



The National Vaccine Injury Compensation (VICP) Division of Injury Compensation Programs (DICP) Program Update

The Advisory Commission on Childhood Vaccines (ACCV)
September 4, 2020

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Healthcare Systems Bureau (HSB)

Vision: Healthy Communities, Healthy People



Overview

- Update on HRSA VICP Activities
- Update from the Department of Justice Vaccine Litigation Office
- Presentation from the United States Court of Federal Claims, Office of Special Masters
- Updates from ACCV Ex Officio Members – FDA, CDC, NIH, OIDP
- Update from the ACCV Work Group
- Vaccine Information Statement (VIS) Reviews



Number of Petitions Filed as of September 1, 2020

Average annual number of petitions filed during FY 2011-2015 = 545

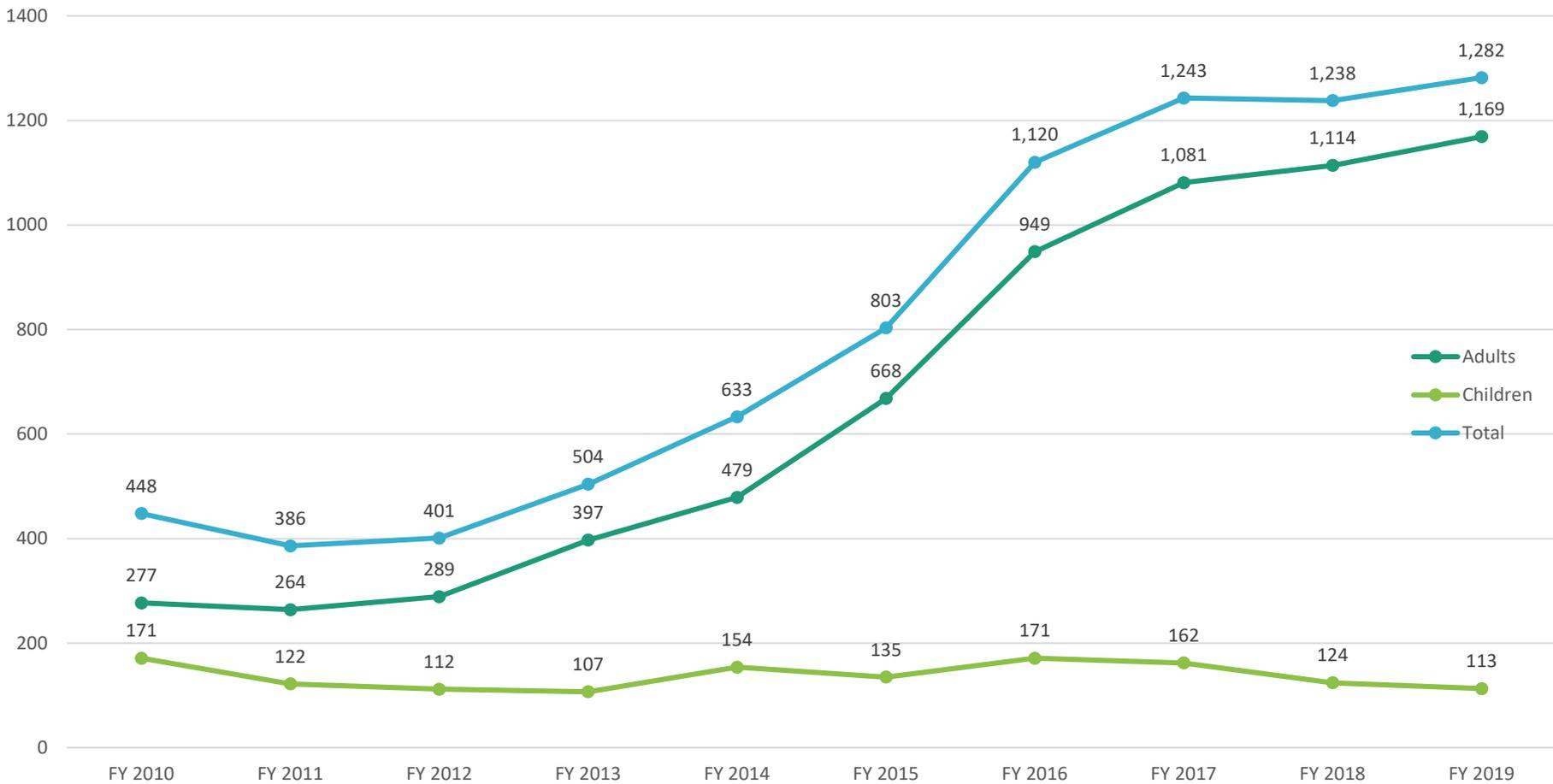
Fiscal Year (FY)	Adults	Children*	Total
FY 2016	949	171	1,120
FY 2017	1,081	162	1,243
FY 2018	1,114	124	1,238
FY 2019	1,169	113	1,282
FY 2020	940	97	1,037

