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(Original Signature of Member)

117TH CONGRESS
1ST SESSION

H. R. 3655

To amend the Public Health Service Act to make updates to the Vaccine Injury Compensation Program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. DOGGETT introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Public Health Service Act to make updates to the Vaccine Injury Compensation Program, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Vaccine Injury Com-
5 pensation Modernization Act of 2021”.

6 **SEC. 2. CHANGES TO VACCINE INJURY COMPENSATION**
7 **PROGRAM.**

8 (a) SPECIAL MASTERS.—

1 (1) ESTABLISH MINIMUM NUMBER OF SPECIAL
2 MASTERS.—Section 2112(c)(1) of the Public Health
3 Service Act (42 U.S.C. 300aa–12(c)(1)) is amended
4 by striking “not more than 8” and inserting “not
5 less than 10”.

6 (2) ADDITIONAL REPORTING REQUIREMENTS.—
7 Section 2112(c)(6)(E) of the Public Health Service
8 Act (42 U.S.C. 300aa–12(c)(6)(E)) is amended—

9 (A) by inserting after “disposition of peti-
10 tions,” the following: “the number of petitions
11 filed that are pending disposition, the number
12 of hearings scheduled with respect to a pending
13 disposition,”; and

14 (B) by inserting “, including recommenda-
15 tions on whether additional special masters are
16 needed to ensure an expeditious and fair resolu-
17 tion of petitions or otherwise improve the Pro-
18 gram” after “in the Program”.

19 (b) RECOMMENDATIONS FROM CDC.—Section
20 2114(e)(2) of the Public Health Service Act (42 U.S.C.
21 300aa–14(e)(2)) is amended—

22 (1) by striking “within 2 years of” and insert-
23 ing “within 6 months of”; and

24 (2) in subparagraph (A), by inserting “adults,
25 or pregnant women” after “to children,”.

1 (c) INCREASE IN COMPENSATION.—

2 (1) COMPENSATION FOR DEATH.—Section
3 2115(a)(2) of the Public Health Service Act (42
4 U.S.C. 300aa–15(a)(2)) is amended to read as fol-
5 lows:

6 “(2) In the event of a vaccine-related death, an
7 award of—

8 “(A) if judgment on an award of com-
9 pensation is entered in calendar year 2021,
10 \$600,000; or

11 “(B) if judgment on an award of com-
12 pensation is entered in a subsequent calendar
13 year, the amount equal to the dollar amount
14 applicable under this paragraph for the pre-
15 ceding calendar year, adjusted by the total per-
16 centage change that occurred during such pre-
17 ceding calendar year in the Consumer Price
18 Index for all urban consumers (all items; U.S.
19 city average).”.

20 (2) COMPENSATION FOR PAIN AND SUF-
21 FERING.—Section 2115(a)(4) of the Public Health
22 Service Act (42 U.S.C. 300aa–15(a)(4)) is amended
23 to read as follows:

1 “(4) For actual and projected pain and suf-
2 fering and emotional distress from the vaccine-re-
3 lated injury, an award not to exceed—

4 “(A) if judgment on an award of com-
5 pensation is entered in calendar year 2021,
6 \$600,000; or

7 “(B) if judgment on an award of com-
8 pensation is entered in a subsequent calendar
9 year, the amount equal to the dollar amount
10 applicable under this paragraph for the pre-
11 ceding calendar year, adjusted by the total per-
12 centage change that occurred during such pre-
13 ceding calendar year in the Consumer Price
14 Index for all urban consumers (all items; U.S.
15 city average).”.

16 (d) INCREASE STATUTE OF LIMITATIONS.—Section
17 2116(a)(2) of the Public Health Service Act (42 U.S.C.
18 300aa–16(a)(2)) is amended by striking “36 months” and
19 inserting “5 years”.