



Australian Government
Repatriation Medical Authority

Statement of Principles
concerning
OTOSCLEROSIS
(Balance of Probabilities)
(No. 24 of 2025)

The Repatriation Medical Authority determines the following Statement of Principles under subsection 196B(3) of the *Veterans' Entitlements Act 1986*.

Dated 18 February 2025.

Professor Terence Campbell AM
Chairperson
by and on behalf of
The Repatriation Medical Authority

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1 Name

This is the Statement of Principles concerning *otosclerosis (Balance of Probabilities)* (No. 24 of 2025).

2 Commencement

This instrument commences on 25 March 2025.

3 Authority

This instrument is made under subsection 196B(3) of the *Veterans' Entitlements Act 1986*.

4 Repeal

The Statement of Principles concerning otosclerosis (Balance of Probabilities) (No. 62 of 2016) (Federal Register of Legislation No. F2016L01154) made under subsection 196B(3) of the VEA is repealed.

5 Application

This instrument applies to a claim to which section 120B of the VEA or section 339 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 otosclerosis and death from otosclerosis.

Meaning of otosclerosis

- (2) For the purposes of this Statement of Principles, otosclerosis:
 - (a) means a disorder of the ear characterised by abnormal bone remodelling of the otic capsule which can progress towards the stapes resulting in conductive hearing loss, or less commonly towards the cochlea resulting in sensorineural hearing loss; and
 - (b) excludes familial otosclerosis.

Note 1: *otic capsule* is defined in the Schedule 1 – Dictionary.

Note 2: Mixed hearing loss, which includes both conductive and sensorineural hearing loss, can also occur.

- (3) While otosclerosis attracts ICD-10-AM code H80, in applying this Statement of Principles the meaning of otosclerosis 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 otosclerosis

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

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

8 Basis for determining the factors

On the sound medical-scientific evidence available, the Repatriation Medical Authority is of the view that it is more probable than not that otosclerosis and death from otosclerosis can be related to relevant service rendered by veterans 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 factor must exist before it can be said that, on the balance of probabilities, otosclerosis or death from otosclerosis is connected with the circumstances of a person's relevant service:

- (1) inability to obtain appropriate clinical management for otosclerosis before clinical worsening.

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(1) applies only to material contribution to, or aggravation of, otosclerosis where the person's otosclerosis 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(3) 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:

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

otic capsule (or bony labyrinth) means the bony cavities in the temporal bone of the inner ear and includes the cochlea, vestibule, and semicircular canals.

otosclerosis—see subsection 7(2).

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.

Note: **MRCA** and **VEA** are also 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*.