



Australian Government
Repatriation Medical Authority

Statement of Principles concerning

MALIGNANT NEOPLASM OF THE STOMACH

No. 59 of 2014

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 malignant neoplasm of the stomach No. 59 of 2014.

Determination

2. The Repatriation Medical Authority under subsection **196B(3)** and **(8)** of the *Veterans' Entitlements Act 1986* (the VEA):
 - (a) revokes Instrument No. 8 of 2003, as amended by Instrument No. 66 of 2011, concerning malignant neoplasm of the stomach; and
 - (b) determines in their place this Statement of Principles.

Kind of injury, disease or death

3.
 - (a) This Statement of Principles is about **malignant neoplasm of the stomach** and **death from malignant neoplasm of the stomach**.
 - (b) For the purposes of this Statement of Principles, "**malignant neoplasm of the stomach**" means a primary malignant neoplasm arising from the epithelial cells of the stomach. Anatomically the stomach is defined as extending from the lower border of the oesophageal sphincter, to, and including, the pyloric sphincter. This definition of malignant neoplasm of the stomach excludes soft tissue

sarcoma, carcinoid tumour, non-Hodgkin's lymphoma and Hodgkin's lymphoma.

- (c) Malignant neoplasm of the stomach attracts ICD-10-AM code C16.
- (d) In the application of this Statement of Principles, the definition of "**malignant neoplasm of the stomach**" 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 **malignant neoplasm of the stomach** and **death from malignant neoplasm of the stomach** 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, **malignant neoplasm of the stomach** or **death from malignant neoplasm of the stomach** is connected with the circumstances of a person's relevant service is:
 - (a) smoking at least 25 pack-years of cigarettes, or the equivalent thereof in other tobacco products, where smoking commenced at least 20 years before the clinical onset of malignant neoplasm of the stomach, and where smoking has ceased, the clinical onset of malignant neoplasm of the stomach has occurred within 15 years of cessation; or
 - (b) having received a cumulative equivalent dose of at least 0.5 sievert of ionising radiation to the stomach at least ten years before the clinical onset of malignant neoplasm of the stomach; or
 - (c) for non-cardia gastric carcinoma only, being infected with *Helicobacter pylori* at least ten years before the clinical onset of malignant neoplasm of the stomach; or
 - (d) having chronic atrophic gastritis, where the chronic atrophic gastritis commenced at least 15 years before the clinical onset of malignant neoplasm of the stomach; or
 - (e) inability to obtain appropriate clinical management for malignant neoplasm of the stomach.

Factors that apply only to material contribution or aggravation

- 7. Paragraph 6(e) applies only to material contribution to, or aggravation of, malignant neoplasm of the stomach where the person's malignant neoplasm of

the stomach 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:

"chronic atrophic gastritis" means inflammation of the gastric mucosa characterised by variable gland loss and inflammatory infiltrate extending below the lamina propria with distortion and destruction of the gastric glands;

"cumulative equivalent dose" means the total dose of ionising radiation received by the particular organ or tissue. The formula used to calculate the cumulative equivalent dose allows doses from multiple types of ionising radiation to be combined, by accounting for their differing biological effect. The unit of equivalent dose is the sievert. For the purposes of this Statement of Principles, the calculation of cumulative equivalent dose excludes doses received from normal background radiation, but includes therapeutic radiation, diagnostic radiation, cosmic radiation at high altitude, radiation from occupation related sources and radiation from nuclear explosions or accidents;

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

"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), Eighth Edition, effective date of 1 July 2013, copyrighted by the Independent Hospital Pricing Authority, and having ISBN 978-1-74128-213-9;

"non-cardia gastric carcinoma" means a carcinoma that has arisen in the mucosa of any part of the stomach, excluding that part of the stomach immediately adjacent to and surrounding the opening of the oesophagus (the cardia of the stomach) that is distinguished histologically by the presence of cardiac glands and the absence of parietal (acid secreting) and chief (pepsin secreting) cells;

"pack-years of cigarettes, or the equivalent thereof in other tobacco products" means a calculation of consumption where one pack-year of cigarettes equals twenty tailor-made cigarettes per day for a period of one calendar year, or 7 300 cigarettes. One tailor-made cigarette approximates one gram of tobacco or one gram of cigar or pipe tobacco by weight. One pack-year of tailor-made cigarettes equates to 7.3 kilograms of smoking tobacco by weight. Tobacco products mean cigarettes, pipe tobacco or cigars, smoked alone or in any combination;

"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;

"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 2 July 2014.

Dated this *twentieth* day of *June* 2014

The Common Seal of the
Repatriation Medical Authority
was affixed at the direction of:)
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PROFESSOR NICHOLAS SAUNDERS AO

CHAIRPERSON