

# Skin Cancer Treatment

Version 8.1  
April 2024

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# Policy

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## 1. Purpose

- 1.1 This Policy provides guidance on administering eligibility to skin cancer treatment under the Veterans' Support Act 2014 (the Act).
- 1.2 The general policy on treatment (including treatment for veterans travelling or living overseas) is in the separate paper on *Treatment*. Policies on reimbursement are in *Travel for Assessment, Treatment and Rehabilitation*. The policy on when treatment requires absence from home or work is in *Temporary Increase in Disablement Pension*.

## 2. Legislative Reference

- 2.1 The relevant legislation is:
  - the Act, sections 51, 107 to 111
  - Veterans' Support Regulations 2014 Regulations 64 to 70.

## 3. Eligibility for Skin Cancer Treatment

- 3.1 **See section 3 of separate paper on Treatment.**
- 3.2 A skin cancer that has been accepted as a service-related condition for which a lesion has been successfully removed may recur in the future as new lesions. That recurrence would be accepted as service-related. However, if a new type of skin cancer (e.g. melanoma rather than squamous cell carcinoma) emerges this would need to be assessed as a new condition.

## 4. Applications for Skin Cancer Treatment

- 4.1 **See section 4 of separate paper on Treatment.**

## 5. Approving Skin Cancer Treatment

- 5.1 **See section 5 of separate paper on Treatment**

## 6. Prior Approval for Skin Cancer Treatment

- 6.1 A veteran must see their GP for skin cancer treatment. If the GP is unable to treat the condition the veteran should be referred to a skin cancer specialist who operates in the publicly funded health care system.
- 6.2 If the treatment cannot be provided by the veteran's GP and the time to the initial treatment in the public health system exceeds 2 months for malignant melanoma and 6 months for other skin malignancies, the veteran can request Veterans' Affairs funding of private treatment. If approved, Veterans' Affairs

will advise what costs it can contribute towards (see also **section 6 of separate paper on Treatment and section 4 of the separate paper on Private Treatment**).

- 6.3 If the health practitioner has raised concerns about the timeframes for obtaining treatment through the public health system staff should seek advice from the Principal Clinical Adviser. If the veteran has raised concerns about the impact that the skin cancer is having advice may also be sought from the Rehabilitation team.

*Section 107 of the Veterans' Support Act 2014*

- 6.4 Veterans' Affairs will seek an independent assessment of the veteran's skin cancer before approving treatment.

## **7. Skin Cancer treatment that Veterans' Affairs will cover**

- 7.1 Subject to prior approval a veteran may qualify for the payment of or contribution towards skin cancer treatment that other agencies are not already funding.

- 7.2 The surgical treatment or treatment must be supported by the veteran's **health practitioner** or specialist. Veterans' Affairs will assess:

- the nature and severity of the disability;
- whether short or long-term intervention is required;
- the proposed treatment regime;
- the number of treatment sessions required;
- whether the veteran must travel to attend the provider or if there is a provider in the veteran's local community;
- the **generally accepted means of treating** the injury or illness in New Zealand; and
- the potential for harm through delay, e.g. a risk to life, ongoing deterioration of health.

- 7.3 All skin cancer treatment sessions will need pre-approval from Veterans' Affairs. The amount of treatment sessions authorised will be determined after reviewing the specialist's recommendations. Where the **treatment provider** requests treatment sessions that do not appear to meet a clinical need, Veterans' Affairs may decline to fund or may seek a second medical opinion.

## **8. Use of Mohs surgery for skin cancer treatment**

- 8.1 Mohs surgery is not considered to be the generally accepted means of treating skin cancer in New Zealand.

- 8.2 Mohs surgery is most suitable for skin cancer on the face where maximum conservation of tissue is desirable in cosmetically sensitive areas (e.g. the eyes and eyelids) and scalp, and where the margins are hard to define on clinical macroscopic view such as the nose or nasolabial fold.
- 8.3 Veterans' Affairs will ordinarily only fund or contribute to the cost of standard treatment relevant to the particular condition, but for skin cancer on the face and scalp may consider a contribution to Mohs surgery.

