In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

CHINA CUMMINGS, *on behalf of her minor child, K.C.,*	*	No. 24-45V
Petitioner,	*	Special Master Christian J. Moran
v.	*	Filed: March 3, 2025
SECRETARY OF HEALTH AND HUMAN SERVICES,	*	
Respondent.	*	

Alison Haskins, Siri & Glimstad, LLP, Aventura, FL, for Petitioner;
Alexa Roggenkamp, United States Department of Justice, Washington, DC, for Respondent.

RULING ON ENTITLEMENT[1]

On January 12, 20245, petitioner China Cummings filed a petition on behalf of her minor child K.C. for compensation under the National Vaccine Injury Compensation Program, 42 U.S.C. § 300aa-10 to -34 et seq. (2012). Petitioner alleged that an influenza vaccine administered to K.C. on October 8, 2022, caused cellultis. Pet. at 1, 6.

On February 26, 2025, respondent filed his Rule 4(c) Report, conceding that petitioner is entitled to compensation in this case. Resp't's Rep. at 1. Specifically, respondent states:

> Respondent has concluded that a preponderance of the medical evidence establishes that K.C.'s cellulitis and subsequent scarring were caused-in-fact by the flu vaccine she received on October 8, 2022. Respondent has not identified any other cause for K.C.'s injury, and the medical records outlined above demonstrate that she suffered the residual effects of her condition for more than six months. Therefore, based on the

[1] Because this Ruling contains a reasoned explanation for the action taken in this case, it must be made publicly accessible and will be posted on the United States Court of Federal Claims' website, and/or at https://www.govinfo.gov/app/collection/uscourts/national/cofc, in accordance with the E-Government Act of 2002. 44 U.S.C. § 3501 note (2018) (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), the parties have 14 days to identify and move to redact medical or other information, the disclosure of which would constitute an unwarranted invasion of privacy. Any changes will appear in the document posted on the website.

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record as it now stands, petitioner has satisfied all legal prerequisites for compensation under the Vaccine Act..

Id. at 4 (citations omitted). Respondent also notes that the scope of damages to be awarded should be limited to K.C.'s cellulitis and related sequelae of scarring only. Id.

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

IT IS SO ORDERED.

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