



Australian Government
Repatriation Medical Authority

Statement of Principles
concerning
HODGKIN LYMPHOMA
(Reasonable Hypothesis)
(No. 70 of 2023)

The Repatriation Medical Authority determines the following Statement of Principles under subsection 196B(2) of the *Veterans' Entitlements Act 1986*.

Dated 23 June 2023.

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

Professor Terence Campbell AM
Chairperson

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1 Name

This is the Statement of Principles concerning *Hodgkin lymphoma (Reasonable Hypothesis)* (No. 70 of 2023).

2 Commencement

This instrument commences on 25 July 2023.

3 Authority

This instrument is made under subsection 196B(2) of the *Veterans' Entitlements Act 1986*.

4 Repeal

The Statement of Principles concerning Hodgkin's lymphoma No. 35 of 2014 (Federal Register of Legislation No. F2014L00467) made under subsection 196B(2) of the VEA is repealed.

5 Application

This instrument applies to a claim to which section 120A of the VEA or section 338 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 Hodgkin lymphoma and death from Hodgkin lymphoma.

*Meaning of **Hodgkin lymphoma***

- (2) For the purposes of this Statement of Principles, Hodgkin lymphoma:
- (a) means a specific group of malignant neoplasms of the lymph nodes and lymphoid tissue derived from B lymphocytes; and
 - (b) includes:
 - (i) nodular sclerosis classical Hodgkin lymphoma;
 - (ii) lymphocyte-rich classical Hodgkin lymphoma;
 - (iii) mixed cellularity classical Hodgkin lymphoma;
 - (iv) lymphocyte-depleted classical Hodgkin lymphoma; and
 - (v) nodular lymphocyte predominant Hodgkin lymphoma; and
 - (c) excludes non-Hodgkin lymphoma.

Note 1: Hodgkin lymphoma is also known as Hodgkin's lymphoma and Hodgkin's disease.

Note 2: Symptoms of Hodgkin lymphoma include painless lymphadenopathy, fever, night sweats and loss of body mass.

- (3) While Hodgkin lymphoma attracts ICD-10-AM code C81, in applying this Statement of Principles the meaning of Hodgkin lymphoma 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 Hodgkin lymphoma

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

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

8 Basis for determining the factors

The Repatriation Medical Authority is of the view that there is sound medical-scientific evidence that indicates that Hodgkin lymphoma and death from Hodgkin lymphoma can be related to relevant service rendered by veterans, members of Peacekeeping Forces, 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 as a minimum exist before it can be said that a reasonable hypothesis has been raised connecting Hodgkin lymphoma or death from Hodgkin lymphoma with the circumstances of a person's relevant service:

- (1) having smoked tobacco products:
 - (a) in an amount of at least 10 pack-years before the clinical onset of Hodgkin lymphoma; and
 - (b) commencing at least 5 years before the clinical onset of Hodgkin lymphoma; and

if smoking has ceased before the clinical onset of Hodgkin lymphoma, then that onset occurred within 10 years of cessation;

Note: *one pack-year* is defined in the Schedule 1 - Dictionary.

- (2) being obese for at least 5 years within the 20 years before the clinical onset of Hodgkin lymphoma;

Note: *being obese* is defined in the Schedule 1 - Dictionary.

- (3) having infection with human immunodeficiency virus before the clinical onset of Hodgkin lymphoma;
- (4) having serological evidence of infection with Epstein-Barr virus before the clinical onset of Hodgkin lymphoma;
- (5) having an autoimmune disease from the specified list of autoimmune diseases before the clinical onset of Hodgkin lymphoma;

Note: *specified list of autoimmune diseases* is defined in the Schedule 1 - Dictionary.

- (6) having received a stem cell, bone marrow or solid organ transplantation before the clinical onset of Hodgkin lymphoma;
- (7) having mature B-cell lymphoid leukaemia/small lymphocytic lymphoma at the time of the clinical onset of Hodgkin lymphoma;

Note: Mature B-cell lymphoid leukaemia/small lymphocytic lymphoma are also known as mature B-cell lymphoid leukaemia and small lymphocytic lymphoma, and chronic lymphocytic leukaemia/small lymphocytic lymphoma.

- (8) inhaling, ingesting or having cutaneous contact with a chemical agent contaminated by 2,3,7,8-tetrachlorodibenzo-para-dioxin (TCDD):
 - (a) for a cumulative period of at least 1,000 hours, within a consecutive period of 10 years, before the clinical onset of Hodgkin lymphoma; and
 - (b) where the first exposure occurred at least 5 years before the clinical onset of Hodgkin lymphoma;

Note: *inhaling, ingesting or having cutaneous contact with a chemical agent contaminated by 2,3,7,8-tetrachlorodibenzo-para-dioxin (TCDD)* is defined in the Schedule 1 – Dictionary.

