



BIDEN HHS MAKES IT EASIER TO GET COMPENSATION FOR COVID VACCINE REACTIONS

On April 21, 2021, the Biden Administration Department of Health and Human Services rescinded a Trump era rule that had made it more difficult for some people to get compensation for COVID-19 vaccine related injuries.

On the last day of the Administration, the Trump HHS issued a rule which removed shoulder injuries and fainting from the list of injuries for which people are entitled to compensation under the National Vaccine Injury Compensation Program. The rule would have taken effect on February 22, 2021, but the Biden Administration had delayed implementation. After a 30-day comment period, the Biden HHS rescinded the rule in its entirety, citing the rule's adverse impact on vaccine administration and that the promulgation of the final rule "was irregular in its haste."

The Vaccine Injury Compensation Program is a no-fault program for compensation for people who are injured as a result of a vaccination. The program is intended to make it more lucrative for vaccine manufactures in keeping costs lower, thus helping stabilize vaccine supply, and incentivize individuals to get the vaccine without worry of compensation for injury. The shoulder pain associated with the fund is more than just a sore arm; it is persistent pain and limited range of motion due to inflammation of ligaments or tendons.

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Dated: May 17, 2021

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