

Determination
of
Statement of Principles
concerning

HIATUS HERNIA

ICD-9-CM CODES: 551.3, 552.3, 553.3, 750.6

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 **hiatus hernia** and **death from hiatus hernia**.

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- (b) For the purposes of this Statement of Principles,

“hiatus hernia” means a herniation of part of the stomach into the thoracic cavity through the oesophageal hiatus in the diaphragm, attracting ICD-9-CM code 551.3, 552.3, 553.3 or 750.6. This definition includes sliding hiatal hernia and paraoesophageal hiatal hernia.

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 **hiatus hernia and death from hiatus hernia** 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 factor set out in clause 5 must be related to any relevant service rendered by the person.

Factors

5. The factor that must exist before it can be said that, on the balance of probabilities, **hiatus hernia** or **death from hiatus hernia** is connected with the circumstances of a person's relevant service is:
 - (a) for paraoesophageal hiatal hernia only, inability to obtain appropriate clinical management for hiatus hernia.

Factors that apply only to material contribution or aggravation

6. Paragraph 5(a) applies only to material contribution to, or aggravation of, hiatus hernia where the person's hiatus hernia 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.

Inclusion of Statements of Principles

7. In this Statement of Principles if a relevant factor applies and that factor includes an injury or disease in respect of which there is a Statement of Principles then the factors in that last mentioned Statement of Principles apply in accordance with the terms of that Statement of Principles.

Other definitions

8. For the purposes of this Statement of Principles:

“death from hiatus hernia” in relation to a person includes death from a terminal event or condition that was contributed to by the person's hiatus hernia;

“ICD-9-CM 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;

“paraoesophageal hiatal hernia” means a hiatus hernia in which the gastro-oesophageal junction remains fixed in its normal location, and a pouch of stomach is herniated beside the gastro-oesophageal junction through the oesophageal hiatus;

“relevant service” means:

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

“terminal event” means the proximate or ultimate cause of death and includes:

- a) pneumonia;
- b) respiratory failure;
- c) cardiac arrest;
- d) circulatory failure; or
- e) cessation of brain function.

Dated this *Twenty-Fourth* day of *June* 1999

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

KEN DONALD
CHAIRMAN