



Australian Government
Repatriation Medical Authority

Statement of Principles
concerning
LOSS OF TEETH
(Balance of Probabilities)
(No. 125 of 2015)

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

Dated 16 October 2015

The Common Seal of the
Repatriation Medical Authority
was affixed to this instrument
at the direction of:

A handwritten signature in black ink, appearing to read 'Nicholas Saunders'.

Professor Nicholas Saunders AO
Chairperson

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1 Name

This is the Statement of Principles concerning *loss of teeth (Balance of Probabilities)* (No. 125 of 2015).

2 Commencement

This instrument commences on 16 November 2015.

3 Authority

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

4 Revocation

The Statement of Principles concerning loss of teeth No. 74 of 2007, as amended, made under subsections 196B(3) and (8) 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 loss of teeth and death from loss of teeth.

Meaning of loss of teeth

- (2) For the purposes of this Statement of Principles, loss of teeth means:
- (a) the permanent loss of one or more teeth of the secondary dentition, with or without retained dental root; and
 - (b) includes tooth loss due to surgical extraction.
- (3) While loss of teeth attracts ICD-10-AM code K08.1 or K08.3, in applying this Statement of Principles the meaning of loss of teeth 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),

*Death from **loss of teeth***

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

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 loss of teeth and death from loss of teeth 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, loss of teeth or death from loss of teeth is connected with the circumstances of a person's relevant service:

- (1) having dental caries in the affected tooth at the time of the clinical onset of loss of teeth;
- (2) having periodontitis in the periodontium supporting the affected tooth, at the time of the clinical onset of loss of teeth;
- (3) having periodontal abscess of the affected tooth at the time of the clinical onset of loss of teeth;
- (4) having dental pulp and apical disease of the affected tooth at the time of the clinical onset of loss of teeth;
- (5) having a fracture of the affected tooth or luxation of the affected tooth before the clinical onset of loss of teeth;

Note: **fracture of the affected tooth** is defined in the Schedule 1 – Dictionary.

- (6) having a fracture of the alveolar bone supporting the affected tooth or disruption of the alveolar bone supporting the affected tooth, before the clinical onset of loss of teeth;

Note: **disruption of the alveolar bone** is defined in the Schedule 1 – Dictionary.

- (7) receiving direct physical trauma to the affected tooth resulting in avulsion of the tooth at the time of the clinical onset of loss of teeth;

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

- (8) having avulsion and subsequent replantation of the affected tooth before the clinical onset of loss of teeth;

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

- (9) having pericoronitis of the affected tooth at the time of the clinical onset of loss of teeth;

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

- (10) inability to obtain appropriate clinical management for loss of teeth.

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(10) applies only to material contribution to, or aggravation of, loss of teeth where the person's loss of teeth 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:

avulsion means the total displacement of the tooth out of its alveolar socket.

disruption of the alveolar bone means any interruption or distortion of the alveolar bone caused by an injury or disease process affecting the alveolar bone, including infiltration by primary or secondary malignancy, Paget's disease of bone, osteonecrosis or tuberculosis.

fracture of the affected tooth means fracture of the crown, involving the dentine, or the root of the affected tooth.

loss of teeth—see subsection 7(2).

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

pericoronitis means inflammation of the gingiva surrounding a partially erupted tooth, especially the third molar or wisdom tooth, and is related to the accumulation of food particles and micro-organisms under the gum flap.

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*.