



National Vaccine Injury Compensation Program (VICP) Update

Advisory Commission on Childhood Vaccines (ACCV)

March 1, 2023

CDR Reed Grimes, MD, MPH
Director, Division of Injury Compensation Programs
Health Systems Bureau (HSB)

Vision: Healthy Communities, Healthy People



VICP Update

Overview

- Update on Health Resources and Services Administration (HRSA) VICP Activities
- Update from the Department of Justice (DOJ) Vaccine Litigation Office
- Updates from ACCV Ex Officio Members including:
 - Food and Drug Administration (FDA)
 - Centers for Disease Control and Prevention (CDC)
 - National Institutes of Health (NIH)
 - Office of Infectious Disease and HIV/AIDS Policy (OIDP)



VICP Update

Number of VICP Petitions Filed as of February 1, 2023

Fiscal Year (FY)	Adults	Children*	Total
FY 2019	1,169	113	1,282
FY 2020	1,084	108	1,192
FY 2021	1,931	126	2,057
FY 2022	902	127	1,029
FY 2023	342	48	390

*Children defined as persons under 18 years of age.



VICP Update

Number of VICP Petitions Filed for Influenza Vaccines as of February 1, 2023

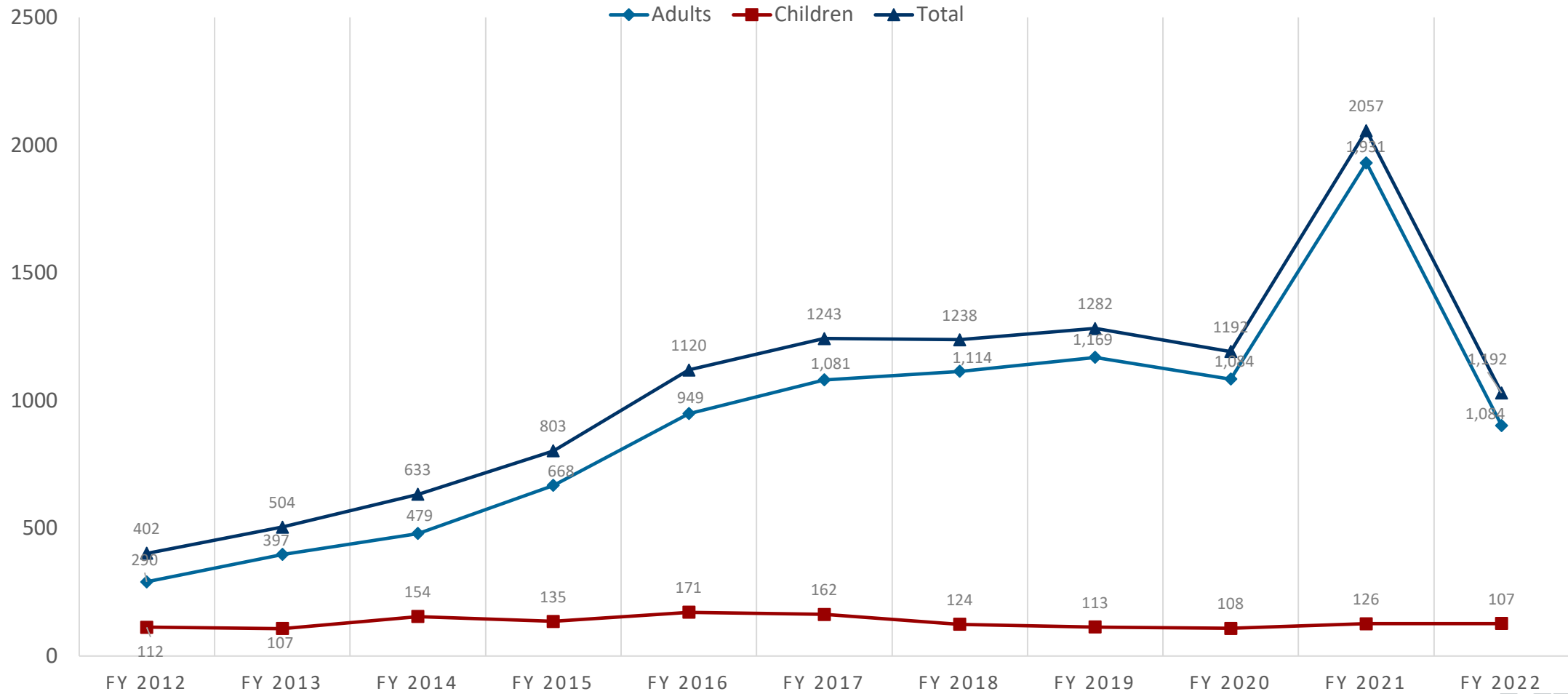
Fiscal Year (FY)	Adults	Children*	Total
FY 2019	939	21	960
FY 2020	859	22	881
FY 2021	1537	17	1554
FY 2022	670	16	716
FY 2023	266	7	273

*Children defined as persons under 18 years of age.



