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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

Docket No. CDC-2015-0016

**Final Revised Vaccine Information Materials for Seasonal
Influenza Vaccines**

AGENCY: Centers for Disease Control and Prevention (CDC),
Department of Health and Human Services (HHS)

ACTION: Notice

SUMMARY: Under the National Childhood Vaccine Injury Act (NCVIA) (42 U.S.C. 300aa-26), the HHS/CDC must develop vaccine information materials that all health care providers are required to give to patients/parents prior to administration of specific vaccines. On May 20, 2015, CDC published a notice in the Federal Register (80 FR 29009) seeking public comments on proposed new vaccine information materials for inactivated and live attenuated influenza

vaccines. Following review of comments submitted and consultation as required under the law, CDC has finalized the materials. Copies of the final vaccine information materials for inactivated and live attenuated influenza vaccines are available to download from <http://www.cdc.gov/vaccines/hcp/vis/index.html> or <http://www.regulations.gov> (see Docket Number CDC-2015-0016).

DATES: Beginning no later than March 1, 2016, each health care provider who administers any seasonal influenza vaccine to any child or adult in the United States shall provide copies of the relevant revised vaccine information materials contained in this notice, in conformance with the August 7, 2015 CDC Instructions for the Use of Vaccine Information Statements prior to providing such vaccinations. These revised vaccine information materials may also be used earlier than that date. Prior to March 1, 2016, the previous edition of these two VISSs can be used.

FOR FURTHER INFORMATION CONTACT: Suzanne Johnson-DeLeon (msj1@cdc.gov), National Center for Immunization and Respiratory Diseases, Centers for Disease Control and

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SUPPLEMENTARY INFORMATION: The National Childhood Vaccine Injury Act of 1986 (Pub. L. 99-660), as amended by section 708 of Public Law 103-183, added section 2126 to the Public Health Service Act. Section 2126, codified at 42 U.S.C. 300aa-26, requires the Secretary of Health and Human Services to develop and disseminate vaccine information materials for distribution by all health care providers in the United States to any patient (or to the parent or legal representative in the case of a child) receiving vaccines covered under the National Vaccine Injury Compensation Program (VICP).

Development and revision of the vaccine information materials, also known as Vaccine Information Statements (VIS), have been delegated by the Secretary to the Centers for Disease Control and Prevention (CDC). Section 2126 requires that the materials be developed, or revised, after notice to the public, with a 60-day comment period, and in consultation with the Advisory Commission on Childhood Vaccines, appropriate health care provider and parent organizations, and the Food and Drug Administration. The

law also requires that the information contained in the materials be based on available data and information, be presented in understandable terms, and include:

- (1) A concise description of the benefits of the vaccine,
- (2) A concise description of the risks associated with the vaccine,
- (3) A statement of the availability of the National Vaccine Injury Compensation Program, and
- (4) Such other relevant information as may be determined by the Secretary.

The vaccines initially covered under the National Vaccine Injury Compensation Program were diphtheria, tetanus, pertussis, measles, mumps, rubella and poliomyelitis vaccines. Since April 15, 1992, any health care provider in the United States who intends to administer one of these covered vaccines is required to provide copies of the relevant vaccine information materials prior to administration of any of these vaccines. Since then, the following vaccines have been added to the National Vaccine

Injury Compensation Program, requiring use of vaccine information materials for them as well: Hepatitis B, *Haemophilus influenzae* type b (Hib), varicella (chickenpox), pneumococcal conjugate, rotavirus, hepatitis A, meningococcal, human papillomavirus (HPV), and seasonal influenza vaccines. Instructions for use of the vaccine information materials are found on the CDC Web site at: <http://www.cdc.gov/vaccines/hcp/vis/index.html>.

Revised Vaccine Information Materials

The revised inactivated and live attenuated influenza vaccine information materials referenced in this notice were developed in consultation with the Advisory Commission on Childhood Vaccines, the Food and Drug Administration, and parent and healthcare provider organizations. Following consultation and review of comments submitted, the vaccine information materials covering inactivated and live attenuated influenza vaccine have been finalized and are available to download from <http://www.cdc.gov/vaccines/hcp/vis/index.html> or <http://www.regulations.gov> (see Docket Number CDC-2015-0016). The Vaccine Information Statements (VIS), are: "Influenza (Flu) Vaccine (Inactivated or Recombinant): What

you need to know" (publication date August 7, 2015) and
"Influenza (Flu) Vaccine (Live, Intranasal): What you need
to know" (publication date August 7, 2015).

With publication of this notice, as of March 1, 2016, all
health care providers will be required to provide copies of
these updated inactivated and live attenuated influenza
vaccine information materials prior to immunization in
conformance with HHS/CDC's August 7, 2015 Instructions for
the Use of Vaccine Information Statements. Prior to that
date, the previous edition of these two VISs can be used.

Dated: September 29, 2015

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