



Australian Government
Repatriation Medical Authority

Statement of Principles
concerning

**MALIGNANT NEOPLASM OF THE
COLORECTUM**

No. 38 of 2013

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 malignant neoplasm of the colorectum No. 38 of 2013.

Determination

2. The Repatriation Medical Authority under subsection **196B(3)** and **(8)** of the *Veterans' Entitlements Act 1986* (the VEA):
 - (a) revokes Instrument No. 2 of 2004, as amended by Instrument No. 40 of 2011, concerning malignant neoplasm of the colorectum; and
 - (b) determines in their place this Statement of Principles.

Kind of injury, disease or death

3.
 - (a) This Statement of Principles is about **malignant neoplasm of the colorectum** and **death from malignant neoplasm of the colorectum**.
 - (b) For the purposes of this Statement of Principles, "**malignant neoplasm of the colorectum**" means a primary malignant neoplasm arising from the epithelial cells of the colorectum. Anatomically the colorectum is defined as extending from the caecum, including the ileocaecal junction, to the junction with the anal canal. This definition of malignant neoplasm of the colorectum excludes soft tissue sarcoma,

carcinoid tumour, non-Hodgkin's lymphoma and Hodgkin's lymphoma.

- (c) Malignant neoplasm of the colorectum attracts ICD-10-AM code C18, C19 or C20.
- (d) In the application of this Statement of Principles, the definition of "**malignant neoplasm of the colorectum**" is that given at paragraph 3(b) above.

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 **malignant neoplasm of the colorectum** and **death from malignant neoplasm of the colorectum** 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, **malignant neoplasm of the colorectum** or **death from malignant neoplasm of the colorectum** is connected with the circumstances of a person's relevant service is:
 - (a) having a colorectal adenoma before the clinical onset of malignant neoplasm of the colorectum; or
 - (b) smoking at least 30 pack-years of cigarettes, or the equivalent thereof in other tobacco products, before the clinical onset of malignant neoplasm of the colorectum, and
 - (i) smoking commenced at least 20 years before the clinical onset of malignant neoplasm of the colorectum; and
 - (ii) where smoking has ceased, the clinical onset of malignant neoplasm of the colorectum has occurred within 15 years of cessation; or
 - (c) drinking at least 500 kilograms of alcohol within any 25 year period, before the clinical onset of malignant neoplasm of the colorectum; or
 - (d) having ulcerative colitis for at least ten years before the clinical onset of malignant neoplasm of the colorectum; or
 - (e) having Crohn's disease of the colorectum for at least ten years before the clinical onset of malignant neoplasm of the colorectum; or
 - (f) having familial adenomatous polyposis before the clinical onset of malignant neoplasm of the colorectum; or

- (g) having received a cumulative equivalent dose of at least 0.5 sievert of ionising radiation to the colorectum at least ten years before the clinical onset of malignant neoplasm of the colorectum; or
- (h) inhaling respirable asbestos fibres in an enclosed space:
 - (i) for a cumulative period of at least 2 000 hours before the clinical onset of malignant neoplasm of the colorectum; and
 - (ii) at the time material containing respirable asbestos fibres was being applied, removed, dislodged, cut or drilled; and
 - (iii) the first inhalation of asbestos fibres commenced at least ten years before the clinical onset of malignant neoplasm of the colorectum; or
- (i) inhaling respirable asbestos fibres in an open environment:
 - (i) for a cumulative period of at least 6 000 hours before the clinical onset of malignant neoplasm of the colorectum; and
 - (ii) at the time material containing respirable asbestos fibres was being applied, removed, dislodged, cut or drilled; and
 - (iii) the first inhalation of asbestos fibres commenced at least ten years before the clinical onset of malignant neoplasm of the colorectum; or
- (j) for malignant neoplasm of the colon only,
 - (i) an inability to undertake any physical activity greater than three METs for at least 20 consecutive years within the 30 years before the clinical onset of malignant neoplasm of the colorectum; or
 - (ii) being obese for at least ten years within the 30 years before the clinical onset of malignant neoplasm of the colorectum; or
- (k) inability to obtain appropriate clinical management for malignant neoplasm of the colorectum.

Factors that apply only to material contribution or aggravation

7. Paragraph 6(k) applies only to material contribution to, or aggravation of, malignant neoplasm of the colorectum where the person's malignant neoplasm of the colorectum 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:

"alcohol" is measured by the alcohol consumption calculations utilising the Australian Standard of 10 grams of alcohol per standard alcoholic drink;

"being obese" means an increase in body weight by way of fat accumulation which results in a Body Mass Index (BMI) of thirty or greater.

The $BMI = W/H^2$ and where:

W is the person's weight in kilograms; and

H is the person's height in metres;

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

"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), Eighth Edition, effective date of 1 July 2013, copyrighted by the Independent Hospital Pricing Authority, and having ISBN 978-1-74128-213-9;

"malignant neoplasm of the colon" means a primary malignant neoplasm arising from the epithelial cells of the colon. Anatomically the colon is defined as extending from the caecum, including the ileocaecal junction, to the sigmoid colon, not including the rectosigmoid junction. This definition of malignant neoplasm of the colon excludes soft tissue sarcoma, carcinoid tumour, non-Hodgkin's lymphoma and Hodgkin's lymphoma;

"MET" means a unit of measurement of the level of physical exertion. 1 MET = 3.5 ml of oxygen/kg of body weight per minute, or 1.0 kcal/kg of body weight per hour, or resting metabolic rate;

"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 7.3 kilograms of smoking tobacco by weight. Tobacco products means either cigarettes, pipe tobacco or cigars, smoked alone or in any combination;

"relevant service" means:

- (a) eligible war service (other than operational service) under the VEA;
- (b) defence service (other than hazardous service and British nuclear test defence 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.

Application

10. This Instrument applies to all matters to which section 120B of the VEA or section 339 of the MRCA applies.

Date of effect

11. This Instrument takes effect from 3 July 2013.

Dated this *twenty-first* day of *June* 2013

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

PROFESSOR NICHOLAS SAUNDERS AO
CHAIRPERSON