

# REVOKED

## Revocation and Determination

of

## Statement of Principles concerning

# SOFT TISSUE SARCOMA

ICD-10-AM CODES: C22.3, C22.4, C30.0, C32.3, C47, C48, C49

## *Veterans' Entitlements Act 1986*

1. The Repatriation Medical Authority under subsection **196B(2)** of the *Veterans' Entitlements Act 1986* (the Act):
  - (a) revokes Instrument No.49 of 1998; 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 **soft tissue sarcoma** and **death from soft tissue sarcoma**.
- (b) For the purposes of this Statement of Principles, “**soft tissue sarcoma**” means any of a histologically and morphologically diverse group of extra-skeletal, non-haematopoietic, non-epithelial primary malignant neoplasms, attracting ICD-10-AM codes C22.3, C22.4, C30.0, C32.3, C47, C48 or C49, that originates in the soft tissues derived from the embryonic mesodermal layer, and which can occur at any site in the body, both within and between parenchymal organs, including atypical fibroxanthoma, but excluding mesothelioma, Kaposi's sarcoma, malignant neoplasm of the bone or articular cartilage and malignant neoplasm of the lymphopoietic and haematopoietic tissue.

### **Basis for determining the factors**

3. The Repatriation Medical Authority is of the view that there is sound medical-scientific evidence that indicates that **soft tissue sarcoma and death from soft tissue sarcoma** can be related to relevant service rendered by veterans, members of Peacekeeping Forces, 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 as a minimum exist before it can be said that a reasonable hypothesis has been raised connecting **soft tissue sarcoma** or **death from soft tissue sarcoma** with the circumstances of a person's relevant service are:
  - (a) being on land in Vietnam or at sea in Vietnamese waters, for at least 30 days, at least two years before the clinical onset of soft tissue sarcoma; or
  - (b) inhaling or absorbing a herbicide for a cumulative period of at least 30 days, at least two years before the clinical onset of soft tissue sarcoma; or
  - (c) inhaling or absorbing a chlorophenol for at least seven consecutive days or for a cumulative period of at least 30 days, at least two years before the clinical onset of soft tissue sarcoma; or
  - (d) having received a cumulative equivalent dose of at least 0.05 Sievert of atomic radiation to the affected region where this dose was accumulated at least two years before the clinical onset of soft tissue sarcoma; or
  - (e) undergoing treatment with radium-224 at least two years before the clinical onset of soft tissue sarcoma; or
  - (f) undergoing a course of therapeutic radiation to the affected region at least two years before the clinical onset of soft tissue sarcoma; or
  - (g) being occupationally exposed to gaseous vinyl chloride during the production of polyvinyl chloride, at least two years before the clinical onset of soft tissue sarcoma; or

- (h) undergoing diagnostic scanning with a colloidal solution of thorium dioxide (Thorotrast), at least two years before the clinical onset of soft tissue sarcoma and where the soft tissue sarcoma has occurred at the site of the thorotrast injection or in tissue containing thorotrast deposits; or
- (j) being infected with Human Immunodeficiency Virus (HIV) before the clinical onset of soft tissue sarcoma; or
- (k) being treated with immunosuppressive drugs for
  - (i) organ transplantation, or
  - (ii) a malignant neoplasm excluding non-metastatic non-melanotic malignant neoplasm of the skin, or
  - (iii) autoimmune disease, or
  - (iv) renal disorder, or
  - (v) psoriasis, or
  - (vi) inflammatory bowel diseasebefore the clinical onset of soft tissue sarcoma; or
- (m) for angiosarcoma only, undergoing a course of therapeutic radiation to the affected region at least one year before the clinical onset of soft tissue sarcoma; or
- (n) for angiosarcoma only, suffering from lymphoedema of the affected region at the time of the clinical onset of soft tissue sarcoma; or
- (o) for hepatic angiosarcoma only, undergoing diagnostic scanning with a colloidal solution of thorium dioxide (Thorotrast), at least two years before the clinical onset of soft tissue sarcoma; or
- (p) for hepatic angiosarcoma only, ingesting arsenic or arsenic containing compounds where ingestion commenced at least two years before the clinical onset of soft tissue sarcoma; or
- (q) for hepatic angiosarcoma only, being involved in the manufacture of arsenic-containing pesticides or spraying pesticides containing arsenic, and in each case, at least two years before the clinical onset of soft tissue sarcoma; or
- (r) for cutaneous atypical fibroxanthoma only, suffering from chronic solar skin damage of the skin involving the tumour, at the time of the clinical onset of soft tissue sarcoma; or

- (s) for uterine sarcoma only, undergoing treatment with tamoxifen for a period of at least one month at least one year before the clinical onset of soft tissue sarcoma; or
- (t) inability to obtain appropriate clinical management for soft tissue sarcoma.

