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National Vaccine Injury Compensation Program



The [National Vaccine Injury Compensation Program: Rescission of Revisions to the Vaccine Injury Table Final Rule](#), which was published in the Federal Register on April 22, 2021, rescinds in its entirety the rule entitled "National Vaccine Injury Compensation Program: Revisions to the Vaccine Injury Table," published in the Federal Register on January 21, 2021 (January 21, 2021 Final Rule). As of April 22, 2021, the January 21, 2021 Final Rule is withdrawn.

Vaccines save lives by preventing disease.

Most people who get vaccines have no serious problems. Vaccines, like any medicines, can cause side effects, but most are very rare and very mild. Some health problems that follow vaccinations are not caused by vaccines.

In very rare cases, a vaccine can cause a serious problem, such as a severe allergic reaction.

In these instances, the National Vaccine Injury Compensation Program (VICP) may provide financial compensation to individuals who file a petition and are found to have been injured by a VICP-covered vaccine. Even in cases in which such a finding is not made, petitioners may receive compensation through a settlement.

How does the VICP work?

The National Vaccine Injury Compensation Program is a no-fault alternative to the traditional legal system for resolving vaccine injury petitions.

It was created in the 1980s, after lawsuits against vaccine companies and health care providers threatened to cause vaccine shortages and reduce U.S. vaccination rates, which could have caused a resurgence of vaccine preventable diseases.

Any individual, of any age, who received a [covered vaccine](#) and believes he or she was injured as a result, can file a petition. Parents, legal guardians and legal representatives can file on behalf of children, disabled adults, and individuals who are deceased.

What is the process?

1. An individual files a petition with the U.S. Court of Federal Claims.
2. The U.S. Department of Health and Human Services medical staff reviews the petition, determines if it meets the medical criteria for compensation and makes a preliminary recommendation.
3. The U.S. Department of Justice develops a report that includes the medical recommendation and legal analysis and submits it to the Court.
4. The report is presented to a court-appointed special master, who decides whether the petitioner should be compensated, often after holding a hearing in which both parties can present evidence. If compensation is awarded, the special master determines the amount and type of compensation.
5. The Court orders the U.S. Department of Health and Human Services to award compensation. Even if the petition is dismissed, if certain requirements are met, the Court

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[Vaccine Injury Table \(Revised and Effective March 21, 2017\)](#) (PDF - 119 KB)

[Vaccine Injury Table \(Effective between July 23, 2015 and March 20, 2017\)](#) (PDF - 139 KB)

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National Vaccine Injury Compensation Program (VICP) Fact Sheet
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VICP Booklets

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may order the Department to pay attorneys' fees and costs.

The special master's decision may be appealed and petitioners who reject the decision of the court (or withdraw their petitions within certain timelines) may file a claim in civil court against the vaccine company and/or the health care provider who administered the vaccine.

Disclaimer

The content of this website reflects the current thinking of the United States Department of Health and Human Services on the topics addressed and does not create or confer any rights for or on any person and does not operate to bind the Department or the public. The ultimate decision about the scope of the statutes authorizing the VICP is within the authority of the United States Court of Federal Claims, which is responsible for resolving petitions for compensation under the VICP.

If you have additional questions, call: 1-800-338-2382 or email: vaccinecompensation@hrsa.gov.

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[Compensación por Daños Derivados de Vacunas](#) - Spanish booklet (PDF - 1.39 MB)

Countermeasures Injury Compensation Program

[Countermeasures Injury Compensation Program](#) provides compensation to individuals for serious physical injuries or deaths from pandemic, epidemic, or security countermeasures, such as the 2009 pandemic H1N1 influenza vaccine (swine flu vaccine), Tamiflu, Relenza or Peramivir, identified in declarations issued by the Secretary of the U.S. Department of Health and Human Services.



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