



**Australian Government**  
**Repatriation Medical Authority**

**Statement of Principles**  
**concerning**  
**CHARCOT-MARIE-TOOTH DISEASE**  
**(Reasonable Hypothesis)**  
**(No. 88 of 2023)**

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

Dated 25 August 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 *Charcot-Marie-Tooth disease (Reasonable Hypothesis)* (No. 88 of 2023).

**2 Commencement**

This instrument commences on 26 September 2023.

**3 Authority**

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

**4 Repeal**

The Statement of Principles concerning Charcot-Marie-Tooth disease No. 21 of 2015 (Federal Register of Legislation No. F2014L01827) made under subsection 196B(2) of the VEA is repealed.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 Charcot-Marie-Tooth disease and death from Charcot-Marie-Tooth disease.

*Meaning of Charcot-Marie-Tooth disease*

- (2) For the purposes of this Statement of Principles, Charcot-Marie-Tooth disease means one of a group of genetic disorders of myelin structure or axon function which results in chronic peripheral motor and sensory neuropathies.

Note: Clinical manifestations include progressive distal muscle weakness and atrophy starting in the feet and legs, gait disturbance and absent stretch reflexes.

- (3) While Charcot-Marie-Tooth disease attracts ICD-10-AM code G60.0, in applying this Statement of Principles the meaning of Charcot-Marie-Tooth disease 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 Charcot-Marie-Tooth disease*

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

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 Charcot-Marie-Tooth disease and death from Charcot-Marie-Tooth disease 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 Charcot-Marie-Tooth disease or death from Charcot-Marie-Tooth disease with the circumstances of a person's relevant service:

- (1) taking a drug that cannot be ceased or substituted in the long term and which is associated in the individual with the clinical worsening of Charcot-Marie-Tooth disease during drug therapy and either:
- (a) the improvement of Charcot-Marie-Tooth disease within 3 months of discontinuing or tapering drug therapy; or
  - (b) the clinical worsening of Charcot-Marie-Tooth disease on rechallenge with the same drug or another drug from the same class of drugs; and

where the drug was being taken at the time of the clinical worsening of Charcot-Marie-Tooth disease;

- (2) inability to obtain appropriate clinical management for Charcot-Marie-Tooth disease before the clinical worsening of Charcot-Marie-Tooth disease.

## **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(1) and 9(2) apply only to material contribution to, or aggravation of, Charcot-Marie-Tooth disease where the person's Charcot-Marie-Tooth disease 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:

***Charcot-Marie-Tooth disease***—see subsection 7(2).

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

***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 defined in the Schedule 1 - Dictionary.

***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*.