

Revocation and Determination
of
Statement of Principles
concerning
CHRONIC FATIGUE SYNDROME

ICD CODE: 780.7

Veterans' Entitlements Act 1986

1. The Repatriation Medical Authority under subsection **196B(3)** of the *Veterans' Entitlements Act 1986* (the Act):
 - (a) revokes Instrument No.287 of 1995; and
 - (b) determines in its place the following Statement of Principles.

Kind of injury, disease or death

2. (a) This Statement of Principles is about **chronic fatigue syndrome** and **death from chronic fatigue syndrome**.
- (b) For the purposes of this Statement of Principles, “**chronic fatigue syndrome**” means a syndrome of new or definitive onset, attracting ICD code 780.7, characterised by the presence of:
 - (i) persistent or relapsing fatigue as the principal symptom over a period of at least six months that causes significant disruption of usual daily activities; and
 - (ii) post-exertional fatigue; and
 - (iii) neuropsychiatric (cognitive) dysfunction, including new-onset impairment of short-term memory and concentration

(demonstrated by difficulty in completing mental tasks which were previously easily performed),

in circumstances in which no alternative diagnosis of a person's fatigue can be achieved by history, physical examination, or laboratory investigations.

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 **chronic fatigue syndrome and death from chronic fatigue** 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, at least one of the factors set out 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, **chronic fatigue syndrome or death from chronic fatigue syndrome** is connected with the circumstances of a person's relevant service are:
 - (a) suffering from serologically confirmed acute Epstein-Barr virus infection at the time of the clinical onset of chronic fatigue syndrome; or
 - (b) suffering from serologically confirmed acute Ross River virus infection at the time of the clinical onset of chronic fatigue syndrome; or
 - (c) inability to obtain appropriate clinical management for chronic fatigue syndrome.

Factors that apply only to material contribution or aggravation

6. Paragraph 5(c) applies only to material contribution to, or aggravation of, chronic fatigue syndrome where the person's chronic fatigue syndrome 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:

“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;

“relevant service” means:

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

“serologically confirmed acute Epstein-Barr virus infection” means serological evidence of recently acquired Epstein-Barr virus infection;

“serologically confirmed acute Ross River virus infection” means serological evidence of recently acquired Ross River virus infection.

Application

- 8. This Instrument applies to all matters to which section 120B of the Act applies.

Dated this *Fourteenth* day of *November* 1997

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

KEN DONALD
CHAIRMAN