

Statement of Principles
concerning

ANAL FISSURE

No. 74 of 2010

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 anal fissure No. 74 of 2010.

Determination

2. The Repatriation Medical Authority under subsection **196B(3)** and **(8)** of the *Veterans' Entitlements Act 1986* (the VEA):
 - (a) revokes Instrument No. 248 of 1995, as amended by Instrument No. 12 of 1997, concerning anal fissure; and
 - (b) determines in their place this Statement of Principles.

Kind of injury, disease or death

3.
 - (a) This Statement of Principles is about **anal fissure** and **death from anal fissure**.
 - (b) For the purposes of this Statement of Principles, "**anal fissure**" means a split in the skin of the distal anal canal.
 - (c) Anal fissure attracts ICD-10-AM code in the range K60.0-K60.2.
 - (d) In the application of this Statement of Principles, the definition of "**anal fissure**" is that given at paragraph 3(b) above.

Basis for determining the factors

4. On the sound medical-scientific evidence available, the Repatriation Medical Authority is of the view that it is more probable than not that **anal fissure** and **death from anal fissure** 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).

Factors that must be related to service

5. Subject to clause 7, at least one of the factors set out in clause 6 must be related to the relevant service rendered by the person.

Factors

6. The factor that must exist before it can be said that, on the balance of probabilities, **anal fissure** or **death from anal fissure** is connected with the circumstances of a person's relevant service is:
 - (a) having trauma to the perianal area at the time of the clinical onset of anal fissure; or
 - (b) being infected with human immunodeficiency virus before the clinical onset of anal fissure; or
 - (c) having inflammatory bowel disease before the clinical onset of anal fissure; or
 - (d) having constipation at the time of the clinical onset of anal fissure; or
 - (e) being treated with nicorandil at the time of the clinical onset of anal fissure; or
 - (f) inability to obtain appropriate clinical management for anal fissure.

Factors that apply only to material contribution or aggravation

7. Paragraph 6(f) applies only to material contribution to, or aggravation of, anal fissure where the person's anal fissure was suffered or contracted before or during (but not arising out of) the person's relevant service.

Inclusion of Statements of Principles

8. 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 as in force from time to time.

Other definitions

9. For the purposes of this Statement of Principles:

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

"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), Seventh Edition, effective date of 1 July 2010, copyrighted by the National Centre for Classification in Health, Sydney, NSW, and having ISBN 978 1 74210 154 5;

"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;

"trauma to the perianal area" means injury to the perianal area including by childbirth, laceration by a foreign body, sexual assault or surgical procedure.

Application

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

Date of effect

11. This Instrument takes effect from 1 September 2010.

Dated this *eighteenth* day of *August* 2010

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

KEN DONALD
CHAIRPERSON