



Australian Government

Repatriation Medical Authority

REPATRIATION MEDICAL AUTHORITY

STATEMENT OF REASONS

RE: INVESTIGATION INTO METATARSALGIA

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PART I INTRODUCTION

1. The Repatriation Medical Authority (the Authority) has decided to revoke the Statements of Principles (SoPs) Instrument Nos. 39 and 40 of 1996 in accordance with subsection 196B(9) of the *Veterans' Entitlements Act 1986* (the Act) in respect of metatarsalgia, following notice of an investigation gazetted on 25 June 2008 in the *Commonwealth of Australia Gazette*.
2. The Authority considers that the new sound medical-scientific evidence available is not sufficient to justify the making of the Statements of Principles. Metatarsalgia is considered to not be a disease or injury for the purposes of the Act and hence is not a condition for which a Statement of Principles could be determined or amended.

PART II BACKGROUND TO THE INVESTIGATION

3. The Repatriation Medical Authority, under section 196G of the Act, decided to review the contents of the Statements of Principles, to find out if there is new information available about how metatarsalgia may be contracted, or death from metatarsalgia may occur, or the extent to which metatarsalgia or death from metatarsalgia may be due to eligible service.
4. The investigation notice was signed by the Chairman of the Authority on 19 June 2008 and was gazetted in accordance with section 196G of the Act in the *Commonwealth of Australia Gazette* on 25 June 2008. Submissions were invited from persons and organisations wishing to make a submission by 28 November 2008.

PART III SUBMISSIONS RECEIVED BY THE AUTHORITY PURSUANT TO SECTION 196F

5. Following notification of its investigation, the Authority did not receive any information from persons eligible to make submissions pursuant to section 196F.
6. However, the Authority received an email from a Department of Veterans' Affairs representative seeking clarification of the scope of the Statement of Principles and definitional issues.

PART IV EVIDENCE/INFORMATION AVAILABLE TO THE REPATRIATION MEDICAL AUTHORITY

7. The following information was available to the Authority.
 - 7.1. Literature search using PubMed, with 'Metatarsalgia [Mesh]' as a search term, using the subheadings of 'etiology' and 'epidemiology'.
 - 7.2. Medical or scientific publications as set out in the bibliography attached hereto.
 - 7.3. Briefing paper prepared for presentation to the Authority by a research officer of the Secretariat.
8. On 6 October 2010 the Authority considered the draft Declaration and Statements of Reasons concerning Metatarsalgia. A decision was made to consult with the Ex-Service community regarding the revocation of the metatarsalgia Statements of

Principles and review their comments and concerns at the February 2011 meeting before proceeding with the revocation.

PART V DISEASE AND INJURY

9. Section 5D of the Act defines disease and injury relevantly as follows:

disease means:

- (a) any physical or mental ailment, disorder, defect or morbid condition (whether of sudden onset or gradual development); or
- (b) the recurrence of such an ailment, disorder, defect or morbid condition;

but does not include:

- (c) the aggravation of such an ailment, disorder, defect or morbid condition; or
- (d) a temporary departure from:
 - (i) the normal physiological state; or
 - (ii) the accepted ranges of physiological or biochemical measures;

that results from normal physiological stress (for example, the effect of exercise on blood pressure) or the temporary effect of extraneous agents (for example, alcohol on blood cholesterol levels);

[and]

injury means any physical or mental injury (including the recurrence of a physical or mental injury) but does not include:

- (a) a disease; or
- (b) the aggravation of a physical or mental injury.

- 10. The proper meaning of what constitutes a disease or injury for the purposes of determining a Statement of Principles under the Act is to be determined by the Authority. In considering these terms, the Authority had regard to ordinary dictionary definitions, medical dictionaries, and its expert knowledge. In determining whether a condition is a disease as defined, the Authority is entitled to have regard to the connotations of the word 'disease' as used and understood in its ordinary meaning.¹
- 11. Being familiar with the ordinary English meanings of the terms that are used in section 5D, the Authority considered whether metatarsalgia was within the ordinary meaning of these terms, and applied the ordinary meaning of those terms to its consideration of whether metatarsalgia is a disease. It also relied upon its expert medical knowledge and had regard to internationally agreed concepts of when metatarsalgia may represent a disease state.

¹ *Comcare v Mooi* (1996) 42 ALD 495.

PART VI REASONS FOR THE DECISION

12. Metatarsalgia refers to localised or generalised forefoot pain in the region of the metatarsal heads often on the plantar aspect of the foot. A variety of diseases or injuries may cause pain in this location.
13. The Authority previously determined that metatarsalgia (Instrument Nos. 39 and 40 of 1996) can be related to relevant service.
14. Recent reviews of metatarsalgia^{2 3}, discuss classification systems and frameworks for metatarsalgia adopted by some clinicians to identify the underlying pathological conditions causing the foot pain symptoms.
15. Underlying disease processes affecting the ball of the foot include rheumatoid arthritis, osteoarthritis, peripheral neuropathy, various tumours in the region, tendonitis or bursitis. Foot pain symptoms can also be related to neurological or metabolic disease processes, other systemic diseases, trauma, biomechanical disorders of the foot or failed surgical procedures. Claims in respect of such conditions should be determined by reference to the relevant Statement of Principles, or, if no Statement of Principles exists, having regard to available medical evidence.
16. In the absence of one or more of these underlying disease processes, no pathophysiological entity underlying the reported symptoms of metatarsalgia has been established.

PART VII DECISION

17. On examination of the evidence as part of the review, the Authority is of the view, in accordance with subsection 196B(9)(b), that the new sound medical-scientific evidence available is not sufficient to justify the determination of a new Statement of Principles or the amendment of the Statement of Principles already determined.
18. At its meeting on 2 June 2010 the Authority decided not to make a Statement of Principles in respect of metatarsalgia for the purposes of subsection (9) of section 196B of the Act as the Authority concluded, for the reasons set out above, that it is not a disease within the meaning of section 5D of the Act.

² Bardelli & Scoccianti, 2003

³ Espinosa, Maceira, & Myerson, 2008

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