

Statement of Principles
concerning

LOSS OF TEETH

No. 74 of 2007

for the purposes of the

Veterans' Entitlements Act 1986
and
Military Rehabilitation and Compensation Act 2004

Title

1. This Instrument may be cited as Statement of Principles concerning loss of teeth No. 74 of 2007.

Determination

2. The Repatriation Medical Authority under subsection **196B(3)** and **(8)** of the *Veterans' Entitlements Act 1986* (the VEA):
 - (a) revokes Instrument No. 6 of 2003 concerning loss of teeth; and
 - (b) determines in its place this Statement of Principles.

Kind of injury, disease or death

3.
 - (a) This Statement of Principles is about **loss of teeth** and **death from loss of teeth**.
 - (b) For the purposes of this Statement of Principles, "**loss of teeth**" means the permanent loss of one or more teeth of the secondary dentition, with or without retained dental root.
 - (c) Loss of teeth attracts ICD-10-AM code K08.1 or K08.3.
 - (d) In the application of this Statement of Principles, the definition of "**loss of teeth**" is that given at paragraph 3(b) above.

Basis for determining the factors

4. On the sound medical-scientific evidence available, the Repatriation Medical Authority is of the view that it is more probable than not that **loss of teeth** and **death from loss of teeth** can be related to relevant service rendered by veterans or members of the Forces under the VEA, or members under the *Military Rehabilitation and Compensation Act 2004* (the MRCA).

Factors that must be related to service

5. Subject to clause 7, at least one of the factors set out in clause 6 must be related to the relevant service rendered by the person.

Factors

6. The factor that must exist before it can be said that, on the balance of probabilities, **loss of teeth** or **death from loss of teeth** is connected with the circumstances of a person's relevant service is:
 - (a) having dental caries in the affected tooth at the time of the clinical onset of loss of teeth; or
 - (b) having periodontitis in the periodontium supporting the affected tooth, at the time of the clinical onset of loss of teeth; or
 - (c) having dental pulp disease of the affected tooth at the time of the clinical onset of loss of teeth; or
 - (d) having a fracture or luxation of the affected tooth within the five years before the clinical onset of loss of teeth; or
 - (e) having a fracture or disruption of the alveolar bone supporting the affected tooth, within the five years before the clinical onset of loss of teeth; or
 - (f) receiving direct physical trauma to the affected tooth resulting in avulsion of the tooth at the time of the clinical onset of loss of teeth; or
 - (g) having avulsion and subsequent replantation of the affected tooth before the clinical onset of loss of teeth; or
 - (h) inability to obtain appropriate clinical management for loss of teeth.

Factors that apply only to material contribution or aggravation

7. Paragraph **6(h)** applies only to material contribution to, or aggravation of, loss of teeth where the person's loss of teeth was suffered or contracted before or during (but not arising out of) the person's relevant service.

Inclusion of Statements of Principles

8. In this Statement of Principles if a relevant factor applies and that factor includes an injury or disease in respect of which there is a Statement of Principles then the factors in that last mentioned Statement of Principles apply in accordance with the terms of that Statement of Principles as in force from time to time.

Other definitions

9. For the purposes of this Statement of Principles:

"avulsion" means the total displacement of the tooth out of its alveolar socket;

"death from loss of teeth" in relation to a person includes death from a terminal event or condition that was contributed to by the person's loss of teeth;

"disruption of the alveolar bone" means any interruption or distortion of the alveolar bone caused by a disease process affecting the alveolar bone, including infiltration by primary or secondary malignancy, Paget's disease of bone or tuberculosis;

"ICD-10-AM code" means a number assigned to a particular kind of injury or disease in The International Statistical Classification of Diseases and Related Health Problems, 10th revision, Australian Modification (ICD-10-AM), Fifth Edition, effective date of 1 July 2006, copyrighted by the National Centre for Classification in Health, Sydney, NSW, and having ISBN 1 86487 772 3;

"relevant service" means:

- (a) eligible war service (other than operational service) under the VEA; or
- (b) defence service (other than hazardous service) under the VEA; or
- (c) peacetime service under the MRCA;

"terminal event" means the proximate or ultimate cause of death and includes:

- (a) pneumonia;
- (b) respiratory failure;
- (c) cardiac arrest;
- (d) circulatory failure; or
- (e) cessation of brain function.

Application

- 10.** This Instrument applies to all matters to which section 120B of the VEA or section 339 of the MRCA applies.

Date of effect

- 11.** This Instrument takes effect from 4 July 2007.

Dated this **twentieth** day of **June**
2007

The Common Seal of the)
Repatriation Medical Authority)
was affixed to this instrument)
in the presence of:)

**KEN DONALD
CHAIRPERSON**