

The Vaccine Injury Compensation Program Protects Patients



The Vaccine Injury Compensation Program (VICP) is a vital safeguard for the American immunization system. In rare instances of injury amongst the hundreds of millions of doses of routine vaccines administered each year in America, the VICP, which was formed by bipartisan legislation in 1986, provides an efficient means for claimants to reach a settlement and seek accountability of manufacturers. It also provides some level of protection for manufacturers to be able to develop and supply life-saving vaccines to Americans.

Separate from the VICP, the Countermeasure Injury Compensation Program (CICP) provides compensation for serious injuries or deaths resulting from the use of covered countermeasures developed in response to public health emergencies or national security threats. These may include vaccines, drugs, or medical devices used during events like anthrax attacks, smallpox outbreaks, Zika virus responses, and the Covid-19 pandemic. While similar in purpose to the VICP, the CICP is authorized, funded, and administered through different legal and operational mechanisms.

When rare injuries do occur, the VICP gives the injured:



Restitution and Relief

- Average payout per individual paid is \$405,000.
- 72% of claimants accepted settlement through the VICP. On average, cases are adjudicated in 2 to 3 years, when private litigation could take much longer.
- Unlike direct civil litigation, the VICP participant legal fees are paid — win or lose — through the program and not deducted from the settlement like in standard litigation from patient awards.

Options

The VICP process is no fault and does not require injured people to provide proof that vaccines caused injury, speeding time to settlement.



Accountability

If unsatisfied, the injured can decide not to take settlement and bring litigation to companies.

What happens if we don't have a VICP?

- Individuals would lose an efficient choice to seek restitution from injury and be forced into litigation directly with companies with abundant resources and a much higher burden of proof.
- Before the VICP, litigation forced some manufacturers out of the market, causing vaccine shortages.
- Companies leaving the market could send manufacturing capabilities and jobs to other countries.
- Weakening domestic vaccine production threatens national security and pandemic preparedness, reducing our ability to rapidly respond to emerging public health threats and making the U.S. more reliant on foreign supply chains during crises.

