

Determination

of

Statement of Principles
concerning

**MALIGNANT NEOPLASM OF THE RENAL
PELVIS AND URETER**

ICD CODES: 189.1, 189.2.

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 **malignant neoplasm of the renal pelvis and ureter** and **death from malignant neoplasm of the renal pelvis and ureter**.

(b) For the purposes of this Statement of Principles, **“malignant neoplasm of the renal pelvis and ureter”** means a primary malignancy arising in the upper urinary outflow tract, which includes the renal calyces, renal pelvis, and the ureters and excludes the ureteric openings into the bladder, attracting ICD code 189.1 or 189.2.

Note: This definition specifically excludes soft tissue sarcoma, non-Hodgkin's lymphoma and Hodgkin's disease.

Note to user (this note does not form part of the legal wording of the instrument):

In the event that a disease referred to in the note above (which is excluded from coverage by this Statement of Principles) is claimed, reference should be made to the relevant Statement of Principles (or Statements of Principles) which cover or refer to that disease (if any).

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 **malignant neoplasm of the renal pelvis and ureter and death from malignant neoplasm of the renal pelvis and ureter** 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, **malignant neoplasm of the renal pelvis and ureter** or **death from malignant neoplasm of the renal pelvis and ureter** is connected with the circumstances of a person's relevant service are:
 - (a) for carcinoma of the renal pelvis and ureter only,
 - (i) smoking at least ten pack-years, or the equivalent thereof in other tobacco products, at least ten years before the clinical onset of malignant neoplasm of the renal pelvis and ureter; or
 - (ii) a total consumption of 100 grams of phenacetin in phenacetin containing preparations at least 10 years before the clinical onset of malignant neoplasm of the renal pelvis and ureter; or
 - (b) having had an intravascular injection of thorostrast or intracavitary injection of thorostrast to the abdominal or pelvic organs before the clinical onset of malignant neoplasm of the renal pelvis and ureter; or
 - (c) inability to obtain appropriate clinical management for malignant neoplasm of the renal pelvis and ureter.

Factors that apply only to material contribution or aggravation

6. Paragraph 5(c) applies only to material contribution to, or aggravation of, malignant neoplasm of the renal pelvis and ureter where the person's malignant neoplasm of the renal pelvis and ureter 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:

“carcinoma of the renal pelvis and ureter” means a malignancy arising from the lining epithelium of the renal pelvis and ureter which is most commonly transitional cell carcinoma, but also includes rarer histological types such as squamous cell carcinoma, adenocarcinoma and adenosquamous carcinoma;

“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;

“pack-year” means 7 300 cigarettes, or 1 460 cigars, or 7.3 kg of pipe tobacco;

“phenacetin” means an aniline derivative that has analgesic and ant-pyretic properties, and is also known as acetophenetidin, aceto-p-phenetidine, acetylphenetidin, phenacetinum, N-(4-ethoxyphenyl) acetamide, p-ethoxyacetanilide, or CAS 62-44-2. It was previously found as a constituent of many over-the-counter headache remedies such as APC, Bromo seltzer and Empirin Compound (usually 90-150 mg per tablet).

Note: (This note does not form part of the legal wording of the instrument)
Phenacetin was removed from products in Australia by 1980;

“relevant service” means:

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

“thorotrast” means a contrast medium formerly used in radiography, which contained thorium dioxide, a radioactive emitter.

Dated this *Ninth* day of *December* 1996

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

KEN DONALD
CHAIRMAN