



his case be dismissed. ECF No. 14.

To receive compensation under the Program, the injured person must meet what has been deemed the “severity requirement.” *See* 42 U.S.C. §300aa-11(c)(1)(B)-(D). A petitioner can show that the injured person suffered the residual effects of the alleged injury for more than six months after the administration of the vaccine; the injured person died from the administration of the vaccine; or the injured person suffered from an alleged injury which resulted in inpatient hospitalization and surgical intervention. *Id.*

D.W.G.’s medical records indicate that he did not suffer residual effects of intussusception for more than six months after his rotavirus vaccination, and the Court has repeatedly held that intussusception treated with a barium enema does not qualify as surgical intervention. *See, e.g., Spooner v. Sec’y of Health & Human Servs.*, No. 13-159V, 2014 WL 504728 (Fed. Cl. Spec. Mstr. Jan. 16, 2014); *Carda on behalf of G.J.C. v. Sec’y of Health & Human Servs.*, No. 14-191V, 2017 WL 6887368, at \*3 (Fed. Cl. Spec. Mstr. Nov. 16, 2017). Petitioner’s claim does not meet the severity requirement of residual effects of an alleged injury or illness for more than six months following administration of a vaccine or inpatient hospitalization and surgical intervention and is therefore ineligible to receive compensation in the Vaccine Program.

**Thus, this case is dismissed. The Clerk shall enter judgment accordingly.**

**IT IS SO ORDERED.**

**s/ Mindy Michaels Roth**  
Mindy Michaels Roth  
Special Master