



The National Vaccine Injury Compensation Program (VICP)

Division of Vaccine Injury Compensation Update

Advisory Commission on Childhood Vaccines

March 8, 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. Mark Rogers
- Institute of Medicine Report/Generated Task Force Recommendations
 - Dr. Rosemary Johann-Liang and DVIC Medical Staff
- Review of Vaccine Information Statements
 - Ms. Jennifer Hamborsky, CDC
- Updates from ACCV Ex Officio Members — FDA, CDC, NIH, NVPO

Number of Petitions Filed, as of February 10, 2012

- Avg. # of non-autism petitions filed during FY 2009-2012 = 405

	Non-Omnibus Autism Proceeding	Omnibus Autism Proceeding	Total
FY 2005	147	588	735
FY 2006	155	170	325
FY 2007	238	172	410
FY 2008	163	254	417
FY 2009	288	109	397
FY 2010	429	18	447
FY 2011	382	4	386
FY 2012	127	0	127



Number of Adjudications as of February 10, 2012

	Non-Omnibus Autism Proceeding Compensable	Non-Omnibus Autism Proceeding Dismissed	Omnibus Autism Proceeding Compensable*	Omnibus Autism Proceeding Dismissed	Total
FY 2006	69	81	0	110	260
FY 2007	83	86	0	34	203
FY 2008	147	80	0	56	283
FY 2009	135	45	0	187	367
FY 2010	177	79	1**	215	472
FY 2011	246	107	0	1,259	1,612
FY 2012	62	61	0	979	1,102

*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 2010 – FY 2012

	FY 2010	FY 2011	FY 2012 As of 2/10/12
Compensable	174 (100%)	246 (100%)	62 (100%)
❖ Concession	25 (14%)	14 (6%)	0 (0%)
❖ Court Decision (includes proffers)	12 (7%)	47 (19%)	10 (16%)
❖ Settlement	137 (79%)	185 (75%)	52 (84%)
Not Compensable	79	107	61
Non-Autism Adjudication Total	253	353	123



Award Amounts Paid, as of February 10, 2012

- Average annual awards paid for FY 2005 – FY 2012
 - \$99 million for Petitioners' Award
 - \$9 million for Attorneys' Fees & Costs
- Award amounts paid for FY 2005 – FY 2012

	<u>Petitioners' Award</u>	<u>Attorneys' Fees & Costs</u>
FY 2005	55,065,797	4,485,251
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	15,858,824
FY 2010	179,387,341	9,436,786
FY 2011	217,811,657	16,978,033
FY 2012	56,531,138	5,543,524



Vaccine Injury Compensation Trust Fund

- Balance as of December 31, 2011
 - \$3,400,448,972.07
- Activity from October 1, 2011 to December 31, 2011
 - Excise Tax Revenue: \$55,885,000
 - Interest on Investments: \$19,034,749
 - Net Income: \$74,919,749
 - Interest as a Percentage of Income: 25%

Source: U.S. Treasury, Bureau of Public Debt (January 19, 2012)



Significant Activities

- February 7 & 8, National Vaccine Advisory Committee
- February 22 & 23, Advisory Committee on Immunization Practices



Points of Contact

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Public Comment/Participation in Commission Meetings

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