



**Statement of Principles
concerning
LIPOMA
(Balance of Probabilities)**

(No. 101 of 2015), as amended

made under subsection 196B(3) of the

Veterans' Entitlements Act 1986

This compilation was prepared on 18 September 2015 taking into account Amendment Statement of Principles concerning LIPOMA (*Balance of Probabilities*) (No. 115 of 2015).

Prepared by the Repatriation Medical Authority Secretariat, Brisbane.

Statement of Principles
concerning
LIPOMA
(Balance of Probabilities)
(No. 101 of 2015)

The Repatriation Medical Authority determines the following Statement of Principles under subsection 196B(3) of the *Veterans' Entitlements Act 1986*.

Dated 21 August 2015

Contents

1	Name	4
2	Commencement	4
3	Authority	4
4	Revocation	4
5	Application.....	4
6	Definitions.....	4
7	Kind of injury, disease or death to which this Statement of Principles relates	4
8	Basis for determining the factors	5
9	Factors that must exist.....	5
10	Relationship to service	5
11	Factors referring to an injury or disease covered by another Statement of Principles.....	5
Schedule 1 - Dictionary		7
1	Definitions.....	7

1 Name

This is the Statement of Principles concerning *lipoma (Balance of Probabilities)* (No. 101 of 2015).

2 Commencement

This instrument commences on **21 September 2015**.

3 Authority

This instrument is made under subsection 196B(3) of the *Veterans' Entitlements Act 1986*.

4 Revocation

The Statement of Principles concerning lipoma No. 98 of 2007 made under subsection 196B(3) of the VEA is revoked.

5 Application

This instrument applies to a claim to which section 120B of the VEA or section 339 of the *Military Rehabilitation and Compensation Act 2004* applies.

6 Definitions

The terms defined in the Schedule 1 - Dictionary have the meaning given when used in this instrument.

7 Kind of injury, disease or death to which this Statement of Principles relates

(1) This Statement of Principles is about lipoma and death from lipoma.

Meaning of lipoma

(2) For the purposes of this Statement of Principles, lipoma:

- (a) means a benign mesenchymal neoplasm composed of mature adipose cells, and which is usually encapsulated; and
- (b) excludes post-traumatic pseudolipoma or prolapse of adipose tissue.

(3) While lipoma attracts ICD-10-AM code D17, in applying this Statement of Principles the meaning of lipoma is that given in subsection (2).

(4) For subsection (3), a reference to an ICD-10-AM code is a reference to the code assigned to a particular kind of injury or disease in *The International Statistical Classification of Diseases and Related Health Problems, Tenth Revision, Australian Modification (ICD-10-AM)*,

Ninth Edition, effective date of 1 July 2015, copyrighted by the Independent Hospital Pricing Authority, ISBN 978-1-76007-020-5.

Death from lipoma

- (5) For the purposes of this Statement of Principles, lipoma, in relation to a person, includes death from a terminal event or condition that was contributed to by the person's lipoma.

Note: *terminal event* is defined in the Schedule 1 – Dictionary.

8 Basis for determining the factors

On the sound medical-scientific evidence available, the Repatriation Medical Authority is of the view that it is more probable than not that lipoma and death from lipoma can be related to relevant service rendered by veterans or members of the Forces under the VEA, or members under the MRCA.

Note: *relevant service* is defined in the Schedule 1 – Dictionary.

9 Factors that must exist

At least one of the following factors must exist before it can be said that, on the balance of probabilities, lipoma or death from lipoma is connected with the circumstances of a person's relevant service:

- (1) for benign symmetrical lipomatosis only, having alcohol use disorder at the time of the clinical onset of lipoma;

Note: *benign symmetrical lipomatosis* is defined in the Schedule 1 - Dictionary.

- (2) inability to obtain appropriate clinical management for lipoma.

10 Relationship to service

- (1) The existence in a person of any factor referred to in section 9 must be related to the relevant service rendered by the person.
- (2) The factor set out in subsection 9(2) applies only to material contribution to, or aggravation of, lipoma where the person's lipoma was suffered or contracted before or during (but did not arise out of) the person's relevant service.

11 Factors referring to an injury or disease covered by another Statement of Principles

In this Statement of Principles:

- (1) if a factor referred to in section 9 applies in relation to a person; and
- (2) that factor refers to an injury or disease in respect of which a Statement of Principles has been determined under subsection 196B(3) of the VEA;

then the factors in that Statement of Principles apply in accordance with the terms of that Statement of Principles as in force from time to time.

Schedule 1 - Dictionary

Note: See Section 6

1 Definitions

In this instrument:

benign symmetrical lipomatosis means a cutaneous condition characterised by multiple symmetrical fat deposits in the head, neck and shoulder girdle area. It is also known as multiple symmetrical lipomatosis or Madelung disease.

lipoma—see subsection 7(2).

MRCA means the *Military Rehabilitation and Compensation Act 2004*.

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 the following:

- (a) pneumonia;
- (b) respiratory failure;
- (c) cardiac arrest;
- (d) circulatory failure; or
- (e) cessation of brain function.

VEA means the *Veterans' Entitlements Act 1986*.

Notes to Statement of Principles concerning lipoma (*Balance of Probabilities*) (No. 101 of 2015)

The Statement of Principles concerning lipoma (*Balance of Probabilities*) (No. 101 of 2015) in force under subsection 196B(3) of the *Veterans' Entitlements Act 1986*, as shown in this compilation is amended as indicated in the Tables below.

Table of Instruments

Title	Date of FRLI registration	Date of commencement	Application, saving or transitional provisions
<i>Statement of Principles concerning lipoma (Balance of Probabilities) (No. 101 of 2015)</i>	26 August 2015 F2015L01316	21 September 2015	
<i>Amendment Statement of Principles concerning lipoma (Balance of Probabilities) (No. 115 of 2015)</i>	1 September 2015 F2015L01388	21 September 2015	

Table of Amendments

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
Clause 7(2)(a)	am. No. 115 of 2015