



Australian Government
Repatriation Medical Authority

Statement of Principles concerning

CHARCOT-MARIE-TOOTH DISEASE

No. 21 of 2015

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 Charcot-Marie-Tooth disease No. 21 of 2015.

Determination

2. The Repatriation Medical Authority under subsection **196B(2)** and **(8)** of the *Veterans' Entitlements Act 1986* (the VEA):
 - (a) revokes Instrument No. 9 of 2007 concerning Charcot-Marie-Tooth disease; and
 - (b) determines in its place this Statement of Principles.

Kind of injury, disease or death

3.
 - (a) This Statement of Principles is about **Charcot-Marie-Tooth disease** and **death from Charcot-Marie-Tooth disease**.
 - (b) For the purposes of this Statement of Principles, "**Charcot-Marie-Tooth disease**" means one of a group of genetic disorders of myelin structure or function, characterised by distinct peripheral neuropathies which are manifested clinically by muscle atrophy, weakness and sensory abnormalities.
 - (c) Charcot-Marie-Tooth disease attracts ICD-10-AM code G60.0.

- (d) In the application of this Statement of Principles, the definition of **"Charcot-Marie-Tooth disease"** 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 **Charcot-Marie-Tooth disease** and **death from Charcot-Marie-Tooth disease** 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 **Charcot-Marie-Tooth disease** or **death from Charcot-Marie-Tooth disease** 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, for a condition for which the drug cannot be ceased or substituted, at the time of the clinical worsening of Charcot-Marie-Tooth disease; or
 - (b) inability to obtain appropriate clinical management for Charcot-Marie-Tooth disease.

Factors that apply only to material contribution or aggravation

7. Paragraphs **6(a)** and **6(b)** apply only to material contribution to, or aggravation of, Charcot-Marie-Tooth disease where the person's Charcot-Marie-Tooth disease 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 drug or a drug from a class of drugs from the specified list"** means:
- (a) amiodarone;

- (b) bortezomib;
- (c) cisplatin;
- (d) carboplatin;
- (e) colchicine;
- (f) dapsone;
- (g) didanosine;
- (h) dichloroacetate;
- (i) disulfiram;
- (j) gold salts;
- (k) leflunomide;
- (l) metronidazole;
- (m) misonidazole;
- (n) nitrofurantoin;
- (o) oxaliplatin;
- (p) perhexiline;
- (q) stavudine;
- (r) suramin;
- (s) tacrolimus;
- (t) taxoids (including paclitaxel and docetaxel);
- (u) thalidomide;
- (v) vinca alkaloids (including vincristine); or
- (w) zalcitabine;

"death from Charcot-Marie-Tooth disease" in relation to a person includes death from a terminal event or condition that was contributed to by the person's Charcot-Marie-Tooth disease;

"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;

"relevant service" means:

- (a) operational service under the VEA;
- (b) peacekeeping service under the VEA;
- (c) hazardous service under the VEA;
- (d) British nuclear test defence service under the VEA;
- (e) warlike service under the MRCA; or
- (f) 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 27 January 2015.

Dated this *nineteenth* day of *December* 2014

The Common Seal of the
Repatriation Medical Authority
was affixed at the direction of:)



PROFESSOR NICHOLAS SAUNDERS AO
CHAIRPERSON