## 9. Veterans who travel overseas for skin cancer treatment

- 9.1 Veterans' Affairs will not pay or contribute funding for skin cancer treatment for which the veteran has opted to travel overseas.

## 10. Veterans Living Overseas

- 10.1 See section 19 of the separate paper on Treatment.

## 11. Second Opinion

- 11.1 See section 21 of the separate paper on Treatment.

## 12. Reimbursement of Skin Cancer Treatment Costs

- 12.1 See separate paper on Treatment, section 16, for general principles on Reimbursement of Treatment Costs and section 17 for Reimbursement of Ancillary Costs.
- 12.2 Reimbursement of skin cancer treatment will not be made unless prior approval for the treatment has been sought. Veterans' Affairs may consider reimbursement in the case of urgent or acute admission.

## 13. Reviews, Appeals and Complaints

- 13.1 If a veteran disagrees about a decision concerning eligibility for an entitlement or service see **separate policies on Reviews and Appeals**. If a veteran is concerned about Veterans' Affairs' administration of an entitlement or service see **separate policy on Complaints**.

## 14. Transitional Arrangements

- 14.1 See section 23 of the separate paper on Treatment.

## Glossary

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### **accepted disability** [policy definition]

Means an injury, illness or condition that Veterans' Affairs accepts as being service-related.

**generally accepted treatment in New Zealand** means treatment supported by evidence-based research which is accepted in New Zealand by the Ministry of Health and is common practice in New Zealand.

### **health practitioner** [section 7]

Has the same meaning as in section 5(1) of the Health Practitioners Competence Assurance Act 2003.

### **medical practitioner** [section 7]

means a health practitioner who is, or is deemed to be, registered with the Medical Council of New Zealand continued by section 114(1)(a) of the Health Practitioners Competence Assurance Act 2003 as a practitioner of the profession of medicine.

### **member of the armed forces** [section 7]

Means a person who is or has been a member of the New Zealand armed force raised by the Governor-General on behalf of the Sovereign,–

- (a) whether in New Zealand or elsewhere; and
- (b) whether before or after the passing of this Act.

### **qualifying operational service** [section 8]

Means–

- (a) service in any deployment treated as a war or emergency for the purposes of the War Pensions Act 1954; or
- (b) service on any deployment declared to be operational service under section 9.

### **qualifying routine service** [section 8]

Means service in the armed forces before 1 April 1974 that is not qualifying operational service.

### **service-related** [section 7]

In relation to an injury, an illness, a condition, or a whole-person impairment, means an injury, an illness, or a whole-person impairment caused by, contributed to by, or aggravated by qualifying service.

### **treatment provider** [section 7]

- (a) means a chiropractor, dentist, medical laboratory technologist, nurse, nurse practitioner, occupational therapist, optometrist, osteopath, physiotherapist, podiatrist, or medical practitioner; and
- (b) includes a member of any occupational group as added for the purposes of this definition by regulations made under section 265 and subject to any criteria specified in those regulations, including (but not limited to) whether and, if so, the extent to which members of an occupational group are recognised by the Accident Compensation Corporation as treatment providers for the purposes of the Accident Compensation Act 2001.

**veteran** [section 7]

Means—

- (a) a member of the armed forces who took part in qualifying operational service at the direction of the New Zealand Government; or
- (aa) a member of the armed forces who took part in qualifying routine service before 1 April 1974; or
- (b) a person—
  - (i) who has been—
    - (A) appointed as an employee of the Defence Force under section 61A of the Defence Act 1990; or
    - (B) seconded to the Defence Force with the permission of the Chief of Defence Force; and
  - (ii) who took part in qualifying operational service at the direction of the New Zealand Government; or
- (c) a person who, immediately before the commencement of Part 3 of this Act, is eligible for a pension under the following provisions of the War Pensions Act 1954:
  - (i) section 19 (but only if the person was a member of the forces):
  - (ii) section 55 or 56:
  - (iii) Parts 4 and 5.