



Australian Government
Repatriation Medical Authority

Statement of Principles
concerning
DISCOID LUPUS ERYTHEMATOSUS
(Balance of Probabilities)
(No. 127 of 2015)

The Repatriation Medical Authority determines the following Statement of Principles under subsection 196B(3) of the *Veterans' Entitlements Act 1986*.

Dated 16 October 2015

The Common Seal of the
Repatriation Medical Authority
was affixed to this instrument
at the direction of:

A handwritten signature in black ink, appearing to read 'Nicholas Saunders'.

Professor Nicholas Saunders AO
Chairperson

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1 Name

This is the Statement of Principles concerning *discoid lupus erythematosus (Balance of Probabilities)* (No. 127 of 2015).

2 Commencement

This instrument commences on 16 November 2015.

3 Authority

This instrument is made under subsection 196B(3) of the *Veterans' Entitlements Act 1986*.

4 Application

This instrument applies to a claim to which section 120B of the VEA or section 339 of the *Military Rehabilitation and Compensation Act 2004* applies.

5 Definitions

The terms defined in the Schedule 1 - Dictionary have the meaning given when used in this instrument.

6 Kind of injury, disease or death to which this Statement of Principles relates

- (1) This Statement of Principles is about discoid lupus erythematosus and death from discoid lupus erythematosus.

Meaning of discoid lupus erythematosus

- (2) For the purposes of this Statement of Principles, discoid lupus erythematosus means:
 - (a) a form of chronic cutaneous lupus erythematosus that commonly presents with erythematous, scaly plaques which often heal with scarring and atrophy; and
 - (b) excludes systemic lupus erythematosus.
- (3) While discoid lupus erythematosus attracts ICD-10-AM code L93.0, in applying this Statement of Principles the meaning of discoid lupus erythematosus is that given in subsection (2).
- (4) For subsection (3), a reference to an ICD-10-AM code is a reference to the code assigned to a particular kind of injury or disease in *The International Statistical Classification of Diseases and Related Health Problems, Tenth Revision, Australian Modification (ICD-10-AM)*, Ninth Edition, effective date of 1 July 2015, copyrighted by the Independent Hospital Pricing Authority, ISBN 978-1-76007-020-5.

Death from discoid lupus erythematosus

- (5) For the purposes of this Statement of Principles, discoid lupus erythematosus, in relation to a person, includes death from a terminal event or condition that was contributed to by the person's discoid lupus erythematosus.

Note: *terminal event* is defined in the Schedule 1 – Dictionary.

7 Basis for determining the factors

On the sound medical-scientific evidence available, the Repatriation Medical Authority is of the view that it is more probable than not that discoid lupus erythematosus and death from discoid lupus erythematosus can be related to relevant service rendered by veterans or members of the Forces under the VEA, or members under the MRCA.

Note: *relevant service* is defined in the Schedule 1 – Dictionary.

8 Factors that must exist

At least one of the following factors must exist before it can be said that, on the balance of probabilities, discoid lupus erythematosus or death from discoid lupus erythematosus is connected with the circumstances of a person's relevant service:

- (1) being exposed to sunlight or ultraviolet light at a level sufficient to induce erythema at least 24 hours, but not more than 30 days, before the clinical onset of discoid lupus erythematosus;
- (2) being treated with a class of drug from the specified list of classes of drugs at the time of the clinical onset of discoid lupus erythematosus;

Note: *specified list of classes of drugs* is defined in the Schedule 1 - Dictionary.

- (3) having an injury to the skin at the affected site within the 30 days before the clinical onset of discoid lupus erythematosus;

Note: *injury to the skin* is defined in the Schedule 1 - Dictionary.

- (4) being exposed to sunlight or ultraviolet light at a level sufficient to induce erythema at least 24 hours, but not more than 30 days, before the clinical worsening of discoid lupus erythematosus;

- (5) being treated with a class of drug from the specified list of classes of drugs at the time of the clinical worsening of discoid lupus erythematosus;

Note: *specified list of classes of drugs* is defined in the Schedule 1 - Dictionary.

- (6) having an injury to the skin at the affected site within the 30 days before the clinical worsening of discoid lupus erythematosus;

Note: *injury to the skin* is defined in the Schedule 1 - Dictionary.

- (7) where smoking has not ceased before the clinical worsening of discoid lupus erythematosus, smoking at least ten pack-years of cigarettes, or the equivalent thereof in other tobacco products, before the clinical worsening of discoid lupus erythematosus;

Note: *pack-years of cigarettes, or the equivalent thereof in other tobacco products* is defined in the Schedule 1 - Dictionary.

- (8) inability to obtain appropriate clinical management for discoid lupus erythematosus.

9 Relationship to service

- (1) The existence in a person of any factor referred to in section 8, must be related to the relevant service rendered by the person.
- (2) The factors set out in subsections 8(4) to 8(8) apply only to material contribution to, or aggravation of, discoid lupus erythematosus where the person's discoid lupus erythematosus was suffered or contracted before or during (but did not arise out of) the person's relevant service.

10 Factors referring to an injury or disease covered by another Statement of Principles

In this Statement of Principles:

- (1) if a factor referred to in section 8 applies in relation to a person; and
- (2) that factor refers to an injury or disease in respect of which a Statement of Principles has been determined under subsection 196B(3) of the VEA;

then the factors in that Statement of Principles apply in accordance with the terms of that Statement of Principles as in force from time to time.

Schedule 1 - Dictionary

Note: See Section 5

1 Definitions

In this instrument:

discoid lupus erythematosus—see subsection 6(2).

injury to the skin means any injury which is capable of causing inflammation of the skin, and includes cuts, abrasions, radiation, burns, pressure, tattooing and contact dermatitis.

MRCA means the *Military Rehabilitation and Compensation Act 2004*.

pack-years of cigarettes, or the equivalent thereof in other tobacco products means a calculation of consumption where one pack-year of cigarettes equals 20 tailor-made cigarettes per day for a period of one calendar year, or 7 300 cigarettes. One tailor-made cigarette approximates one gram of tobacco or one gram of cigar or pipe tobacco by weight. One pack-year of tailor-made cigarettes equates to 7.3 kilograms of smoking tobacco by weight. Tobacco products mean cigarettes, pipe tobacco or cigars, smoked alone or in any combination.

relevant service means:

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

specified list of classes of drugs means:

- (a) fluorouracils, excluding topical agents; or
- (b) tumour necrosis factor-alpha inhibitors.

terminal event means the proximate or ultimate cause of death and includes the following:

- (a) pneumonia;
- (b) respiratory failure;
- (c) cardiac arrest;
- (d) circulatory failure; or
- (e) cessation of brain function.

VEA means the *Veterans' Entitlements Act 1986*.