

Chapter 18 MALIGNANT IMPAIRMENT

Introduction

This chapter provides criteria for assessing permanent impairment from entitled malignant conditions.

Ratings from tables within other applicable impairment chapters must be considered in determining the appropriate rating for a malignant condition. The applicable impairment chapter to be used is determined by the site of malignancy (for example, lung cancer is rated using tables within the Malignant Chapter, as well as tables within the Cardiorespiratory Chapter). Any applicable ratings are compared and the highest selected.

Rating Tables

This chapter contains one “Loss of Function” table and one “Other Impairment” table which may be used to rate impairment from entitled malignant conditions.

Table ratings from other impairment chapters also need to be considered as described in “Steps to Determine the Malignant Impairment Assessment” on the last page of this chapter. The applicable impairment chapter to be used is dependent upon the site of malignancy.

In this chapter, when a disability is rated from both **Table 18.1 - Loss of Function - Malignant Conditions** and **Table 18.2 - Other Impairment - Life Expectancy - Malignant Conditions**, the ratings are **compared** and the **highest** selected.

The tables within this chapter are:

Table 18.1	Loss of Function - Malignant Conditions	This table is used to rate impairment from loss of function due to malignant conditions.
Table 18.2	Other Impairment - Life Expectancy - Malignant Conditions	This table is used to rate impairment with regard to predicted survival estimates.

Loss of Function - Malignant Conditions

Table 18.1 is used to rate impairment from entitled malignant conditions. One rating may be selected for each entitled condition. If more than one rating is applicable for an entitled condition, the ratings are **compared** and the **highest** selected.

For the purposes of **Table 18.1**, “symptoms” encompass the symptoms (including pain) of both the malignant condition itself and the symptoms of the effects of its treatment.

If non-entitled conditions or conditions rated within another chapter/table of the Table of Disabilities are contributing to the overall impairment, then the Partially Contributing Table (PCT) must be applied to arrive at the rating which is due to the entitled condition(s) rated within this chapter.

Other Impairment - Life Expectancy - Malignant Conditions

Table 18.2 is used to rate impairment from entitled malignant conditions with regard to life expectancy and prognosis. Only one rating may be selected for each entitled condition.

Whenever possible, the rating from **Table 18.2** is to be based on a survival estimate from an oncologist or other treating physician. If such an estimate is unavailable, supporting evidence from a recognized standard medical reference is to be applied to provide an estimate. Estimates are to be based on malignancies of the same type and degree of spread as that in the specific case being rated. The estimate or predicted life expectancy used in **Table 18.2** is projected from the time of diagnosis, or from the time of any major staging procedure or operation.

Once a **Table 18.2** rating has been established **it is not to be changed unless subsequent findings indicate that an earlier prognosis was based on incorrect clinical information.**

The rating is **not to be modified posthumously** to reflect the actual duration for which the Member/Veteran/Client survived after diagnosis or staging. The life expectancy estimate can be based only on predicted probability of survival, not actual survival time.

A **Table 18.2** rating is **not to be updated to account for the natural progression of the condition.** As the disease progresses, it is expected that ratings from **Table 18.1** will exceed ratings from **Table 18.2.**

A rating from **Table 18.2** may **not be reduced** because of favourable response to treatment or because of better than anticipated survival.

If the condition is being rated for the first time more than five years after diagnosis **and** the condition is in remission or may be cured, the malignant impairment rating is **nil**.

Table 18.1- Loss of Function - Malignant Conditions

Only one rating may be given for each entitled condition from **Table 18.1**. If more than one rating is applicable for an entitled condition, the ratings are **compared** and the **highest** selected.

Each bullet (•) represents one criterion. In order for a rating to be established for **Table 18.1**, all criteria designated at that rating level must be met.

Table 18.1 - Loss of Function - Malignant Conditions

Rating	Criteria
Nil	• Asymptomatic.
One	• Asymptomatic but requiring ongoing monitoring and/or therapy.
Nine	• Mild to moderate symptoms that are irritating or unpleasant but rarely prevent completion of any activity. Symptoms may cause loss of efficiency in a few activities.
Eighteen	• More severe symptoms that are distressing and regularly prevent the completion of some everyday activities. Physically strenuous activity (e.g. carrying laundry, shovelling walk, mowing the lawn) is prevented but the person remains ambulatory and able to carry out light tasks at home or office. Self-care is unaffected and independence is maintained.
Forty-three	• Symptoms are severe and prevent the completion of many everyday activities. Requires daily personal assistance with self-care.
Sixty-three	• Symptoms are severe and cause major restriction in most everyday activities. Capacity for self-care is increasingly restricted, leading to partial dependence on others. Confined to bed or chair at least part of waking hours.
Eighty-one	• Symptoms are severe with most to all everyday activities prevented. Dependent on others for all self-care. May require institutional care or may be maintained at home with frequent requirement for medical care. Totally confined to bed or chair.

Table 18.2 - Other Impairment - Life Expectancy - Malignant Conditions

Only one rating may be given for each entitled condition from **Table 18.2**.

Each bullet (•) represents one criterion. In order for a rating to be established for **Table 18.2**, all criteria designated at that rating level must be met.

Table 18.2 - Other Impairment - Life Expectancy - Malignant Conditions

Rating	Predicted Life Expectancy at Time of Diagnosis or Staging Procedure
Nil	• Normal, or near-normal, five-year survival.
Four	• Predicted five-year survival less than 95%.
Nine	• Predicted five-year survival less than 75%.
Eighteen	• Predicted five-year survival less than 50%.
Forty-three	• Predicted five-year survival less than 25%.
Sixty-three	• Predicted one-year survival less than 50%.
Eighty-one	• Predicted one-year survival less than 25%.

Steps to Determine Malignant Assessment

- Step 1:** Determine the rating from **Table 18.1** (Loss of Function - Malignant Conditions).
- Step 2:** Does the Partially Contributing Table apply? If **yes**, apply to the rating at Step 1.
- Step 3:** Determine the rating from **Table 18.2** (Other Impairment - Life Expectancy - Malignant Conditions).
- Step 4:** **Compare** the ratings at Step 2 and Step 3 and select the **highest**.
- Step 5:** Determine the rating(s) from the relevant impairment table(s) using the appropriate Table of Disabilities chapter.
- Step 6:** Does the Partially Contributing Table apply? If **yes**, apply to the rating at Step 5.
- Step 7:** **Compare** the ratings at Step 4 and Step 6 and select the **highest**.
- Step 8:** Determine the Quality of Life rating.
- Step 9:** Add the ratings at Step 7 and Step 8.
- Step 10:** If partial entitlement exists, apply to the rating at Step 9.

This is the Disability Assessment.