



# The National Vaccine Injury Compensation Program (VICP)

## Division of Vaccine Injury Compensation Update

Advisory Commission on Childhood Vaccines

December 6, 2012

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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
  - Mr. Vince Matanoski
- Reports from the 2012 Judicial Conference
  - Jocelyn McIntosh, Office of the Special Masters
- Reports from the ACCV Workgroups
- Updates from ACCV Ex Officio Members — FDA, CDC, NIH, NVPO

## Number of Petitions Filed, as of November 13, 2012

- Avg. # of non-autism petitions filed during FY 2006-2013 = 264

	Non-Omnibus Autism Proceeding	Omnibus Autism Proceeding	Total
FY 2006	155	170	325
FY 2007	238	172	410
FY 2008	163	254	417
FY 2009	288	109	397
FY 2010	432	17	449
FY 2011	382	4	386
FY 2012	399	1	400
FY 2013	55	0	55



## Number of Adjudications as of November 13, 2012

	Non-Omnibus Autism Proceeding Compensable	Non-Omnibus Autism Proceeding Dismissed	Omnibus Autism Proceeding Compensable*	Omnibus Autism Proceeding Dismissed	Total
FY 2007	83	86	0	34	203
FY 2008	147	80	0	55	282
FY 2009	134	44	0	187	365
FY 2010	179	79	1**	214	473
FY 2011	256	106	0	1,265	1,627
FY 2012	248	144	1**	2,290	2,683
FY 2013	19	15	0	81	115

\*May include case(s) that were originally filed and processed as an OAP case(s) but in which the final adjudication does not include a finding of vaccine-related autism.

\*\*HHS has never concluded in any case that autism was caused by vaccination



# Adjudication Categories FY 2011 – FY 2013

	FY 2011	FY 2012	FY 2013 As of 11/15/12
<b>Compensable</b>	<b>256 (100%)</b>	<b>249(100%)</b>	<b>19(100%)</b>
❖ Concession	14 (6%)	6 (4%)	0 (0%)
❖ Court Decision (includes proffers)	49 (19%)	33 (12%)	0 (0%)
❖ Settlement	193 (75%)	210 (84%)	19 (100%)
<b>Not Compensable</b>	<b>106</b>	<b>144</b>	<b>16</b>
<b>Non-Autism Adjudication Total</b>	<b>362</b>	<b>393</b>	<b>35</b>



## Award Amounts Paid, as of November 13, 2012

- Award amounts paid for FY 2006 – FY 2013

	<u>Petitioners' Award</u>	<u>Attorneys' Fees &amp; Costs</u>
FY 2006	48,746,163	3,794,832
FY 2007	91,449,434	5,726,175
FY 2008	75,716,552	7,820,348
FY 2009	74,142,491	11,519,701
FY 2010	179,387,341	9,436,786
FY 2011	216,323,760	17,163,030
FY 2012	163,286,999	23,174,535
FY 2013	16,346,435	3,244,490



# Vaccine Injury Compensation Trust Fund

- Balance as of September 30, 2012
  - \$3,478,001,367.39
  - Activity from October 1, 2011 to September 30, 2012
    - Excise Tax Revenue: \$254,248,495
    - Interest on Investments: \$66,680,314
    - Net Income: \$320,928,808
    - Interest as a Percentage of Income: 21%

Source: U.S. Treasury, Bureau of Public Debt (November 13, 2012)



# Significant Activities

- October 24 & 25, Advisory Committee on Immunization Practices (ACIP)





# Points of Contact

- **Telephone**

1-800-338-2382

- **Internet**

[www.hrsa.gov/vaccinecompensation](http://www.hrsa.gov/vaccinecompensation)



# Public Comment/Participation in Commission Meetings

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