DEPARTMENT OF HEALTH & HUMAN SERVICES **Health Resources and Services Administration**

Advisory Commission on Childhood Vaccines **Rockville, Maryland 20857**

The Honorable Kathleen Sebelius
Secretary of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

RE: Recommendation of the Advisory Commission on Childhood Vaccines

Dear Secretary Sebelius:

Please find attached for your review, a recommendation of the Advisory Commission on Childhood Vaccines (ACCV) is making to you pursuant to its obligations under § 2119 of the Public Health Service Act (Act) on matters related to the implementation of the National Vaccine Injury Compensation Program (VICP).

One of the Act's primary public health policy objectives was to eliminate vaccine-preventable disease by encouraging the use of vaccinations and to advise the Secretary on matters of vaccine safety and research.

At its June 2012 quarterly meeting, the ACCV formed the Process Workgroup consisting of 7 members to examine prior ACCV recommendations to the Secretary, consolidate and present the ACCV's consensus recommendations for immediate changes to improve the functioning of the Program. This Workgroup is chaired by an ACCV member, a representative of the general public who is also the parent of a vaccine-injured child, and included one health care provider representative; one representative of the general public who is also the parent of a vaccine-injured child; one representative who is an attorney representing petitioners; one representative who is a non-affiliated attorney; a former ACCV member who represents petitioners; and liaison representatives from the Division of Vaccine Injury Compensation and the DHHS Office of the General Counsel.

From June 2012 to December 2012, the Workgroup met monthly by telephone. It carefully studied and discussed issues related to the functioning of the Program and proposals for improvement. Based on data presented at ACCV meetings, the Workgroup decided to address a trend in the Program. In July 2005, the influenza vaccine became a covered vaccine. Before this vaccine was covered, 94% of claims filed were on behalf of children and 6% were for adults. After coverage of this vaccine, 29% of claims were for children while 71% were for adults. This dramatic increase in adult claims is likely to continue and is the primary justification for the ACCV making the following recommendation.

> *The ACCV recommends that the Secretary consider the appointment of a person that was vaccine-injured as an adult or a representative/family member of such a vaccine-injured adult, as the ACCV member representing the general public.*

This recommendation was unanimously adopted by the Workgroup, which was presented to the full ACCV at its meeting on December 6, 2012. After discussion, the ACCV voted unanimously to support the following recommendation which does not require a change to

the Act, but only the selection of a person in this category to serve on the ACCV. Therefore, we urge you to endorse and implement this recommendation.

Very truly yours,

/S/

David King
Chair, ACCV

/S/

Michelle A. Williams
Co-Chair, ACCV