

The National Vaccine Injury Compensation Program (VICP)

Division of Injury Compensation Programs Update

Advisory Commission on Childhood Vaccines
December 3, 2015

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Department of Health and Human Services
Health Resources and Services Administration



ACCV Meeting Highlights

- Update from the Department of Justice Vaccine Litigation Office
- Report from the ACCV Adult Immunization Workgroup
- Presentation on Impact of Increased Claims Filed
- Discussion of Petition to Add Food Allergies to the Vaccine Injury Table
- Review of Vaccine Information Statements
- Updates from ACCV Ex Officio Members – FDA, CDC, NIH, NVPO



Number of Petitions Filed as of November 5, 2015

Average annual number of petitions filed during FY 2011-2015 = 477

Fiscal Year	Total
FY 2011	386
FY 2012	401
FY 2013	504
FY 2014	633
FY 2015	804
FY 2016	133



Number of Adjudications as of November 5, 2015

Fiscal Year	Compensable	Dismissed	Total
FY 2011	266	1,371	1,637
FY 2012	263	2,439	2,702
FY 2013	367	628	995
FY 2014	371	166	537
FY 2015	493	78	571
FY 2016	12	0	12



Adjudication Categories for Non-Autism Claims FY 2014 – FY 2016 as of November 5, 2015

Adjudication Category	FY 2014	FY 2015	FY 2016
Compensable	371 (100%)	492 (100%)	12 (100%)
❖ Concession	40 (11%)	86 (17%)	3 (25%)
❖ Court Decision (includes proffers)	35 (9%)	34 (7%)	0 (0%)
❖ Settlement	296 (80%)	372 (76%)	9 (75%)
Not Compensable	122	64	0
Adjudication Total	493	556	12



Award Amounts Paid as of November 5, 2015

<u>Fiscal Year</u>	<u>Petitioners' Award</u>	<u>Attorneys' Fees & Costs</u>
FY 2011	\$216,319,428	\$17,163,231
FY 2012	\$163,491,999	\$23,145,929
FY 2013	\$254,666,327	\$21,758,310
FY 2014	\$202,084,196	\$21,268,382
FY 2015	\$204,137,880	\$20,800,371
FY 2016	\$18,659,245	\$2,008,769



Vaccine Injury Compensation Trust Fund

- Balance as of September 30, 2015
 - \$3,611,617,144.24
- Activity from October 1, 2014 to September 30, 2015
 - Excise Tax Revenue: \$274,963,550
 - Interest on Investments: \$58,888,126
 - Net Income: \$333,851,676
 - Interest as a Percentage of Net Income: 21%

Source: U.S. Treasury, Bureau of Public Debt (November 5, 2015)



Significant Activities

- Status of Revisions to Vaccine Injury Table Notice of Proposed Rulemaking (NPRM)
 - Published in the Federal Register on July 29, 2015
 - Public comment period ends January 25, 2016
 - Public hearing will be announced in the Federal Register
- Highlights of Recent Outreach Activities
 - VICP materials distributed during an FDA meeting with 24 National Nurses Associations on November 18, 2015
 - VICP article posted on the National Association of County & City Health Officials blog which went live on November 10, 2015
<http://essentialelements.naccho.org/archives/1319>



Significant Activities

- Advisory Committee on Immunization Practices
 - October 21, 2015
- Information on ACCV meetings, presentations and minutes can be found at
<http://www.hrsa.gov/vaccinecompensation/commissionchildvaccines.html>



Public Comment/Participation in Commission Meetings

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