In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 24-0206V

SHIRLEY RAGLAND,

Petitioner,

v.

SECRETARY OF HEALTH AND HUMAN SERVICES,

Respondent.

Chief Special Master Corcoran

Filed: November 24, 2025

Jonathan P. Groth, Groth Law Firm, S.C., Wauwatosa, WI, for Petitioner.

Alexa Roggenkamp, U.S. Department of Justice, Washington, DC, for Respondent.

DECISION AWARDING DAMAGES[1]

On February 12, 2024, Shirley Ragland 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 a shoulder injury related to vaccine administration ("SIRVA") resulting from an influenza vaccine received on November 10, 2022. Petition at 1-7. The case was assigned to the Special Processing Unit of the Office of Special Masters.

On April 30, 2025, a ruling on entitlement was issued, finding Petitioner entitled to compensation for SIRVA. On November 24, 2025, Respondent filed a proffer on award of compensation ("Proffer") indicating Petitioner should be awarded $60,000.00, in addition to funds to satisfy two liens. Proffer at 2-3. In the Proffer, Respondent represented that Petitioner agrees with the proffered award. *Id.* Based on the record as a whole, I find that Petitioner is entitled to an award as stated in the Proffer.

[1] Because this Decision 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 Decision 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 section references to the Vaccine Act will be to the pertinent subparagraph of 42 U.S.C. § 300aa (2018).

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Pursuant to the terms stated in the attached Proffer, **I award Petitioner the following:**

A. **A lump sum payment of $60,000.00 (for pain and suffering), to be paid through an ACH deposit to Petitioner's counsel's IOLTA account for prompt disbursement to Petitioner; and**

B. **A lump sum payment of $1,566.93, representing compensation for satisfaction of the lien from Dean Health Plan (acting on behalf of the State of Wisconsin Medicaid), in the form of a check payable jointly to Petitioner and:**

Dean Health Plan
P.O. Box 56099
Madison, WI 53705-9399

Petitioner agrees to endorse this check to Dean Health Plan.

C. **A lump sum payment of $37.96, representing compensation for satisfaction of the State of Wisconsin Medicaid lien, in the form of a check payable jointly to Petitioner and:**

Wisconsin Casualty Recovery
225 East John Carpenter Freeway Suite 500
Irving, TX 75062

Petitioner agrees to endorse this check to Wisconsin Casualty Recovery.

These amounts represent compensation for all damages that would be available under Section 15(a).

The Clerk of Court is directed to enter judgment in accordance with this decision.[3]

IT IS SO ORDERED.

s/Brian H. Corcoran
Brian H. Corcoran
Chief Special Master

[3] Pursuant to Vaccine Rule 11(a), entry of judgment can be expedited by the parties' joint filing of notice renouncing the right to seek review.

IN THE UNITED STATES COURT OF FEDERAL CLAIMS
OFFICE OF SPECIAL MASTERS

SHIRLEY RAGLAND, Petitioner, v. SECRETARY OF HEALTH AND HUMAN SERVICES, Respondent.	No. 24-206V Chief Special Master Corcoran ECF

PROFFER ON AWARD OF COMPENSATION[1]

On February 12, 2024, Shirely Ragland ("petitioner") filed a petition for compensation under the National Childhood Vaccine Injury Act of 1986, 42 U.S.C. §§ 300aa-1 to -34 ("Vaccine Act" or "Act"), alleging that she suffered a shoulder injury related to vaccine administration ("SIRVA"), as defined in the Vaccine Injury Table, 42 C.F.R. § 100.3, as the result of an influenza ("flu") vaccination received on November 10, 2022. Petition at 3, 6. On April 29, 2025, the Secretary of Health and Human Services ("respondent") filed a Rule 4(c) Report indicating that this case is appropriate for compensation under the terms of the Act for a Table SIRVA injury. ECF No. 27. On April 30, 2025, the Chief Special Master issued a Ruling on Entitlement finding petitioner entitled to compensation. ECF No. 28.

I. Items of Compensation

Based on the evidence of record, respondent proffers that petitioner should be awarded the following:

[1] This Proffer does not include attorneys' fees and costs, which the parties intend to address after the Damages Decision is issued.

A. Pain and Suffering

Respondent proffers that petitioner should be awarded **$60,000.00** in pain and suffering. *See* 42 U.S.C. § 300aa-15(a)(4). Petitioner agrees.

B. Medicaid Lien

Respondent proffers that petitioner should be awarded funds to satisfy a lien from Dean Health Plan in the amount of **$1,566.93**, and funds to satisfy the State of Wisconsin Medicaid lien in the amount of **$37.96**, which together represent full satisfaction of any right of subrogation, assignment, claim, lien, or cause of action the State of Wisconsin may have against any individual as a result of any Medicaid payments the State of Wisconsin has made to or on behalf of petitioner from the date of her eligibility for benefits through the date of judgment in this case as a result of her vaccine-related injury suffered on or about November 10, 2022.

The above amounts represent all elements of compensation to which petitioner is entitled under 42 U.S.C. § 300aa-15(a). Petitioner agrees.

II. Form of the Award/Recommended Payments

The parties recommend that compensation provided to petitioner should be made through three lump sum payments described below, and request that the Chief Special Master's decision and the Court's judgment award the following: [2]

A. A lump sum payment of **$60,000.00** to be paid through an ACH deposit to petitioner's counsel's IOLTA account for prompt disbursement to petitioner, Shirley Ragland; and

B. A lump sum payment of **$1,566.93**, representing compensation for satisfaction of the lien from Dean Health Plan (acting on behalf of the State of Wisconsin Medicaid), in the form of a check payable jointly to petitioner and:

[2] Should petitioner die prior to entry of judgment, the parties reserve the right to move the Court for appropriate relief. In particular, respondent would oppose any award for future medical expenses, future pain and suffering, and future lost wages.

Dean Health Plan
P.O. Box 56099
Madison, WI 53705-9399

Petitioner agrees to endorse this check to Dean Health Plan.

C. A lump sum payment of **$37.96**, representing compensation for satisfaction of the State of Wisconsin Medicaid lien, in the form of a check payable jointly to petitioner and:

Wisconsin Casualty Recovery
225 East John Carpenter Freeway Suite 500
Irving, TX 75062

Petitioner agrees to endorse this check to Wisconsin Casualty Recovery.

Petitioner is a competent adult. Proof of guardianship is not required in this case.

Respectfully submitted,

BRETT A. SHUMATE
Assistant Attorney General

C. SALVATORE D'ALESSIO
Director
Torts Branch, Civil Division

HEATHER L. PEARLMAN
Deputy Director
Torts Branch, Civil Division

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/s/ Alexa Roggenkamp
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DATED: November 24, 2025