



Australian Government
Repatriation Medical Authority

Statement of Principles
concerning

ALLERGIC CONTACT DERMATITIS

No. 113 of 2011

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 allergic contact dermatitis No. 113 of 2011.

Determination

2. The Repatriation Medical Authority under subsection **196B(3)** and **(8)** of the *Veterans' Entitlements Act 1986* (the VEA):
 - (a) revokes Instrument No. 66 of 1997, as amended by Instrument No. 24 of 2004, concerning contact dermatitis; and
 - (b) determines in their place this Statement of Principles.

Kind of injury, disease or death

3.
 - (a) This Statement of Principles is about **allergic contact dermatitis** and **death from allergic contact dermatitis**.
 - (b) For the purposes of this Statement of Principles, "**allergic contact dermatitis**" means inflammation of an area of the skin resulting from direct contact with a chemical or biological agent. Allergic contact dermatitis is a cell-mediated delayed-type hypersensitivity reaction due to contact with an agent to which the individual has previously been sensitised. This definition excludes irritant contact dermatitis, photocontact dermatitis, systemic contact dermatitis, urticaria,

dermatitis due to exposure to extremes of weather, solar radiation (for example, solar skin damage) or other radiation or friction.

- (c) Allergic contact dermatitis attracts ICD-10-AM code L23.
- (d) In the application of this Statement of Principles, the definition of "**allergic contact dermatitis**" 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 **allergic contact dermatitis** and **death from allergic contact dermatitis** 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, **allergic contact dermatitis** or **death from allergic contact dermatitis** is connected with the circumstances of a person's relevant service is:
 - (a) having exposure to the allergen responsible for the allergic contact dermatitis, before the clinical onset of allergic contact dermatitis; or
 - (b) having direct cutaneous re-exposure to the allergen responsible for the allergic contact dermatitis, within the five days before the clinical worsening of allergic contact dermatitis; or
 - (c) inability to obtain appropriate clinical management for allergic contact dermatitis.

Factors that apply only to material contribution or aggravation

- 7. Paragraphs **6(b) to 6(c)** apply only to material contribution to, or aggravation of, allergic contact dermatitis where the person's allergic contact dermatitis 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:

"allergen" means any substance which is capable of inducing a specific immune response and of reacting with the products of that response, that is, with specific antibody or specifically sensitised T-lymphocytes;

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

"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.

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 31 August 2011.

Dated this *nineteenth* day of *August* 2011

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

KEN DONALD
CHAIRPERSON