



Australian Government
Repatriation Medical Authority

Statement of Principles
concerning
ADHESIVE CAPSULITIS OF THE
SHOULDER
(Balance of Probabilities)
(No. 73 of 2020)

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

Dated 30 October 2020

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 *adhesive capsulitis of the shoulder (Balance of Probabilities)* (No. 73 of 2020).

2 Commencement

This instrument commences on 30 November 2020.

3 Authority

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

4 Repeal

The Statement of Principles concerning adhesive capsulitis of the shoulder No. 8 of 2012 (Federal Register of Legislation No. F2012L00016) made under subsection 196B(3) of the VEA is repealed.

5 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.

6 Definitions

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

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

- (1) This Statement of Principles is about adhesive capsulitis of the shoulder and death from adhesive capsulitis of the shoulder.

*Meaning of **adhesive capsulitis of the shoulder***

- (2) For the purposes of this Statement of Principles, adhesive capsulitis of the shoulder means a clinical condition characterised by shoulder pain and stiffness and severe functional restriction of both active and passive shoulder motion, lasting for at least 28 days.

Note 1: Adhesive capsulitis of the shoulder is also known as frozen shoulder.

Note 2: Typically, the initial phase of this condition is characterised by severe pain followed by gradually increasing stiffness.

- (3) While adhesive capsulitis of the shoulder attracts ICD-10-AM code M75.0, in applying this Statement of Principles the meaning of adhesive capsulitis of the shoulder 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)*, Tenth Edition, effective date of 1 July 2017, copyrighted by the Independent Hospital Pricing Authority, ISBN 978-1-76007-296-4.

Death from adhesive capsulitis of the shoulder

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

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

8 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 adhesive capsulitis of the shoulder and death from adhesive capsulitis of the shoulder can be related to relevant service rendered by veterans or members of the Forces under the VEA, or members under the MRCA.

Note: *MRCA*, *relevant service* and *VEA* are defined in the Schedule 1 - Dictionary.

9 Factors that must exist

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

- (1) having a significant injury involving the arm or shoulder of the affected side within the six months before the clinical onset of adhesive capsulitis of the shoulder;

Note: *significant injury involving the arm or shoulder* is defined in the Schedule 1 - Dictionary.

- (2) undergoing a surgical procedure involving the shoulder, chest wall or neck of the affected side within the six months before the clinical onset of adhesive capsulitis of the shoulder;
- (3) having paralysis of the affected shoulder within the one year before the clinical onset of adhesive capsulitis of the shoulder;
- (4) having rotator cuff syndrome of the affected side at the time of the clinical onset of adhesive capsulitis of the shoulder;

- (5) having a malignant neoplasm involving the region of the affected shoulder or the adjacent thoracic region, including the breast, within the one year before the clinical onset of adhesive capsulitis of the shoulder;
- (6) having diabetes mellitus at the time of the clinical onset of adhesive capsulitis of the shoulder;
- (7) having a thyroid disease from the specified list of thyroid diseases at the time of the clinical onset of adhesive capsulitis of the shoulder;
Note: *specified list of thyroid diseases* is defined in the Schedule 1 - Dictionary.
- (8) having Parkinson's disease at the time of the clinical onset of adhesive capsulitis of the shoulder;
- (9) taking highly active antiretroviral therapy for human immunodeficiency virus infection at the time of the clinical onset of adhesive capsulitis of the shoulder;
- (10) having a significant injury involving the arm or shoulder of the affected side within the six months before the clinical worsening of adhesive capsulitis of the shoulder;
Note: *significant injury involving the arm or shoulder* is defined in the Schedule 1 - Dictionary.
- (11) undergoing a surgical procedure involving the shoulder, chest wall or neck of the affected side within the six months before the clinical worsening of adhesive capsulitis of the shoulder;
- (12) having paralysis of the affected shoulder within the one year before the clinical worsening of adhesive capsulitis of the shoulder;
- (13) having rotator cuff syndrome of the affected side at the time of the clinical worsening of adhesive capsulitis of the shoulder;
- (14) having a malignant neoplasm involving the region of the affected shoulder or the adjacent thoracic region, including the breast, within the one year before the clinical worsening of adhesive capsulitis of the shoulder;
- (15) having diabetes mellitus at the time of the clinical worsening of adhesive capsulitis of the shoulder;
- (16) having a thyroid disease from the specified list of thyroid diseases at the time of the clinical worsening of adhesive capsulitis of the shoulder;
Note: *specified list of thyroid diseases* is defined in the Schedule 1 - Dictionary.
- (17) having Parkinson's disease at the time of the clinical worsening of adhesive capsulitis of the shoulder;

- (18) taking highly active antiretroviral therapy for human immunodeficiency virus infection at the time of the clinical worsening of adhesive capsulitis of the shoulder;
- (19) inability to obtain appropriate clinical management for adhesive capsulitis of the shoulder.

10 Relationship to service

- (1) The existence in a person of any factor referred to in section 9, must be related to the relevant service rendered by the person.
- (2) The factors set out in subsections 9(10) to 9(19) apply only to material contribution to, or aggravation of, adhesive capsulitis of the shoulder where the person's adhesive capsulitis of the shoulder was suffered or contracted before or during (but did not arise out of) the person's relevant service.

11 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 9 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 6

1 Definitions

In this instrument:

adhesive capsulitis of the shoulder—see subsection 7(2).

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

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.

Note: ***MRCA*** and ***VEA*** are also defined in the Schedule 1 - Dictionary.

significant injury involving the arm or shoulder means an injury that results in substantial pain, swelling, tenderness and immobilisation of the arm or shoulder.

Note: Examples of injuries that result in substantial pain, swelling, tenderness and immobilisation of the arm or shoulder include fracture of a bone of the shoulder (humerus, scapula or clavicle), fracture of a bone of the arm, penetrating injury to the shoulder joint, dislocation of the shoulder or a joint of the arm, and significant injuries to the soft tissues of the arm or shoulder.

specified list of thyroid diseases means:

- (a) Graves' disease;
- (b) Hashimoto's thyroiditis;
- (c) hyperthyroidism and thyrotoxicosis; or
- (d) hypothyroidism.

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*.