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# JW Investigates HPV Injury Compensation Program

March 20, 2013

### Documents Obtained by Judicial Watch Reveal 200 Claims Filed with HHS for HPV Vaccine Injuries and Deaths, 49 Compensated

*Documents Reveal that the National Vaccine Injury Compensation Program (VICP) has Paid Out Nearly \$6 million in Claims to Victims of Controversial HPV (human papillomavirus) Vaccine, including Families of Two Dead*

(Washington, DC) – Judicial Watch announced today that it has received documents from the Department of Health and Human Services (HHS) revealing that its National Vaccine Injury Compensation Program (VICP) has awarded \$5,877,710 dollars to 49 victims in claims made against the highly controversial HPV (human papillomavirus) vaccines. To date 200 claims have been filed with VICP, with barely half adjudicated.

The documents came in response to a February 28, 2013, Judicial Watch lawsuit against HHS to force the department to comply with a November 1, 2012, Judicial Watch Freedom of Information Act (FOIA) request (*Judicial Watch v. U.S. Department of Health and Human Services* (No. 1:13-cv-00197)). On March 12, 2013, The Health Resources and Services Administration (HRSA), an agency of HHS, provided Judicial Watch with documents revealing the following information:

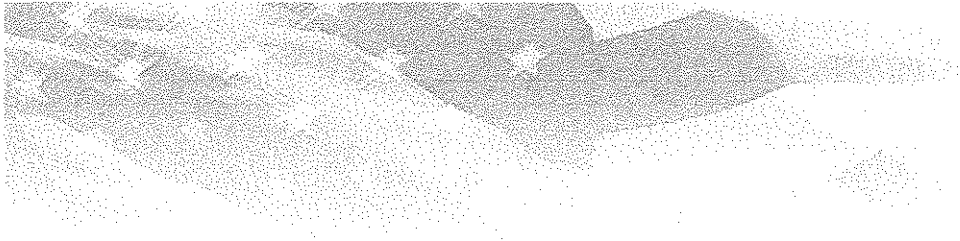
- Only 49 of the 200 claims filed have been compensated for injury or death caused from the (HPV) vaccine. Of the 49 compensated claims 47 were for injury caused from (HPV) vaccine the additional 2 claims were for death caused due to the vaccine.
- 92 (nearly half) of the total 200 claims filed are still pending. Of those pending claims 87 of the claims against (HPV) vaccine were filed for injury, the remaining 5 claims were filed for death.
- 59 claims have been dismissed outright by VICP. The alleged victims were not compensated for their claims against the HPV vaccine. Of the claims dismissed, 57 were for injuries, 2 were for deaths allegedly caused by the HPV vaccine.
- The amount awarded to the 49 claims compensated totaled 5,877,710.87 dollars. This amounts to approximately \$120,000 per claim.

VICP is a Health and Human Services program that compensates patients who have been adversely affected by certain vaccines. The HHS web site describes the program as a “no-fault alternative to the traditional tort system,” and it covers 16 specific classes of vaccines, including HPV vaccines which were added in 2007.

From its inception, the use of HPV (human papillomavirus) vaccines for sexually transmitted diseases has been hotly disputed. According to the *Annals of Medicine*: “At present there are no significant data showing that either Gardasil or Cervarix (GlaxoSmithKline) can prevent any type of cervical cancer since the testing period employed was too short to evaluate long-term benefits of HPV vaccination.”

“This new information from the government shows that the serious safety concerns about the use of Gardasil have been well-founded,” said Judicial Watch President Tom Fitton. “Public health officials should stop pushing Gardasil on children.”

In addition to obtaining records from the FDA through the agency’s Vaccine Adverse Event Reporting System (VAERS) which has documented thousands of adverse reactions to Gardasil, Judicial Watch also published a special report in 2008 detailing Gardasil’s approval process, side effects, safety concerns and marketing practices.



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# JW Seeks Answers to Payouts Made to Victims of HPV Vaccines

February 28, 2013

***HPV Vaccine Gardasil linked to serious side effects, including seizures, paralysis, blindness, speech problems, short term memory loss, Guillain-Barré Syndrome and death***

(Washington, DC) – Judicial Watch announced today that it filed a Freedom of Information Act (FOIA) lawsuit against the Obama Administration’s Department of Health and Human Services (HHS) to obtain records related to the Vaccine Injury Compensation Program (VICP), a program that compensates patients who have been adversely affected by certain vaccines, including Gardasil, the vaccine for the sexually transmitted disease human papillomavirus (*Judicial Watch v. U.S. Department of Health and Human Services* (No. 1:13-cv-00197)).

Judicial Watch initiated an investigation of HPV vaccine Gardasil after the Food and Drug Administration (FDA) fast-tracked the vaccine for through the approval process in 2006. Since 2007, Judicial Watch has uncovered government records documenting thousands of adverse reactions associated with the vaccine, including seizures, paralysis, blindness, pancreatitis, speech problems, short term memory loss, Guillain-Barré Syndrome and death.

Judicial Watch seeks the following records pursuant to its November 1, 2012 FOIA request filed with the Health Resources and Services Administration, a component of HHS:

1. Any and all records regarding, concerning, or related to the inclusion of human papillomavirus (HPV) vaccines as covered vaccines under the Vaccine Injury Compensation Program (VICP).
2. Any and all records depicting the number of claims filed under the Vaccine Injury Compensation Program (VICP) for injuries or deaths allegedly associated with human papillomavirus (HPV) vaccines.
3. Any and all records depicting the amount of compensation paid to claimants under the Vaccine Injury Compensation Program (VICP) pursuant to claims related to injuries or deaths allegedly associated with human papillomavirus (HPV) vaccines.

HHS acknowledged receipt of Judicial Watch’s FOIA request on November 2, 2012. By law, HHS was required to respond no later than December 4, 2012. However, as of the date of Judicial Watch’s lawsuit, the agency has failed to provide responsive documents, indicate when a response is forthcoming, or notify Judicial Watch why the records should be exempted from disclosure.

VICP is a Health and Human Services program that compensates patients who have been adversely affected by certain vaccines. The HHS web site describes the program as a “no-fault alternative to the traditional tort system,” and it covers 16 specific classes of vaccines, including HPV vaccines which were added in 2007. The number of successful claims made under the VICP to victims of HPV will provide further information about any dangers of the vaccine, including the number of well-substantiated cases of adverse reactions.

According to the *Annals of Medicine*: “At present there are no significant data showing that either Gardasil or Cervarix (GlaxoSmithKline) can prevent any type of cervical cancer since the testing period employed was too short to evaluate long-term benefits of HPV vaccination.”

“From the very beginning the federal government has attempted to shield the public from the truth about Gardasil. Despite safety concerns, the vaccine continues to be pushed for both girls and boys. For the supposed most transparent administration in history to stonewall on an urgent matter of public health is particularly galling,” stated Judicial Watch President Tom Fitton.

In addition to obtaining records from the FDA through the agency’s Vaccine Adverse Event Reporting System (VAERS) which has documented thousands of adverse reactions to Gardasil, Judicial Watch also published a special report in 2008 detailing Gardasil’s approval process, side effects, safety concerns and marketing practices.