

**Determination**  
of  
Statement of Principles  
concerning  
**OSTEOMYELITIS**

*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 **osteomyelitis** and **death from osteomyelitis**.  
  
(b) For the purposes of this Statement of Principles, "**osteomyelitis**" means inflammation of bone caused by infection. This definition includes Brodie's abscess.  
  
(c) Osteomyelitis attracts ICD-10-AM code M86, K10.2, M46.2 or M90.2.  
  
(d) In the application of this Statement of Principles, the definition of "**osteomyelitis**" is that given at paragraph 2(b) above.

**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 **osteomyelitis** and **death from osteomyelitis** 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 factor that must exist before it can be said that, on the balance of probabilities, **osteomyelitis** or **death from osteomyelitis** is connected with the circumstances of a person's relevant service is:
  - (a) having a wound, laceration, or other injury or disease disrupting the skin or mucosa at the site or adjacent to the site of osteomyelitis, within the two years before the clinical onset of osteomyelitis; or
  - (b) having an invasive surgical procedure performed within the two years before the clinical onset of osteomyelitis; or
  - (c) having septicaemia, bacteraemia or systemic fungal infection within the two years before the clinical onset of osteomyelitis; or
  - (d) having a foreign body at the site or adjacent to the site of osteomyelitis at the time of the clinical onset of osteomyelitis; or
  - (e) having diabetes mellitus at the time of the clinical onset of osteomyelitis; or
  - (f) having sickle cell disease at the time of the clinical onset of osteomyelitis; or
  - (g) having Crohn's disease at the time of the clinical onset of osteomyelitis; or
  - (h) having osteopetrosis at the time of the clinical onset of osteomyelitis; or
  - (i) having chronic ischaemia of the affected limb from:
    - (i) peripheral vascular disease; or
    - (ii) chronic venous insufficiencyat the time of the clinical onset of osteomyelitis; or
  - (j) being in an immunocompromised state at the time of the clinical onset of osteomyelitis; or
  - (k) undergoing a course of therapeutic radiation to the affected site within the six months immediately before the clinical onset of osteomyelitis; or

- (l) having internal deposition of radium-224, radium-226, or radium-228 before the clinical onset of osteomyelitis; or
- (m) having osteonecrosis at the site of osteomyelitis before the clinical onset of osteomyelitis; or
- (n) having diabetes mellitus at the time of the clinical worsening of osteomyelitis; or
- (o) having sickle cell disease at the time of the clinical worsening of osteomyelitis; or
- (p) having chronic ischaemia of the affected limb from:
  - (i) peripheral vascular disease; or
  - (ii) chronic venous insufficiencyat the time of the clinical worsening of osteomyelitis; or
- (q) being in an immunocompromised state at the time of the clinical worsening of osteomyelitis; or
- (r) inability to obtain appropriate clinical management for osteomyelitis.

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

6. Paragraphs 5(n) to 5(r) apply only to material contribution to, or aggravation of, osteomyelitis where the person's osteomyelitis 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:

**“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;

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

**“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), Third Edition, effective date of 1 July 2002, copyrighted by the National Centre for Classification in Health, Sydney, NSW, and having ISBN 1 86487 413 9;

**“immunocompromised state”** means a state where the immune response has been attenuated by administration of immunosuppressive drugs, irradiation, certain types of infection, malnutrition, or a malignant disease process;

**“osteonecrosis”** means death of bone due to obstruction of its blood supply;

**“osteopetrosis”** means a genetic disease characterised by abnormally dense bone due to defective reabsorption of immature bone known as *marble bones disease*;

**“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 *26th* day of *March* 2004

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

KEN DONALD  
CHAIRMAN