Specialist Medical Review Council

Declarations

Section 196W
Veterans' Entitlements Act 1986

Re: Statements of Principles Nos. 37 & 38 of 2005 as amended by Statements of Principles Nos. 78 & 79 of 2008 and 36 & 37 of 2010 in respect of lumbar spondylosis

Request for Review Declaration No. 19

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1. In relation to the Repatriation Medical Authority (the RMA) Statement of Principles concerning lumbar spondylosis No. 37 of 2005, as amended by Statement of Principles No. 78 of 2008 and Statement of Principles No. 36 of 2010, made under subsections 196B (2) and (8) of the *Veterans' Entitlements Act 1986* (the VEA), the Specialist Medical Review Council (the Council) under subsection 196W of the VEA:

   DECLARES that there is sound medical-scientific evidence on which the RMA could have relied to amend the Statement of Principles to include the factor/s set out below;

   DIRECTS the RMA to amend Statement of Principles concerning lumbar spondylosis No. 37 of 2005, as amended by Statement of Principles No. 78 of 2008 and Statement of Principles No. 36 of 2010 by including factors:

   - for extreme prolonged forward flexion/bending for a cumulative total of at least 1500 hours.

   AND DECLARES that the sound medical-scientific evidence available to the RMA is insufficient to justify any amendment to the Statement of Principles to include a factor for repetitive extension or twisting of the lumbar spine.

2. In relation to the RMA Statement of Principles concerning lumbar spondylosis No. 38 of 2005, as amended by Statement of Principles No.79 of 2008 and Statement of Principles No. 37 of 2010, made under subsections 196B(3) and (8) of the VEA the Council under subsection196W of the VEA:

DECLARES that there is sound medical-scientific evidence on which the RMA could have relied to amend the Statement of Principles to include the factor/s set out below;

DIRECTS the RMA to amend Statement of Principles concerning lumbar spondylosis No. 38 of 2005, as amended by Statement of Principles Nos. 79 of 2008 and Statement of Principles Nos. 37 of 2010 by including factors:

- for extreme/prolonged forward flexion/bending for a cumulative total of at least 1500 hours.

AND DECLARES that the sound medical-scientific evidence available to the RMA is insufficient to justify any amendment to the Statement of Principles to include a factor for repetitive extension or twisting of the lumbar spine.

David Glen Newman	Robert Graham Cumming	John Arthur Lewis Hart	Geoffrey Owen Littlejohn
Presiding Councillor	Councillor	Councillor	Councillor

The Common Seal of the Specialist Medical Review Council was affixed by authority of the Council in the presence of:)

Jan Bowman
Registrar, SMRC

Dated this ***Twenty-first*** day of ***June*** 2013

The Council's Reasons for Decision in relation to this Declaration can be obtained from its website at www.smrc.gov.au, or on request by writing to the Specialist Medical Review Council Secretariat, PO Box 895, Woden ACT 2606 or by telephoning (07) 3223 8420.