

Health and Human Services (“DICP”) reviewed the medical documents and determined that R.H.’s chronic osteomyelitis was more likely than not caused by the flu vaccine. Resp’t’s Rep. at 11. The Secretary recognized that “petitioner has satisfied the statutory requirement that R.H.’s injury lasted for at least six months, or resulted in ‘inpatient hospitalization and surgical intervention’ as required by 42 U.S.C. § 300aa-11(c)(1)(D)(i),(iii).” Id.

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 Ms. Huettl has established that she, on behalf of R.H., is entitled to compensation for his injury.

Accordingly, Ms. Huettl, on behalf of R.H., is entitled to compensation for his injury. Ms. Huettl remains obligated to submit a status report regarding her demand by **Friday, September 22, 2023**. See order, issued Aug. 15, 2023.

Any questions may be directed to my law clerk, Debbie Chu, at (202) 357-6360.

IT IS SO ORDERED.

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