

## HR 9366

To amend titles III and XXI of the Public Health Service Act to hold vaccine manufacturers liable for injuries caused by vaccines subject to a public mandate, and for other purposes.

**Congress:** 117 (2021–2023, Ended)

**Chamber:** House

**Policy Area:** Health

**Introduced:** Nov 30, 2022

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

**Latest Action:** Referred to the Subcommittee on Health. (Dec 1, 2022)

**Official Text:** <https://www.congress.gov/bill/117th-congress/house-bill/9366>

### Sponsor

**Name:** Rep. Gohmert, Louie [R-TX-1]

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

### Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Jackson, Ronny [R-TX-13]	R · TX		Dec 2, 2022

### Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred to	Dec 1, 2022

### Subjects & Policy Tags

**Policy Area:**

Health

### Related Bills

*No related bills are listed.*

This bill imposes liability on manufacturers and distributors for claims for losses arising from the administration or use of certain vaccines. The bill also limits the authority of the Department of Health and Human Services (HHS) to incorporate new vaccines into the National Vaccine Injury Compensation Program (VICP), which compensates individuals for injuries or deaths associated with routinely administered vaccines.

Current law generally provides liability protections for manufacturers and distributors of pandemic and epidemic products and security countermeasures (which include vaccines). This bill specifies that the liability protections shall not apply to the administration of vaccines that are (1) licensed biological products or approved for use under emergency procedures, and (2) required by federal or state governments (or federally funded entities). The bill also permits individuals to sue manufacturers and distributors in state or federal courts without first seeking compensation through the VICP process for injuries or deaths caused by the administration of such vaccines.

Additionally, HHS may not add a vaccine to the Vaccine Injury Table (which lists the vaccines that are covered by the VICP) if the vaccine (1) is required by the federal government or a federally funded entity, and (2) is administered without obtaining informed consent or providing a religious exemption (if requested by the individual receiving the vaccine).

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### **Actions Timeline**

- **Dec 1, 2022:** Referred to the Subcommittee on Health.
- **Nov 30, 2022:** Introduced in House
- **Nov 30, 2022:** Referred to the House Committee on Energy and Commerce.