VICP Update

VICP Petitions Filed by/for Adults vs. Children FY 2012 - FY 2022



VICP Update

Five-Year Trend in Number of Petitions Filed vs Administrative Funding

Fiscal Year (FY)	Number of Petitions Filed	Number of Petitions Percentage Change from Previous FY	Administrative Funding (\$ in millions)	Administrative Funding Percentage Change from Previous FY
FY 2018	1,238	-0.4%	\$9.20	19%
FY 2019	1,282	4%	\$9.20	0%
FY 2020	1,192	-7%	\$10.20	11%
FY 2021	2,057	73%	\$11.20	10%
FY 2022	1,029	-50%	\$13.20	18%



VICP Update

Number of Petitions Awaiting Review as of February 1, 2023

Fiscal Year (FY)	Adults	Children	Petitions Awaiting Review (PAR)
FY 2020	17	3	12
FY 2021	591	6	67
FY 2022	528	53	225
FY 2023	238	40	243
Total	1,374*	102**	547

*About 446 of the 1,374 petitions have not been activated by Office of Special Masters' Pre-Assignment Review (PAR) because medical records have not been deemed substantially complete.

** About 101 of the 102 petitions have not been activated by PAR because medical records have not been deemed substantially complete.



VICP Update

Award Amounts Paid as of February 1, 2023

Fiscal Year (FY)	Petitioners' Award	Attorneys' Fees & Costs
FY 2019	\$196,217,708	\$29,241,321
FY 2020	\$186,860,678	\$31,003,426
FY 2021	\$208,258,401	\$36,075,584
FY 2022	\$195,693,890	\$34,190,913
FY 2023	\$42,586,887	\$18,477,810



VICP Update

Number of Adjudications as of February 1, 2023

Fiscal Year (FY)	Compensable	Dismissed	Total
FY 2019	641	182	823
FY 2020	711	217	928
FY 2021	754	259	1,013
FY 2022	932	262	1,194
FY 2023	234	112	356



VICP Update

Adjudication Categories for Petitions

Fiscal Years 2021 – 2023 as of February 1, 2023

Adjudication Category	FY 2021	FY 2022	FY 2023
Compensable <ul style="list-style-type: none">• Concession• Court Decision (includes proffers)• Settlement	754 (100%) 335 (45%) 18 (2%) 401 (53%)	932 (100%) 426 (45%) 16 (2%) 490 (53%)	272 (100%) 138 (51%) 4 (1%) 130 (48%)
Not Compensable	259	262	116
Adjudication Total	1,013	1,194	388



VICP Update

Vaccine Injury Compensation Trust Fund

- Balance as of December 31, 2022
 - \$4,332,952,205
- Activity from October 1, 2022 to December 31, 2022
 - Interest on Investments: \$27,515,859
 - Excise Tax Revenue: \$41,937,569
 - Total Income: \$69,453,428
 - Interest as a Percentage of Total Income: 40%

Source: U.S. Treasury, Bureau of the Fiscal Service (February 2, 2023)



VICP Update

Recent Trends

- 92% of petitions were filed for adults in the last 2 FYs
- Over 63% of petitions filed in the last 2 FYs allege shoulder injury related to vaccine administration (SIRVA)
- 74% of petitions filed in the last 2 FYs allege an injury from the influenza vaccine
- About 58% of petitions filed are compensated via negotiated settlement
- Nearly a 13-month wait for petitions to be reviewed by a HRSA physician after the Pre-Assignment Review activation date



- NASEM Committee was formed and held their first multi-day meeting from January 25 – February 1, 2023
- In late March 2023, NASEM Committee will have an open scientific session with a public comment period
- For additional information, please visit:
<https://www.nationalacademies.org/our-work/review-of-relevant-literature-regarding-adverse-events-associated-with-vaccines>

VICP Update

Seeking Nominations for All ACCV Positions

- Three members who are health professionals who have expertise in the health care of children, the epidemiology, etiology, and prevention of childhood diseases, and the adverse reactions associated with vaccines, of whom at least two shall be pediatricians;
- Three members from the general public, of whom at least two shall be legal representatives of children who have suffered a vaccine-related injury or death; and
- Three members who are attorneys, of whom at least one shall be an attorney whose specialty includes representation of persons who have suffered a vaccine-related injury or death and of whom one shall be an attorney whose specialty includes representation of vaccine manufacturers.

Send nominations to Pita Gomez at ACCV@hrsa.gov.



Pita Gomez, ACCV Principal Staff Liaison

5600 Fishers Lane, Room 08N146B

Rockville, Maryland 20857

Phone: 1-800-338-2382

Email: ACCV@hrsa.gov

Web: hrsa.gov/about/organization/bureaus/hsb/

Twitter: twitter.com/HRSAgov

Facebook: facebook.com/HHS.HRSA



Connect with HRSA

Learn more about our agency at:

www.HRSA.gov



[Sign up for the HRSA eNews](#)

FOLLOW US:

