



The National Vaccine Injury Compensation (VICP) Division of Injury Compensation Programs (DICP) Program Update The Advisory Commission on Childhood Vaccines (ACCV)

December 2, 2021

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Vision: Healthy Communities, Healthy People



DICP Update

Overview

- Update on HRSA VICP Activities
- Update from the Department of Justice Vaccine Litigation Office
- Updates from ACCV Ex Officio Members – FDA, CDC, NIH, OIDP



DICP Update

Number of Petitions Filed as of November 1, 2021

Average annual number of petitions filed during FY 2013-2017 = 860

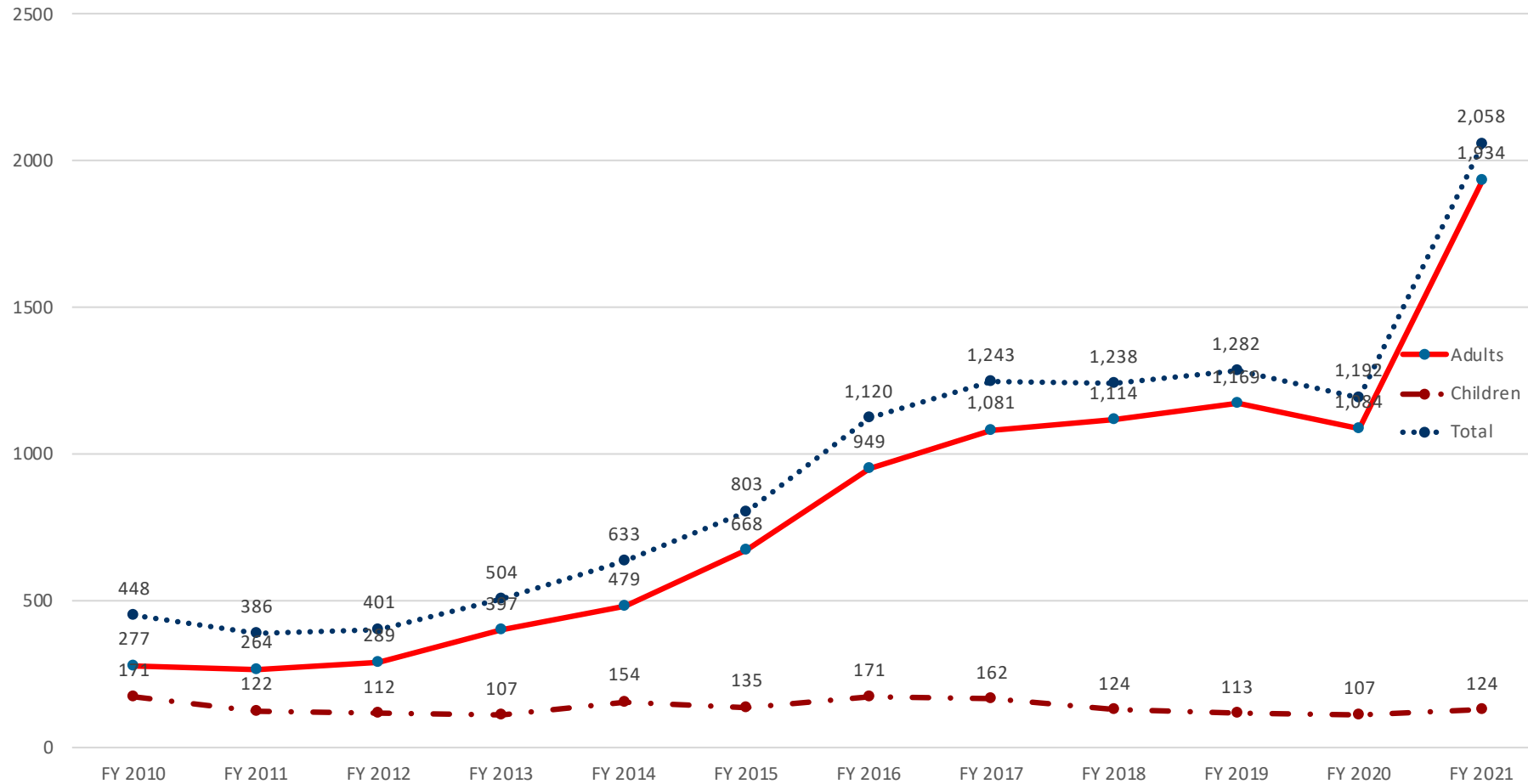
Fiscal Year (FY)	Adults	Children*	Total
FY 2018	1,114	124	1,238
FY 2019	1,169	113	1,282
FY 2020	1,084	108	1,192
FY 2021	1,934	124	2,058
FY 2022	139	17	156

*Children defined as persons under 18 years of age.



DICP Update

VICP Petitions Filed by/for Adults vs. Children FY 2010 - FY 2021



Five-Year Trend in Number of Petitions Filed versus 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 2017	1,243	11%	\$7.75	3%
FY 2018	1,238	-0.4%	\$9.20	19%
FY 2019	1,282	2%	\$9.20	0%
FY 2020	1,192	-16%	\$10.20	11%
FY 2021	2,058	27%	\$11.20	9.8%



Number of Petitions Awaiting Review As of November 8, 2021

Fiscal Year (FY)	Adults	Children	Petitions Awaiting Review
FY 2019	3	0	3
FY 2020	67	12	79
FY 2021	1,356	84	1,440
FY 2022	66	6	72
Total	1,492*	102**	1,594

*About 854 of the 1,492 petitions have not been activated by Office of Special Masters' Pre-Assignment Review (PAR) because medical records have not been deemed substantially complete.

** All 102 of these petitions have not been activated by PAR because medical records have not been deemed substantially complete.



DICP Update

Award Amounts Paid as of November 1, 2021

Fiscal Year (FY)	Petitioners' Award	Attorneys' Fees & Costs
FY 2018	\$199,588,007	\$26,915,971
FY 2019	\$196,217,708	\$29,239,950
FY 2020	\$186,860,678	\$31,003,595
FY 2021	\$208,258,401	\$36,502,253
FY 2022	\$16,906,482	\$3,797,806



DICP Update

Number of Adjudications as of November 1, 2021

Fiscal Year (FY)	Compensable	Dismissed	Total
FY 2018	544	199	743
FY 2019	642	184	826
FY 2020	710	217	927
FY 2021	749	241	990
FY 2022	69	11	80



DICP Update

Adjudication Categories for Petitions

Fiscal Years 2019 – 2021 as of November 1, 2021

Adjudication Category	FY 2020	FY 2021	FY 2022
Compensable	710 (100%)	749 (100%)	69 (100%)
❖ Concession	265 (37%)	334 (45%)	34 (49%)
❖ Court Decision (includes proffers)	49 (7%)	18 (2%)	0 (%)
❖ Settlement	396 (56%)	397 (53%)	35 (51%)
Not Compensable	217	241	11
Adjudication Total	927	990	80



DICP Update

Vaccine Injury Compensation Trust Fund

- Balance as of September 30, 2021
 - ✓ \$4,177,377,384
- Activity from October 1, 2020 to September 30, 2021
 - Excise Tax Revenue: \$312,902,784
 - Interest on Investments: \$50,534,187
 - Refunds: \$2,018,674
 - Total Income: \$365,455,645
 - Interest as a Percentage of Total Income 14%

Source: U.S. Treasury, Bureau of the Fiscal Service (November 4, 2021)



DICP Update

Recent Trends

- ✓ 95% of petitions were filed for adults in the last 2 fiscal years (FY)
- ✓ Over 68% of petitions filed in the last 2 FY allege shoulder injury related to vaccine administration (SIRVA)
- ✓ 75% of petitions filed in the last 2 FY allege an injury from the influenza vaccine
- ✓ About 55% 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 (PAR) activation date



DICP Update

Seeking Nominations for All ACCV Positions

(A) 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;

(B) 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

(C) 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 Annie Herzog at ACCV@hrsa.gov.



Contact Information

Public Comment/Participation in Commission Meetings

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