

**Determination**

of

**Statement of Principles**  
concerning

**INTERVERTEBRAL DISC PROLAPSE**

**ICD CODES:** 722.0, 722.1, 722.2, 722.3 or 722.7

*Veterans' Entitlements Act 1986*

1. This Statement of Principles is determined by the Repatriation Medical Authority under subsection **196B(3)** of the *Veterans' Entitlements Act 1986* (the Act).

**Kind of injury, disease or death**

2. (a) This Statement of Principles is about **intervertebral disc prolapse** and **death from intervertebral disc prolapse**.

(b) For the purposes of this Statement of Principles, “**intervertebral disc prolapse**” means protusion, herniation or rupture of an intervertebral disc of the cervical, thoracic or lumbar spine, causing local pain and stiffness, and/or pain and paraesthesia radiating into the upper limbs, in the case of cervical disc prolapse, or into the lower limbs, in the case of lumbar disc prolapse, attracting ICD code 722.0, 722.1, 722.2, 722.3 or 722.7.

**Basis for determining the factors**

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

### Factors that must be related to service

4. Subject to clause 6, the factors set out in at least one of the paragraphs in clause 5 must be related to any relevant service rendered by the person.

### Factors

5. The factors that must exist before it can be said that, on the balance of probabilities, **intervertebral disc prolapse** or **death from intervertebral disc prolapse** is connected with the circumstances of a person's relevant service are:
  - (a) suffering trauma to the relevant disc at the time of the clinical onset of intervertebral disc prolapse; or
  - (b) suffering a penetrating injury to the relevant disc or adjacent vertebral body, or a fracture of the endplate of the adjacent vertebral body, at the time of the clinical onset of intervertebral disc prolapse; or
  - (c) lifting at least 10kg, at least 25 times a day, on average, for a period of at least two years within the five years immediately before the clinical onset of intervertebral disc prolapse; or
  - (d) driving a motor vehicle or flying a motorised aircraft for an average of at least 30 hours a week, as an occupational requirement, for a period of at least two years within the ten years immediately before the clinical onset of intervertebral disc prolapse; or
  - (e) exposure to an environment of high positive G forces at the time of the clinical onset of intervertebral disc prolapse; or
  - (f) smoking at least 30 pack years of cigarettes before the clinical onset of intervertebral disc prolapse; or
  - (g) suffering trauma to the relevant disc at the time of the clinical worsening of intervertebral disc prolapse; or
  - (h) suffering a penetrating injury to the relevant disc or adjacent vertebral body, or a fracture of the endplate of the adjacent vertebral body, at the time of the clinical worsening of intervertebral disc prolapse; or
  - (j) lifting at least 10kg, at least 25 times a day, on average, for a period of at least two years within the five years immediately before the clinical worsening of intervertebral disc prolapse; or

- (k) driving a motor vehicle or flying a motorised aircraft for an average of at least 30 hours a week, as an occupational requirement, for a period of at least two years within the ten years immediately before the clinical worsening of intervertebral disc prolapse; or
- (m) exposure to an environment of high positive G forces at the time of the clinical worsening of intervertebral disc prolapse; or
- (n) smoking at least 30 pack years of cigarettes before the clinical worsening of intervertebral disc prolapse; or
- (o) inability to obtain appropriate clinical management for intervertebral disc prolapse.

### **Factors that apply only to material contribution or aggravation**

6. Paragraphs **5(g) to 5(o)** apply only to material contribution to, or aggravation of, lumbar disc prolapse where the person's lumbar disc prolapse was suffered or contracted before or during (but not arising out of) the person's relevant service; paragraph 8(1)(e), 9(1)(e) or 70(5)(d) of the Act refers.

### **Other definitions**

7. For the purposes of this Statement of Principles:

**“an environment of high positive G forces”** means positive G forces of at least two which can be produced by flying in modern high performance jet aircraft. These occur when the aircraft changes speed or direction, eg in turns or recovery from dives. A G force is the ratio of the applied acceleration of the aircraft to the acceleration due to gravity, for example,  $2G = 2 \times 9.81\text{m/s}^2$ ;

**“ICD code”** means a number assigned to a particular kind of injury or disease in the Australian Version of The International Classification of Diseases, 9th revision, Clinical Modification (ICD-9-CM), effective date of 1 July 1996, copyrighted by the National Coding Centre, Faculty of Health Sciences, University of Sydney, NSW, and having ISBN 0 642 24447 2;

**“motor vehicle”** means a motorised vehicle which imparts vibration to the whole body such as a car, truck, motor cycle, tractor, jeep, armoured personnel carrier, tank, or construction vehicles such as a forklift, bulldozer, crane, steam shovel, backhoe or steam roller;

**“pack year”** means 7 300 cigarettes;

**“penetrating injury to the relevant disc or adjacent vertebral body”** means piercing of the relevant disc or adjacent vertebral body by objects such as a bullet or knife;

**“relevant service”** means:

- (a) eligible war service (other than operational service); or
- (b) defence service (other than hazardous service);

**“trauma to the relevant disc”** means an injury to the particular prolapsed intervertebral disc, which has occurred:

- (a) whilst performing, or immediately following, activities such as
  - (i) lifting, pushing or pulling an object weighing more than 10 kg; or
  - (ii) jumping or falling from a height, for example, in a parachute jump, or jumping down from a tank; or
  - (iii) diving into a body of water; or
  - (iv) spinal manipulation; or
- (b) during or immediately following, the application of the force of an extraneous physical or mechanical agent such as which occurs in a motor vehicle accident.

Dated this *Twenty-sixth* day of *September*  
1996

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

KEN DONALD  
CHAIRMAN