

CICP: Supporting Americans and Strengthening Emergency Preparedness

A strong compensation program is essential to the nation's ability to prepare for and respond to public health emergencies.

Public health emergencies require a coordinated response.

Congress established the Public Readiness and Emergency Preparedness (PREP) Act to help government, manufacturers, distributors and health care providers prepare for and respond to emergencies. Created under the PREP Act, the Countermeasures Injury Compensation Program (CICP) is designed to help support the rapid development, manufacturing, distribution and administration of urgently needed medical interventions.¹

COUNTERMEASURES AND CICP AT A GLANCE

A medical countermeasure is a vaccine, medication, device or other item that is used to prevent, diagnose or treat a public health emergency or a security threat.

CICP is a federal program that may provide compensation to people who experience a serious injury or death of a family member caused by certain medical countermeasures used during a public health emergency or security threat. The program ensures that during emergencies, urgently needed medical products are available, while also providing compensation and protection for anyone who might be harmed by these countermeasures. **CICP:**



Supports preparedness before a crisis. Greater certainty helps public and private-sector partners know they can invest and plan for emergency response.



Helps enable timely access during an emergency. PREP Act protections reduce uncertainty during emergencies, providing stability for manufacturers and health care providers.



Provides an administrative pathway to compensation. Eligible individuals with qualifying injuries – and, in some circumstances, survivors or estates – may seek benefits with a lower threshold of evidence needed.

THE BOTTOM LINE

Effective emergency preparedness requires both the ability to distribute and utilize medical countermeasures quickly and provide a pathway to compensate eligible individuals, which is why a strong CICP is so important.

COVERED 'MEDICAL COUNTERMEASURES' UNDER THE CICP

Which countermeasures are covered by CICP is determined by a PREP act declaration issued by the Secretary of Health and Human Services. Depending on the declaration, CICP may cover certain vaccines, medicines, medical devices and other products to prevent, diagnose, treat or mitigate a specific illness during the duration of the declaration. COVID-19 vaccines currently are covered by CICP, not the National Vaccine Injury Compensation Program (VICP).²

ELIGIBILITY FOR COMPENSATION REQUIRES CAUSATION

To qualify for compensation, a requester **must demonstrate that a covered countermeasure directly caused a serious physical injury or death.**⁴ Some declared health emergencies include a countermeasure injury table – a list of covered injuries presumed to be caused by covered medical countermeasures – in which case a requester may qualify by meeting the table's requirements. For covered countermeasures without a table (or for injuries not included on a table), HRSA must make a case-by-case determination supported by compelling, reliable, valid medical and scientific evidence. There is currently no CICP injury table for COVID-19 countermeasures – meaning those claims are evaluated individually.

A STRONG CICP IS ESSENTIAL TO EMERGENCY PREPAREDNESS

CICP must be secure and dependable before an emergency arises. Congress can help strengthen the program and the nation's ability to respond to public health emergencies by:

- Providing sufficient, reliable funding to administer the program and pay eligible claims.
- Ensuring HRSA has the staff resources needed to review claims efficiently and communicate clearly with requesters.
- Preserving a stable PREP Act framework that supports the rapid development and deployment of medical countermeasures.

HOW DOES CICP WORK?

1. FILING

An eligible requester submits a claim to the Health Resources and Services Administration (HRSA), generally within one year of receiving or using the covered countermeasure.

2. DOCUMENTATION

The requester supplies medical records and other information supporting the injury and claimed losses.

3. REVIEW

HHS medical and legal staff determine whether a covered countermeasure directly caused a serious injury or death; CICP's administrative process does not include an evidentiary hearing.

4. COMPENSATION

If the claim qualifies, HRSA determines the benefits available after accounting for payments from insurers and other third parties.

5. RECONSIDERATION

If HRSA finds a claim ineligible, the requester may ask for reconsideration within HHS. CICP determinations are not subject to judicial review.

COMPENSATION COVERS LOSSES

- Unreimbursed medical expenses
- Lost employment income
- Certain survivor death benefits
- Certain benefits payable to an estate

Congress must ensure CICP works as intended – for individuals, for public health preparedness and to keep American families safe during the next health emergency.

¹ 42 U.S.C. §§ 247d-6d, 247d-6e; HRSA, Countermeasures Injury Compensation Program, <https://www.hrsa.gov/cicp>

² HRSA, Covered Countermeasures and CICP FAQs, [hrsa.gov/cicp](https://www.hrsa.gov/cicp); <https://www.hrsa.gov/cicp/faq>

³ HRSA, Comparison of CICP and VICP, [hrsa.gov/cicp/cicp-vicp](https://www.hrsa.gov/cicp/cicp-vicp)

⁴ HRSA, CICP Resources, [hrsa.gov/cicp/resources](https://www.hrsa.gov/cicp/resources)