

## HR 1287

Vaccine Injured Children's Compensation Act of 2001

**Congress:** 107 (2001–2003, Ended)

**Chamber:** House

**Policy Area:** Health

**Introduced:** Mar 29, 2001

**Current Status:** Referred to the Subcommittee on Health.

**Latest Action:** Referred to the Subcommittee on Health. (Apr 16, 2001)

**Official Text:** <https://www.congress.gov/bill/107th-congress/house-bill/1287>

### Sponsor

**Name:** Rep. Weldon, Dave [R-FL-15]

**Party:** Republican • **State:** FL • **Chamber:** House

### Cosponsors (23 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Burton, Dan [R-IN-6]	R · IN		Mar 29, 2001
Rep. Frank, Barney [D-MA-4]	D · MA		Mar 29, 2001
Rep. Horn, Stephen [R-CA-38]	R · CA		Mar 29, 2001
Rep. McCarthy, Karen [D-MO-5]	D · MO		Mar 29, 2001
Rep. McGovern, James P. [D-MA-3]	D · MA		Mar 29, 2001
Rep. Nadler, Jerrold [D-NY-8]	D · NY		Mar 29, 2001
Rep. Sessions, Pete [R-TX-5]	R · TX		Mar 29, 2001
Rep. Turner, Jim [D-TX-2]	D · TX		Mar 29, 2001
Rep. Bentsen, Ken [D-TX-25]	D · TX		Apr 26, 2001
Rep. DeLauro, Rosa L. [D-CT-3]	D · CT		May 2, 2001
Rep. Watkins, Wes [R-OK-3]	R · OK		May 2, 2001
Rep. Diaz-Balart, Lincoln [R-FL-21]	R · FL		May 3, 2001
Rep. Pitts, Joseph R. [R-PA-16]	R · PA		Jun 12, 2001
Rep. Larsen, Rick [D-WA-2]	D · WA		Jun 27, 2001
Rep. Ros-Lehtinen, Ileana [R-FL-18]	R · FL		Jun 27, 2001
Rep. Moore, Dennis [D-KS-3]	D · KS		Sep 5, 2001
Rep. McKinney, Cynthia A. [D-GA-4]	D · GA		Nov 1, 2001
Rep. Duncan, John J., Jr. [R-TN-2]	R · TN		Dec 12, 2001
Rep. Norwood, Charles W. [R-GA-10]	R · GA		Feb 4, 2002
Rep. Toomey, Patrick J. [R-PA-15]	R · PA		Feb 4, 2002
Rep. Ryun, Jim [R-KS-2]	R · KS		Mar 12, 2002
Rep. Smith, Nick [R-MI-7]	R · MI		Mar 12, 2002
Rep. Hall, Ralph M. [D-TX-4]	D · TX		Apr 10, 2002

## Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred to	Apr 16, 2001

## Subjects & Policy Tags

### Policy Area:

Health

## Related Bills

*No related bills are listed.*

## Summary (as of Mar 29, 2001)

Vaccine Injured Children's Compensation Act of 2001 - Amends provisions of the Public Health Service Act relating to the National Vaccine Injury Compensation Program to: (1) designate the Program as a remedial program under which sovereign immunity does not apply; (2) change the burden of proof requirement for the award of compensation from a preponderance of the evidence to evidence sufficient to justify a belief that the petitioner's claims are well grounded (while giving the benefit of doubt to the petitioner); (3) require any defense raised that an illness, injury, or death was due to unrelated factors to be proved by clear and convincing evidence; (4) authorize as Program compensation expenses necessary for the establishment of a trust to receive Program funds, as well as expenses incurred for family counseling or training necessitated by the vaccine-related injury; (5) allow the award of petitioner's attorneys' fees; (6) increase to up to 72 months the statute of limitations under the Program; (7) allow such period to be extended for an additional 36 months after a petitioner first knew or should have known about his or her eligibility for compensation; (8) toll the statute of limitations until a petitioner reaches age 18 and, if a petitioner is incompetent, until 24 months after a guardian is appointed; and (9) authorize the refiling of a previously failed petition if the petitioner would have met the extended statute of limitations provided under this Act.

## Actions Timeline

- **Apr 16, 2001:** Referred to the Subcommittee on Health.
- **Mar 29, 2001:** Introduced in House
- **Mar 29, 2001:** Introduced in House
- **Mar 29, 2001:** Sponsor introductory remarks on measure. (CR E488-489)
- **Mar 29, 2001:** Referred to the House Committee on Energy and Commerce.