

# In the United States Court of Federal Claims

## OFFICE OF SPECIAL MASTERS

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JODI K. HUPE, mother and next friend of B.A.H., a minor,

Petitioner,

v.

SECRETARY OF HEALTH AND HUMAN SERVICES,

Respondent.

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No. 14-448V  
Special Master Christian J. Moran

Filed: August 29, 2014

Stipulation; human papillomavirus (“HPV”) vaccine; syncope; fractures.

Theodore G. Pashos, Niedner Bodeux et al., St. Charles, MO, for Petitioner;  
Lindsay Corliss, United States Dep’t of Justice, Washington, DC, for Respondent.

### UNPUBLISHED RULING FINDING ENTITLEMENT<sup>1</sup>

On May 27, 2014, Jodi K. Hupe, on behalf of her minor daughter, B.A.H., filed a petition for compensation alleging that as a result of a June 1, 2011, human papillomavirus (“HPV”) vaccination, B.A.H. experienced a syncopal episode resulting in mandibular fractures, lacerations, and tooth fractures. Ms. Hupe seeks compensation pursuant to the National Vaccine Injury Compensation Program, 42 U.S.C. §§ 300aa-10 through 34 (2006).

In the Rule 4 (c) report, respondent stated that Ms. Hupe’s claim is compensable under the Act. Respondent stated that the Division of Vaccine Injury Compensation, Department of Health and Human Services, has reviewed the facts of this case and have concluded that “B.A.H’s alleged injury is consistent with syncope, caused-in-fact by her vaccination, resulting in mandibular fractures,

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<sup>1</sup> The E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2913 (Dec. 17, 2002), requires that the Court post this decision on its website. Pursuant to Vaccine Rule 18(b), the parties have 14 days to file a motion proposing redaction of medical information or other information described in 42 U.S.C. § 300aa-12(d)(4). Any redactions ordered by the special master will appear in the document posted on the website.

multiple lacerations, and tooth fractures.” Resp’t’s Rep., filed Aug. 21, 2014, at 5.

Special masters may determine whether a petitioner is entitled to compensation based upon the record. A hearing is not required. 42 U.S.C. § 300aa-13; Vaccine Rule 8(d). Based upon a review of the record as a whole, the undersigned finds that petitioner has established that she is entitled to compensation for B.A.H.’s injuries, limited to B.A.H.’s syncopal episode and its related sequelae, including her jaw and mouth injuries, only.

**Accordingly, Ms. Hupe is entitled to compensation.** A status conference is set for **Monday, October 20, 2014 at 11:00 A.M. Eastern Time** to discuss the process for quantifying the amount of damages to which he is entitled.

Any questions shall be directed to my law clerk, Mary Holmes, at (202) 357-6353.

**IT IS SO ORDERED.**

s/Christian J. Moran  
Christian J. Moran  
Special Master