

North Carolina Vaccine Injury Attorneys

Helping You Get Fair Compensation

Vaccines serve a vital role in preventing dangerous diseases, but, on rare occasions, there can be adverse reactions to a vaccine. If you have suffered a serious reaction to or been harmed by a vaccine, you may be entitled to compensation. A vaccine injury lawyer at Martin & Jones can review your case and help you understand your options.

COVID vaccine is NOT currently listed as a covered vaccine.

[Read about the Countermeasures Injury Compensation Program.](#)

What Makes Vaccine Injury Claims Unique

In most [injury cases](#), the injured party must prove both that the other party was negligent and that the negligence caused the injury. Because proving negligence by a vaccine manufacturer could be extraordinarily difficult, the United States Congress adopted the National Childhood Vaccine Injury Act in 1986 which established the [National Vaccine Injury Compensation Program \(NVICP\)](#). The Vaccine Act does **not** require an injured person to prove negligence.

A person harmed by a vaccine is only required to prove that their injury was caused by a vaccine.

Here are some of the key features of the NVICP:

- **It is a “no-fault” compensation program.** When you file a claim with the NVICP, you do not need to prove that someone’s negligence caused your injury. This “no-fault” process significantly simplifies vaccine injury claims, and a claimant only needs to prove that the vaccine caused their injury.
- **Claims are paid from a trust fund funded by vaccine manufacturers.** In many injury cases, especially mass tort claims, there are concerns that the at-fault party may lack sufficient resources to pay all the claims, and

sometimes the manufacturer will file for bankruptcy. Because the vaccine program is funded by all of the vaccine manufacturers, claimants can rest assured that there will be funds available to pay their claims.

- **Attorney's fees are also covered by the NVICP trust fund.** Injury attorneys typically work on a contingency fee basis, meaning that they receive a portion of any compensation they recover as their fee. In vaccine injury cases, claimants' attorney fees are paid separately by the trust fund and do not reduce a vaccine claimant's compensation.

While the NVICP provides numerous benefits to claimants, vaccine claims can be quite complicated. If you believe you have been harmed by a vaccine, you should speak with a knowledgeable vaccine lawyer as soon as possible.

Our North Carolina Vaccine Injury Lawyers Will File Your Vaccine Injury Claim

Vaccine injury claims seeking compensation from the NVICP are handled in the U.S. Court of Federal Claims. Here is a brief overview of the process:

1. The claimant must file a petition with the Court of Federal Claims describing the injury or health effects they have suffered and alleging that the vaccine caused the injury.
2. The U.S. Department of Health and Human Services (HHS) reviews the petition to determine whether it meets the necessary medical criteria that entitle the claimant to compensation. The department then makes a preliminary recommendation.
3. The petition is then referred to the Department of Justice (DOJ), which prepares a report that includes the recommendation made by HHS. The DOJ's report will also include a legal analysis of the claim which will then be submitted as part of their report to the court.
4. The court will then appoint a special master to review the claim. As part of the review, the special master will usually schedule a hearing, at which all parties may attend and submit evidence. Following the hearing, the special master will determine whether compensation will be awarded to the claimant and in what amount. If compensation is awarded, the court will then order HHS to pay the claim as ordered by the court. In some cases, the court may order HHS to pay the claimant's attorney's fees and costs even though the claim was otherwise dismissed.

Claimants have the right to appeal the decision of the special master and the court. Preparing and presenting a vaccine claim correctly is vital to success, and the hearings in vaccine cases are formal legal proceedings. Working with a North Carolina vaccine injury law firm is the best way to navigate the process successfully.



Do You Have a Vaccine Injury Claim?

The NVICP pays compensation to people who have been injured as a result of taking one of the many vaccines covered by the program. The program typically compensates injuries caused by the following:

- [Seasonal flu shots](#)
- HPV vaccines
- Vaccines for Hepatitis A and B
- Varicella vaccines
- Tetanus shots
- Rotavirus vaccines
- Meningococcal vaccines
- MMR, MM, or MMRV vaccines

- DTaP, DTP-Hib, DTIP, DT, P,Td or TT vaccines
- Polio vaccines

The complete list maintained by the NVICP is quite extensive. If you believe that you have been injured because of a vaccine, the best thing you can do is contact a North Carolina vaccine injury lawyer as soon as possible.

Symptoms That You May Have Suffered a Vaccine Injury

- Severe pain
- Difficulty speaking
- Difficulty swallowing or eating
- Fever
- Fatigue
- Loss of mobility or range of motion
- Loss of balance
- Numbness, loss of sensation, or tingling
- Muscle weakness
- Sleep difficulties

It is important to note, however, that your symptoms must meet one of the following criteria to pursue a claim for compensation:

1. Your symptoms have lasted for more than six months after receiving the vaccine; or,
2. Your symptoms required hospitalization and surgical intervention; or,
3. Your loved one died.

Common Vaccine-Related Injuries

Some of the most common vaccine-related injuries include, but are not limited to, the following:

- [SIRVA](#) - Shoulder injury related to vaccine administration including tendonitis, rotator cuff injuries, bursitis, and other injuries
- [Guillain-Barré Syndrome](#) - an autoimmune disorder linked to flu and tetanus vaccines

- Anaphylaxis - severe allergic reaction
- Chronic inflammatory demyelinating polyneuropathy (CIDP) - a neurological disorder that is a variation of Guillain-Barre Syndrome
- Idiopathic thrombocytopenic purpura (ITP) - a blood disorder that causes issues with clotting
- Acute disseminated encephalomyelitis (ADEM) - a neurological disorder where the immune system attacks and damages the protective covering of the nerves in the brain and spinal cord
- Transverse myelitis - an inflammation of the spinal cord that results in damage to the protective covering of the nerves

If you are suffering from any of these injuries, a North Carolina vaccine attorney can review your case and determine whether you may have a claim.

The Statute of Limitations for Vaccine Injury Claims

Under the law, claims for vaccine injuries have a limited time to file. It is sometimes difficult to pinpoint exactly when your symptoms began to manifest themselves. As a result, we recommend contacting a North Carolina vaccine injury lawyer as soon as possible.

If someone has died because of a vaccine, the time to file is complicated; therefore, the sooner the claim can be filed, the better for estates who wish to preserve their right to receive compensation.

Compensation Available for Your Vaccine Injury

If you can prove that you have suffered an injury or adverse health effects due to a vaccine, you may be entitled to compensation for some or all of the following:

- Past, current, and future medical expenses related to your injury
- Past and future lost income
- Up to \$250,000 for pain, suffering, and emotional distress

If you are seeking compensation on behalf of someone who has died as a result of a vaccine, you may be entitled to a \$250,000 death benefit, in addition to the related medical expenses. An experienced North Carolina vaccine injury lawyer can help you get fair compensation for your claim.

Martin & Jones - A North Carolina Vaccine Injury Law Firm Helping You Get Your Life Back

If you have suffered an injury or other adverse health consequences, we can help you obtain the compensation you need. To schedule a free consultation with one of our knowledgeable North Carolina vaccine attorneys, [contact us](#) today at 800-662-1234.