



The National Vaccine Injury Compensation Program (VICP)

Division of Vaccine Injury Compensation Update

Advisory Commission on Childhood Vaccines

December 5, 2013

Vito Caserta, M.D., M.P.H.

Department of Health and Human Services
Health Resources and Services Administration

ACCV Meeting Highlights

- Update from the Department of Justice Vaccine Litigation Office
- Presentation: Strategies to Improve ACCV Effectiveness
- Report from the ACCV Process Workgroup
- Review of Vaccine Information Statements
- Updates from ACCV Ex Officio Members — FDA, CDC, NIH, NVPO

Number of Petitions Filed as of November 7, 2013

Average annual number of petitions filed during FY 2009-2013 = 407

Fiscal Year	Total
FY 2009	297
FY 2010	449
FY 2011	386
FY 2012	400
FY 2013	501
FY 2014	54

Number of Adjudications as of November 7, 2013

Fiscal Year	Compensable	Dismissed	Total
FY 2009	134	231	365
FY 2010	181	292	473
FY 2011	261	1,372	1,633
FY 2012	258	2,439	2,697
FY 2013	351	626	977
FY 2014	15	14	29

Adjudication Categories

FY 2012 – FY 2014 as of November 7, 2013

Adjudication Category	FY 2012	FY 2013	FY 2014 As of 11/7/13
Compensable	258 (100%)	351 (100%)	15 (100%)
❖ Concession	15 (6%)	21 (6%)	0 (0%)
❖ Court Decision (includes proffers)	30 (12%)	23 (7%)	1(7%)
❖ Settlement	213 (82%)	307 (87%)	14 (93%)
Not Compensable	144	89	5
Adjudication Total	402	440	20

Award Amounts Paid as of November 7, 2013

<u>Fiscal Year</u>	<u>Petitioners' Award</u>	<u>Attorneys' Fees & Costs</u>
FY 2009	74,142,491	11,203,212
FY 2010	179,387,341	9,826,383
FY 2011	216,323,760	17,163,229
FY 2012	163,511,999	23,148,927
FY 2013	254,666,326	21,758,308
FY 2014	7,322,260	3,068,768

Vaccine Injury Compensation Trust Fund

- Balance as of September 30, 2013
 - \$3,451,869,770.62
- Activity from October 1, 2012 to September 30, 2013
 - Excise Tax Revenue: \$204,531,836
 - Interest on Investments: \$61,531,206
 - Net Income: \$266,067,677
 - Interest as a Percentage of Income: 23%

Source: U.S. Treasury, Bureau of Public Debt (November 7, 2013)

Significant Activities

- Public Hearing for Rotavirus NPRM in December 2013
- Notice Adding Seasonal Influenza Vaccines to the Vaccine Injury Table
 - Federal Register Notice Published on November 12, 2013
 - As of November 12, 2013, petitions may be filed for all vaccines against seasonal influenza which are not already covered under the VICP. All trivalent vaccines have been covered under the VICP since July 1, 2005.
- Vaccine Injury Table NPRM

Significant Activities

- Serogroup B Meningococcal Outbreak at Princeton
- VICP Briefing for Congressmen Issa, (R-CA) and Cummings' (D-MD) Staff
- Proposed Changes to the Vaccine Injury Table and Qualifications and Aids to Interpretation Adding Guillain-Barré Syndrome as an Injury for Seasonal Influenza Vaccines

Significant Activities

- National Vaccine Advisory Committee
 - September 10 & 11, 2013

- Advisory Committee on Immunization Practices
 - October 23 & 24, 2013



Public Comment/Participation in Commission Meetings

Annie Herzog

Parklawn Building, Room 11C-26

5600 Fishers Lane

Rockville, Maryland 20857

Phone: 301-443-6634

Email: aherzog@hrsa.gov