



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

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 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. 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.

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|----------------------|--------------------------|---------------------------|-----------------------------|
| 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