



Australian Government
Repatriation Medical Authority

Statement of Principles
concerning
SOLAR KERATOSIS
(Balance of Probabilities)
(No. 80 of 2021)

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

Dated 25 June 2021

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

Professor Nicholas Saunders AO
Chairperson

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1 Name

This is the Statement of Principles concerning *solar keratosis (Balance of Probabilities)* (No. 80 of 2021).

2 Commencement

This instrument commences on 26 July 2021.

3 Authority

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

4 Repeal

The Statement of Principles concerning solar keratosis No. 74 of 2012 (Federal Register of Legislation No. F2012L02085) made under subsection 196B(3) of the VEA is repealed.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 solar keratosis and death from solar keratosis.

Meaning of solar keratosis

- (2) For the purposes of this Statement of Principles, solar keratosis:
- (a) means a cutaneous lesion characterised by the local proliferation of atypical (dysplastic) epidermal keratinocytes; and
 - (b) includes sun-damaged skin adjacent to a localised skin lesion (field cancerisation); and
 - (c) excludes Bowen disease, arsenical keratoses and other keratoses that are not related to ultraviolet light exposure.

Note 1: Solar keratosis is also known as actinic keratosis.

Note 2: Solar keratoses typically present as single or multiple rough erythematous plaques that occur on sun-damaged skin, but the clinical appearance is highly variable, and lesions can be difficult to visualise.

Note 3: Solar keratoses may regress spontaneously, remain stable or undergo malignant transformation into invasive squamous cell carcinoma.

- (3) While solar keratosis attracts ICD-10-AM code L57.0, in applying this Statement of Principles the meaning of solar keratosis 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 solar keratosis

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

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 solar keratosis and death from solar keratosis 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, solar keratosis or death from solar keratosis is connected with the circumstances of a person's relevant service:

- (1) having sunlight exposure to unprotected skin at the affected site for a cumulative period of at least 4,500 hours while in a tropical area, or having equivalent sunlight exposure in other latitude zones, before the clinical onset of solar keratosis;

Note: *equivalent sunlight exposure in other latitude zones*, *tropical area* and *unprotected skin* are defined in the Schedule 1 - Dictionary.

- (2) undergoing organ or tissue transplantation, excluding corneal transplant, before the clinical onset of solar keratosis;

Note: *organ or tissue transplantation* is defined in the Schedule 1 - Dictionary.

- (3) having PUVA therapy involving the affected site where:
 - (a) the first PUVA treatment commenced at least 5 years before the clinical onset of solar keratosis; and
 - (b) at least 50 PUVA treatments were administered before the clinical onset of solar keratosis;
- Note: *PUVA* is defined in the Schedule 1 - Dictionary.
- (4) taking hydroxyurea or voriconazole for at least the 3 months before the clinical onset of solar keratosis;
 - (5) inability to obtain appropriate clinical management for solar keratosis.

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 factor set out in subsection 9(5) applies only to material contribution to, or aggravation of, solar keratosis where the person's solar keratosis 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:

equivalent sunlight exposure in other latitude zones means the cumulative hours of sunlight exposure equivalent to that specified for a tropical area, calculated by multiplying the hours of exposure in each latitude zone by the latitude weighting factor for the zone as per the latitude weighting factor schedule and adding together the result for each zone:

<u>Latitude zone</u>	<u>Latitude weighting factor</u>
a latitude between 23° 27' S and 23° 27' N	1.0
a latitude from > 23° 27' to 35°	0.75
a latitude from > 35° to 45°	0.5
a latitude from > 45° to 65°	0.25.

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

organ or tissue transplantation means the transplantation of:

- (a) all or part of an organ or tissue; or
- (b) a substance obtained from an organ or tissue.

PUVA means photochemotherapy with oral methoxsalen (psoralen) and ultraviolet A radiation.

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.

solar keratosis—see subsection 7(2).

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.

tropical area means any area between the Tropic of Capricorn (23° 27' South) and the Tropic of Cancer (23° 27' North).

unprotected skin means skin that is directly exposed to the sun and is not protected by sunscreen, clothing or any other physical barrier.

VEA means the *Veterans' Entitlements Act 1986*.