

Statement of Principles  
concerning

**SPASMODIC TORTICOLLIS**

**No. 22 of 2008**

for the purposes of the

*Veterans' Entitlements Act 1986*

and

*Military Rehabilitation and Compensation Act 2004*

**Title**

1. This Instrument may be cited as Statement of Principles concerning spasmodic torticollis No. 22 of 2008.

**Determination**

2. The Repatriation Medical Authority under subsection **196B(3)** and **(8)** of the *Veterans' Entitlements Act 1986* (the VEA):
  - (a) revokes Instrument No. 34 of 1997 concerning spasmodic torticollis; and
  - (b) determines in its place this Statement of Principles.

**Kind of injury, disease or death**

3.
  - (a) This Statement of Principles is about **spasmodic torticollis** and **death from spasmodic torticollis**.
  - (b) For the purposes of this Statement of Principles, "**spasmodic torticollis**" means an acquired chronic focal dystonia, characterised by sustained or intermittent involuntary neck muscle contractions, causing repetitive movements or abnormal postures of the head.

The diagnosis is made in the absence of conditions which could account for the dystonia, including:

- (i) a generalised or hemi-dystonia; or
- (ii) a neurological disorder; or
- (iii) a structural lesion of the brain or cervical cord; or
- (iv) local lesions of the cervical region; or
- (v) a drug-induced tardive dystonia; or
- (vi) a posttraumatic dystonia.

A percentage of patients with spasmodic torticollis may have other focal or segmental (affecting adjacent parts) dystonias such as oral dystonia, mandibular dystonia, blepharospasm or dystonia affecting the neck and arm and/or a benign tremor.

- (c) Spasmodic torticollis attracts ICD-10-AM code G24.3.
- (d) In the application of this Statement of Principles, the definition of "**spasmodic torticollis**" is that given at paragraph 3(b) above.

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

4. After examining the available sound medical-scientific evidence the Repatriation Medical Authority is of the view that it is more probable than not on the sound medical-scientific evidence available, that the only factor that can be related to the cause of or material contribution to or aggravation of **spasmodic torticollis** or **death from spasmodic torticollis** and which can be related to relevant service rendered by veterans or members of the Forces under the VEA, or members under the *Military Rehabilitation and Compensation Act 2004* (the MRCA) is that set out in clause 5.

#### **Factors that must be related to service**

5. The factor that must exist before it can be said that, on the balance of probabilities, in relation to the circumstances of a person's relevant service causing or materially contributing to or aggravating **spasmodic torticollis** or **death from spasmodic torticollis** is inability to obtain appropriate clinical management for spasmodic torticollis.

#### **Other definitions**

6. For the purposes of this Statement of Principles:

"**death from spasmodic torticollis**" in relation to a person includes death from a terminal event or condition that was contributed to by the person's spasmodic torticollis;

**"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), Fifth Edition, effective date of 1 July 2006, copyrighted by the National Centre for Classification in Health, Sydney, NSW, and having ISBN 1 86487 772 3;

**"relevant service"** means:

- (a) eligible war service (other than operational service) under the VEA; or
- (b) defence service (other than hazardous service) under the VEA; or
- (c) peacetime service under the MRCA;

**"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**

- 7. This Instrument applies to all matters to which section 120B of the VEA or section 339 of the MRCA applies.

### **Date of effect**

- 8. This Instrument takes effect from 5 March 2008.

Dated this *twentieth* day of *February* 2008

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

KEN DONALD  
CHAIRPERSON