

What is SIRVA and How Does it Apply to Workers' Compensation?

What exactly is SIRVA?

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THE LAW OFFICES OF CRAIG A.
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Vaccines are utilized as a mechanism to help protect people from various diseases and illnesses that have proven resistant to conventional treatment. The way a vaccine works is that a weaker version of the disease is injected into the body. After the immune response builds up a defense to the weaker version, it will be able to withstand the infection.

However, there may be some risks to taking a vaccine. One such change is the development of SIRVA. This is an acronym for "[Shoulder Injury Related to Vaccine Administration.](#)"

What is SIRVA?

SIRVA can occur when a vaccine is improperly injected. For example, if the vaccine is injected too high on the shoulder or if it goes in too deep, it can lead to several types of injuries. SIRVA is also likely to happen when a vaccine is injected correctly, although this is rare.

Likely fallout from a SIRVA can include intense prolonged pain, limited motion range, and some shoulder injuries like Frozen Shoulder Syndrome and Adhesive Capsulitis.

One of the causes of SIRVA is an injury to the musculoskeletal shoulder structure. This includes body components like tendons, bursa, and ligaments. Another cause of SIRVA is when the body's immune system reacts negatively to the components of the vaccine.

One suggested reasoning for the rise in SIRVA is the way vaccines are administered. When people take vaccines, they are likely to expose their shoulders by pulling down their shirt collars, exposing the top part of the joint.

Side effects of the seasonal flu vaccine are the most common cause of SIRVA. This is because it is given to millions of people annually, and is provided in the arm's deltoid muscle (on the shoulder). You should, however, note that although there is always a risk of SIRVA, it is quite rare.

SIRVA Shoulder Injury

How do you know that you have SIRVA? The most common symptom of SIRVA is severe shoulder problems and pain. This usually appears within 0 to 48 hours of the injection. SIRVA can also lead to loss of motion in the arms. However, these are not the only symptoms of SIRVA. Others include:

- Frozen Shoulder
- Shoulder bursitis
- Rotator Cuff Tear
- Shoulder Tendonitis
- Brachial Neuritis
- Impingement Syndrome
- Adhesive Capsulitis
- Shoulder Dysfunction

Treatment for SIRVA

In a lot of instances, you can just treat SIRVA symptoms with pain medication like physical therapy and applying anti-inflammatory medications to improve your range of motions and reduce swelling. In some instances, you might need to take vaccine injections of cortisone injections.

However, sometimes people continue to experience pain after the above treatment. In severe cases, you might need to perform surgery to repair the damage done to the shoulder. If you require extensive treatment to deal with your SIRVA, it might be a significant drain on resources. Fortunately, you can get compensation for your SIRVA expenses.

Who Pays SIRVA Compensation?

In a lot of instances, the United States government administers vaccines to citizens. So, it is only befitting that if injuries like SIRVA arise from these vaccines, the US government should foot the bill.

The US Government does this through the National Vaccine Injury Compensation Program (VICP). This program began in 1988 after Congress passed the National Childhood Vaccine Injury Act of 1986. It was established to ensure a stable supply of vaccines and to stabilize its cost. It also serves as a no-fault compensation alternative to civil litigation in cases of vaccine-related injuries.

It was initially meant for complaints about people who suffered injuries due to compulsory childhood vaccinations. Currently, there are no age restrictions for those who want to file a vaccine injury claim for compensation. Claims can be submitted for adults, children, and adolescent.

It should be noted that the statute of limitations applies to filing claims before the VICP. You have to bring your SIRVA claim within three years from the start of the symptoms. If the vaccine injury results in death, a claim has to be filed within two years of the symptoms.

The payment for successful claims are made from a Trust Fund set up in 1988. An excise tax on vaccines finances the fund. About half of the claims related to vaccine injuries were paid in the last year. From the inception of the fund, about \$3.2 billion has been paid out in claims.

According to the Health Resources and Services Administration (HRSA), the people compensated represent one in a million vaccinations. This reiterates how rare it is to get SIRVA. However, if you happen to be one of the rare SIRVA cases, you should consult with a lawyer and file a claim.

Is SIRVA Related to Workers' Compensation?

Workers' compensation applies to injuries that take place in the course of work. This means that if you sustain injuries outside the office, you would not be eligible for workers' compensation.

The only time you will be able to file a workers' compensation claim under SIRVA is if the vaccination was done or recommended by your employer. If this happens, it means that you sustained the injury in the course of work.

However, this is not usually common, and it would be best if you took your claim to the VICP. If your employer, who mandates a vaccination that leads to SIRVA, refuses you workers' compensation, it would be best if you consult with a workers' compensation lawyer.

Meet with an Experienced New Jersey a Workers' Comp Attorney Today

If you suffered a SIRVA shoulder injury or another vaccine injury while at work, The Law Offices of Craig A. Altman are ready to help. Contact our office today to schedule a consultation. Call today at 856-327-8899 or fill out a quick contact form so a member of our law firm can follow up with you.

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