

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 19-730V

UNPUBLISHED

TAMMY ROBINSON,

Petitioner,

v.

SECRETARY OF HEALTH AND
HUMAN SERVICES,

Respondent.

Chief Special Master Corcoran

Filed: June 25, 2020

Special Processing Unit (SPU);
Ruling on Entitlement; Concession;
Table Injury; Influenza (Flu) Vaccine;
Shoulder Injury Related to Vaccine
Administration (SIRVA)

Ronald Craig Homer, Conway, Homer, P.C., Boston, MA, for petitioner.

Zoe Wade, U.S. Department of Justice, Washington, DC, for respondent.

RULING ON ENTITLEMENT¹

On May 24, 2019, Tammy Robinson filed a petition for compensation under the National Vaccine Injury Compensation Program, 42 U.S.C. §300aa-10, *et seq.*,² (the “Vaccine Act”). Petitioner alleges that she suffered from a left shoulder injury related to vaccine administration (SIRVA) as a result of receiving the influenza (flu) vaccine on March 6, 2018. Petition at 1. The case was assigned to the Special Processing Unit of the Office of Special Masters.

On June 24, 2020, Respondent filed his Rule 4(c) report in which he concedes that Petitioner is entitled to compensation in this case. Respondent’s Rule 4(c) Report at 1. Specifically, Respondent “concluded that [P]etitioner’s alleged injury is consistent

¹ Because this unpublished ruling contains a reasoned explanation for the action in this case, I am required to post it on the United States Court of Federal Claims’ website in accordance with the E-Government Act of 2002. 44 U.S.C. § 3501 note (2012) (Federal Management and Promotion of Electronic Government Services). **This means the ruling will be available to anyone with access to the internet.** In accordance with Vaccine Rule 18(b), Petitioner has 14 days to identify and move to redact medical or other information, the disclosure of which would constitute an unwarranted invasion of privacy. If, upon review, I agree that the identified material fits within this definition, I will redact such material from public access.

² National Childhood Vaccine Injury Act of 1986, Pub. L. No. 99-660, 100 Stat. 3755. Hereinafter, for ease of citation, all “§” references to the Vaccine Act will be to the pertinent subparagraph of 42 U.S.C. § 300aa (2012).

with SIRVA of the left arm and that it meets the requirements of a Table injury claim for SIRVA stemming from the flu vaccination on March 6, 2018.” Respondent did not identify any other causes for Petitioner’s injury, and she suffered the sequela of this injury for more than six months. *Id.* at 5-6. Respondent found that Pe *Id.* at 5-6. Respondent further agrees that the scope of damages to be awarded is limited to petitioner’s SIRVA and its related sequela only.. *Id.*

In view of Respondent’s position and the evidence of record, I find that Petitioner is entitled to compensation.

IT IS SO ORDERED.

s/Brian H. Corcoran

Brian H. Corcoran
Chief Special Master