*Children defined as persons under 18 years of age.



DICP Update

VICP Petitions Filed by/for Adults vs. Children FY 2010 - FY 2019



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 2016	1,120	39%	\$7.50	0%
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	1,037 (as of 9/1/2020)	-	\$10.20	11%



Number of Petitions Awaiting Review As of August 31, 2020

Fiscal Year (FY)	Adults	Children	Petitions Awaiting Review
FY 2019	213	0	213
FY 2020	723	34	757
Total	936*	34**	970

*About 162 of the 936 petitions have not been activated by Office of Special Masters' Pre-Assignment Review (PAR) because medical records have not been deemed substantially complete.

** Of these 34 petitions, 30 have not been activated by PAR because medical records have not been deemed substantially complete.



Award Amounts Paid as of September 1, 2020

Fiscal Year (FY)	Petitioners' Award	Attorneys' Fees & Costs
FY 2016	\$230,140,251	\$22,470,421
FY 2017	\$252,245,933	\$29,853,373
FY 2018	\$199,588,007	\$26,915,971
FY 2019	\$196,217,708	\$29,239,950
FY 2020	\$175,037,053	\$27,613,154



Number of Adjudications as of September 1, 2020

Fiscal Year (FY)	Compensable	Dismissed	Total
FY 2016	698	185	883
FY 2017	696	202	898
FY 2018	544	199	743
FY 2019	641	181	822
FY 2020	613	171	784

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Adjudication Categories for Petitions

Fiscal Years 2018 – 2020 as of September 1, 2020

Adjudication Category	FY 2018	FY 2019	FY 2020
Compensable	544 (100%)	641 (100%)	618 (100%)
❖ Concession	192 (35%)	237 (37%)	238 (39%)
❖ Court Decision (includes proffers)	30 (6%)	45 (7%)	40 (6%)
❖ Settlement	322 (59%)	359 (56%)	340 (55%)
Not Compensable	199	181	180
Adjudication Total	743	822	798



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Vaccine Injury Compensation Trust Fund

- **Balance as of July 31, 2020**
 - \$3,959,795,033
- **Activity from October 1, 2019 to July 31, 2020**
 - Excise Tax Revenue: \$165,207,417
 - Interest on Investments: \$59,582,380
 - Total Income: \$224,789,797
 - Interest as a Percentage of Total Income 27%

Source: U.S. Treasury, Bureau of the Fiscal Service (August 24, 2020)



Recent Trends

- 90% of petitions were filed for adults in the last 2 fiscal years
- Over 54% of petitions filed in the last 2 fiscal years allege shoulder injury related to vaccine administration (SIRVA)
- 73% of petitions filed in the last 2 fiscal years allege an injury from the influenza vaccine
- About 70% of petitions filed are compensated via negotiated settlement since FY 2006 (56% in FY 2019)
- Nearly a 13-month wait for petitions to be reviewed by a HRSA physician



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Contact Information

Public Comment/Participation in Commission Meetings

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