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

- 6. Paragraph 5(t) applies only to material contribution to, or aggravation of, soft tissue sarcoma where the person's soft tissue sarcoma was suffered or contracted before or during (but not arising out of) the person's relevant service; paragraph 8(1)(e), 9(1)(e), 70(5)(d) or 70(5A)(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:

**“a chlorophenol”** means any one of the following chemical agents:

2,4-dichlorophenol (2,4-DCP)  
2,4,5-trichlorophenol (2,4,5-TCP)  
2,4,6-trichlorophenol (2,4,6-TCP)  
tetrachlorophenol  
pentachlorophenol (PCP);

**“a course of therapeutic radiation”** means one or more fractions (treatment portions) of ionising radiation administered with the aim of achieving palliation or cure with gamma rays, x-rays, alpha particles or beta particles;

**“a herbicide”** means any one of the following chemical agents:

2,4-dichlorophenoxyacetic acid (2,4-D)  
2,4-dichlorophenoxypropionic acid (2,4-DP)  
2,4-dichlorophenoxybutyric acid (2,4-DB)  
2,4,5-trichlorophenoxyacetic acid (2,4,5-T)  
2,4,5-trichlorophenoxypropionic acid (2,4,5-TP)

4-chloro-2-methyl-phenoxyacetic acid (MCPA)  
4-chloro-2-methyl-phenoxypropionic acid (MCP)  
4-chloro-2-methyl-phenoxybutyric acid (MCPB)  
o,o-dimethyl-o-(2,4,5-trichlorophenyl)-phosphorothioate (Ronnel)  
2-(2,4,5-trichlorophenoxy)-ethyl 2,2-dichloropropionate (Erbon);

**“angiosarcoma”** means lymphangiosarcoma or haemangiosarcoma;

**“atomic radiation”** means ionising radiation excluding:

- (i) natural background radiation;
- (ii) therapeutic radiation; and
- (iii) radiation from diagnostic procedures;

**“being infected with Human Immunodeficiency Virus (HIV)”** means serological evidence of infection with Human Immunodeficiency Virus;

**“being on land in Vietnam or at sea in Vietnamese waters”** means service in at least one of the areas and at the times described in Items 4 and 8 of Schedule 2 of the Veterans’ Entitlements Act 1986;

**“chronic solar skin damage”** means a permanent pathological skin change due to exposure to ultraviolet light;

**“cumulative equivalent dose”** means the total equivalent dose of atomic radiation from all types of radiation (eg alpha, gamma). It accounts for the differences in biological effectiveness of various types of radiation and allows doses from different radiations to be combined. Each component is calculated by multiplying the absorbed dose in a particular tissue or organ for a given type of radiation by the radiation weighting factor for that radiation. The unit of equivalent dose is the Sievert (Sv);

**“death from soft tissue sarcoma”** in relation to a person includes death from a terminal event or condition that was contributed to by the person’s soft tissue sarcoma;

**“ICD-10-AM code”** means a number assigned to a particular kind of injury or disease in The International Statistical Classification of Diseases and Related Health Problems, 10th revision, Australian Modification (ICD-10-AM), Second Edition, effective date of 1 July 2000, copyrighted by the National Centre for Classification in Health, Sydney, NSW, and having ISBN 1 86487 271 3;

**“ingesting arsenic or arsenic containing compounds”** means consuming arsenic through regular medicinal treatment with inorganic

trivalent arsenic compounds such as Fowler's solution or Donovan's solution;

**“inhaling or absorbing a chlorophenol”** means:

- (a) undertaking work involving decanting or spraying of a chlorophenol; or
- (b) undertaking work involving cleaning and maintenance of equipment used to apply a chlorophenol; or
- (c) having been sprayed with a chlorophenol; or
- (d) undertaking work involving the handling or sawing of timber treated with a chlorophenol; or
- (e) working in an environment shrouded in dust from timber treated with a chlorophenol; or
- (f) undertaking work involving the use of cutting oils contaminated with a chlorophenol;

**“inhaling or absorbing a herbicide”** means:

- (a) undertaking work involving decanting or spraying of a herbicide; or
- (b) undertaking work involving cleaning and maintenance of equipment used to apply a herbicide; or
- (c) having been sprayed with a herbicide;

**“lymphoedema”** means chronic oedema due to accumulation of interstitial fluid as a result of stasis of lymph, which is secondary to obstruction of lymph vessels or disorders of the lymph nodes;

**“relevant service”** means:

- (a) operational service; or
- (b) peacekeeping service; or
- (c) 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.

## **Application**

- 9.** This Instrument applies to all matters to which section 120A of the Act applied.

Dated this *First* day of *May* 2001

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

KEN DONALD  
CHAIRMAN