peripheral cytopenias, and disordered maturation of one or more myeloid cell lines, with fewer than 20% myeloblasts in bone marrow or blood, and which is characterised by progressive marrow failure, and that may progress to acute myeloid leukaemia. This disease is also known as “myelodysplastic syndrome” and includes the conditions known as refractory anaemia, refractory anaemia with ringed...
sideroblasts, refractory cytopaenia with multilineage dysplasia, and refractory anaemia with excess blasts.

**Basis for determining the factors**

4. The Repatriation Medical Authority is of the view that there is sound medical-scientific evidence that indicates that myelodysplastic disorder and death from myelodysplastic disorder 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 myelodysplastic disorder or death from myelodysplastic disorder with the circumstances of a person’s relevant service is:

   (a) smoking at least 15 pack-years of cigarettes, or the equivalent thereof in other tobacco products, before the clinical onset of myelodysplastic disorder and where smoking has ceased, the clinical onset occurred within ten years of cessation; or

   (b) undergoing a course of chemotherapy, where the course of chemotherapy commenced at least six months before the clinical onset of myelodysplastic disorder and where that therapy has ceased, the clinical onset occurred within twenty years of cessation; or

   (c) having received a cumulative equivalent dose of at least 0.01 sievert of ionising radiation to the bone marrow at least one year before the clinical onset of myelodysplastic disorder; or

   (d) undergoing treatment with radioactive iodine for cancer before the clinical onset of myelodysplastic disorder, where the first exposure occurred at least one year before the clinical onset of myelodysplastic disorder; or

   (e) undergoing treatment with radioactive phosphorus for a myeloproliferative disorder before the clinical onset of
myelodysplastic disorder, where the first exposure occurred at least one year before the clinical onset of myelodysplastic disorder; or

(f) being exposed to benzene on at least 300 days within a continuous two year period before the clinical onset of myelodysplastic disorder, where the first exposure occurred at least five years before the clinical onset of myelodysplastic disorder; or

(g) receiving greater than 20 ppm-years of cumulative exposure to benzene before the clinical onset of myelodysplastic disorder, where the first exposure occurred at least five years before the clinical onset of myelodysplastic disorder; or

(h) inability to obtain appropriate clinical management for myelodysplastic disorder.

Factors that apply only to material contribution or aggravation

7. Paragraph 6(h) applies only to material contribution to, or aggravation of, myelodysplastic disorder where the person’s myelodysplastic disorder 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 chemotherapy” means treatment of a malignant or proliferative disorder with the regular systemic administration of an alkylating agent;

“being exposed to benzene” means:

(a) inhaling benzene vapour where such exposure occurs at an ambient 8-hour time-weighted average benzene concentration exceeding five parts per million;

(b) having cutaneous contact with liquids containing benzene; or

(c) ingesting liquids containing benzene;
“cumulative equivalent dose” means the total dose of ionising radiation received by the particular organ or tissue. The formula used to calculate the cumulative equivalent dose allows doses from multiple types of ionising radiation to be combined, by accounting for their differing biological effect. The unit of equivalent dose is the sievert. For the purposes of this Statement of Principles, the calculation of cumulative equivalent dose excludes doses received from normal background radiation, but includes therapeutic radiation, diagnostic radiation, cosmic radiation at high altitude, radiation from occupation-related sources and radiation from nuclear explosions or accidents;

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

“pack years of cigarettes, or the equivalent thereof in other tobacco products” means a calculation of consumption where one pack year of cigarettes equals twenty tailor made cigarettes per day for a period of one calendar year, or 7300 cigarettes. One tailor made cigarette approximates one gram of tobacco or one gram of cigar or pipe tobacco by weight. One pack year of tailor made cigarettes equates to 7300 cigarettes, or 7.3 kg of smoking tobacco by weight. Tobacco products means either cigarettes, pipe tobacco or cigars smoked, alone or in any combination;

“ppm-years” means parts per million multiplied by years of exposure;

“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;
“8-hour time-weighted average” means the averaging of different exposure levels to benzene during an average exposure period equivalent to eight hours.

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 August 2006.
Notes to Statement of Principles concerning myelodysplastic disorder (Instrument No. 37 of 2006)

The Statement of Principles concerning myelodysplastic disorder (Instrument No. 37 of 2006) in force under section 196B(2) of the Veterans’ Entitlements Act 1986, as shown in this compilation is amended as indicated in the Tables below.

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