- (9) being:
 - (a) on land in Vietnam; or
 - (b) at sea in Vietnamese waters; or
 - (c) on board a vessel and consuming potable water supplied on that vessel, when the water supply had been produced by evaporative distillation of estuarine Vietnamese waters,

for a cumulative period of at least 30 days, at least 5 years before the clinical onset of Hodgkin lymphoma;

Note: *being: (a) on land in Vietnam; or (b) at sea in Vietnamese waters; and estuarine Vietnamese waters and potable water* are defined in the Schedule 1 – Dictionary.

- (10) having an active tuberculosis disease before the clinical onset of Hodgkin lymphoma;

Note: *active tuberculosis disease* is defined in the Schedule 1 - Dictionary.

- (11) inability to obtain appropriate clinical management for Hodgkin lymphoma before the clinical worsening of Hodgkin lymphoma.

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(11) applies only to material contribution to, or aggravation of, Hodgkin lymphoma where the person's Hodgkin lymphoma 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(2) 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:

active tuberculosis disease means an illness in which tuberculosis bacteria are multiplying and inducing an inflammatory response.

being: (a) on land in Vietnam; or (b) at sea in Vietnamese waters; means service in at least one of the areas and at the times described in Items 4 and 8 of Schedule 2 of the VEA.

being obese means having a Body Mass Index (BMI) of 30 or greater.

Note: **BMI** is also defined in the Schedule 1 - Dictionary.

BMI means W/H^2 where:

(a) W is the person's weight in kilograms; and

(b) H is the person's height in metres.

estuarine Vietnamese waters means at least one of the waterways or harbours in the relevant areas described in Items 4 and 8 of Schedule 2 of the VEA.

Hodgkin lymphoma—see subsection 7(2).

inhaling, ingesting or having cutaneous contact with a chemical agent contaminated by 2,3,7,8-tetrachlorodibenzo-para-dioxin (TCDD) means:

- (a) decanting or spraying;
- (b) cleaning or maintaining equipment used to apply;
- (c) being sprayed with;
- (d) handling or sawing timber treated with;
- (e) being in an environment shrouded in dust from timber treated with; or
- (f) using cutting oils contaminated with;

one of the following chemicals:

- (a) 2,4,5-trichlorophenoxyacetic acid;
- (b) 2,4,5-trichlorophenoxypropionic acid;
- (c) 2,4,5-trichlorophenol;
- (d) 2-(2,4,5-trichlorophenoxy)-ethyl 2,2-dichloropropionate;
- (e) o,o-dimethyl-o-(2,4,5-trichlorophenyl)-phosphorothioate;
- (f) pentachlorophenol;
- (g) 2,3,4,6-tetrachlorophenol;
- (h) 2,4,6-trichlorophenol;
- (i) 1,3,5-trichloro-2-(4-nitrophenoxy)benzene;
- (j) 2,4-dichloro-1-(4-nitrophenoxy)benzene; or
- (k) 2,4-dichloro-1-(3-methoxy-4-nitrophenoxy)-benzene.

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

one pack-year means the amount of tobacco consumed in smoking 20 cigarettes per day for a period of 1 year, or an equivalent amount of tobacco products.

Note 1: An equivalent amount of tobacco products is 7,300 grams of smoking tobacco by weight, either in cigarettes, pipe tobacco or cigars, or a combination of same. For pipe tobacco, cigars or combinations of multiple tobacco types, 1 gram of tobacco is considered to be equal to one cigarette.

Note 2: Pack-years are calculated by dividing the number of cigarettes smoked per day by 20 and multiplying this number by the number of years the person has smoked. For example, smoking 10 cigarettes per day for 10 years is equal to 5 pack-years, and smoking 40 cigarettes per day for 10 years is equal to 20 pack-years.

potable water means water that is safe for drinking, food preparation and beverage production.

relevant service means:

- (a) operational service under the VEA;
- (b) peacekeeping service under the VEA;
- (c) hazardous service under the VEA;
- (d) British nuclear test defence service under the VEA;
- (e) warlike service under the MRCA; or
- (f) non-warlike service under the MRCA.

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

specified list of autoimmune diseases means:

- (a) autoimmune haemolytic anaemia;
- (b) Behçet disease;
- (c) giant cell arteritis;
- (d) immune thrombocytopaenic purpura;
- (e) polyarteritis nodosa;
- (f) polymyalgia rheumatica;
- (g) polymyositis;
- (h) psoriasis;
- (i) rheumatoid arthritis;
- (j) sarcoidosis;
- (k) Sjögren syndrome; or
- (l) systemic lupus erythematosus.

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*.