

REVOKED

Amendment of Statement of Principles

concerning

LUMBAR SPONDYLOSIS

ICD CODES: 721.3, 721.42, 722.52, 722.73, 722.93

Veterans' Entitlements Act 1986
subsection 196B(2)

The Repatriation Medical Authority amends, under subsection 196B(2) of the *Veterans' Entitlements Act 1986* (the Act), Instrument No.105 of 1995 (Statement of Principles concerning lumbar spondylosis, as amended by Instrument No.334 of 1995) by:

1. omitting paragraphs 1(a) to 1(h) inclusive and replacing them with the following:
 - “(a) having been a prisoner of war; or
 - (b) contracting a significant inflammatory joint disease in the lumbar spine before the clinical onset of lumbar spondylosis; or
 - (c) suffering an intra-articular fracture of the lumbar spine before the clinical onset of lumbar spondylosis; or
 - (d) having a malalignment of the lumbar spine before the clinical onset of lumbar spondylosis; or
 - (e) suffering a depositional joint disease in the lumbar spine before the clinical onset of lumbar spondylosis; or
 - (f) suffering a trauma to the lumbar spine which has resulted in permanent ligamentous instability before the clinical onset of lumbar spondylosis; or

- (g) suffering a trauma to the lumbar spine before the clinical onset of lumbar spondylosis; or
 - (h) suffering a trauma to the lumbar spine which has resulted in permanent ligamentous instability before the clinical worsening of lumbar spondylosis; or
 - (j) suffering a trauma to the lumbar spine before the clinical worsening of lumbar spondylosis.”;
2. omitting paragraph 2 and inserting in its place the following:
- “2. Subject to clause 3 (below) at least one of the factors set out in paragraphs **1(a) to 1(j)** must be related to any service rendered by a person.”;
3. omitting paragraph 3 and inserting in its place the following:
- “3. The factors set out in paragraphs **1(h) to 1(j)** apply only where:
- (a) the person’s **lumbar spondylosis** was contracted before a period, or part of a period, of service to which the factor is related; and
 - (b) the relationship suggested between the **lumbar spondylosis** and the particular service of a person is a relationship set out in paragraph 8(1)(e), 9(1)(e), 70(5)(d) or 70(5A)(d) of the Act.”;
4. omitting the definition of “lumbar spondylosis” in paragraph 4 and inserting in its place in paragraph 4 the following definition:
- “**lumbar spondylosis'** means a degenerative joint disease, attracting ICD code 721.3, 721.42, 722.52, 722.73 or 722.93, affecting the lumbar spine, (L1-L5, L5-S1), causing local pain and stiffness, sometimes with sciatic radiation due to nerve root pressure by protruding discs or osteophytes, and having degenerative changes in the lumbar spine;”;
5. omitting the definition of “trauma to the lumbar spine” in paragraph 4 and inserting in its place in paragraph 4, the following definition:
- “**trauma to the lumbar spine'** means an injury to the lumbar spine caused by the force of an extraneous physical or mechanical agent that causes the development, within 24 hours of the injury being sustained, of acute symptoms and signs of pain, tenderness, and altered mobility or

range of movement of the joint, and where such acute symptoms and signs last for a period of at least one week immediately after the injury occurs, unless medical intervention has occurred. Where medical intervention for the injury has occurred (eg splinting, corticosteroid injection, surgery), and there is evidence relating to the extent of injury and treatment, such evidence may be considered;”;

6. omitting the definition of “trauma to the relevant joint which has resulted in permanent ligamentous instability” in paragraph 4 and inserting in its place in paragraph 4, the following definition:

“trauma to the lumbar spine which has resulted in permanent ligamentous instability’ means abnormal mobility and instability of the lumbar spine due to ligamentous injury caused by the force of an extraneous physical or mechanical agent, and is characterised by the regular recurrence of episodes of pain and/or tenderness affecting the lumbar spine.”.

The amendments made by this instrument apply to all matters to which Instrument No.105 of 1995 and section 120A of the Act apply.

Dated this *Third* day of *October* 1995

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

KEN DONALD
CHAIRMAN