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Health Care

Case Stokes Debate About Autism, Vaccines

by Julie Rovner

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[Morning Edition](#), March 7, 2008 · The case of 9-year-old Hannah Poling may now affect the fate of a program that was created to compensate families whose children suffer rare injuries that are definitively linked to vaccines.

As part of a ruling that is supposed to be confidential, lawyers for the Department of Health and Human Services agreed to pay an as-yet undetermined amount from the federal vaccine injury compensation program to the Poling family.

Hannah had been developing normally until she received a series of shots when she was a year-and-a-half old. After that she began to regress and developed autistic-like symptoms.

At a news conference on the steps of the federal courthouse in Atlanta on Thursday, John Gilmore of the group Autism United said the case validates his position that vaccines can be dangerous for children.

"For the first time the court has conceded in a case that vaccines can indeed cause autism," Gilmore said.

But federal officials say that's not what they've done. Further testing determined Hannah had an underlying disorder in her cells — a mitochondrial disease. That can cause symptoms similar to autism. And in its ruling, the government said it was possible that the vaccines Hannah received may have exacerbated that disorder.

Charles Mohan, CEO of the United Mitochondrial Disease Foundation, says he finds the government's concession in the case reasonable.

"It could have been the vaccine that exacerbated that particular underlying mitochondrial disease," Mohan said, "or in a lot of cases it's the onset of a virus, an infection, a flu, that might have the same impact."

But at the same time, says Mohan, there is no scientific evidence to suggest that vaccines themselves can cause either mitochondrial disorders or autism.

That point was stressed by federal public health officials Thursday.

Julie Gerberding, who heads the Centers for Disease Control and Prevention, said, "The government has made absolutely no statement indicating that vaccines are a cause of autism."

"That is a complete mischaracterization of the findings of the case and a complete mischaracterization of any of the science that we have at our disposal today."

But that remains a hard sell to parents of autistic children, such as Becky Estep of Poway, Calif. She says the reaction her son Eric had to a hepatitis B vaccine in 1998 was immediate and severe. And the symptoms went far beyond a myriad of physical problems, she said.

"At the same time, his speech wasn't developing as much any longer," Estep said, "and he kind withdrew from our world and turned into himself."

Symptoms like those led Estep and other autism activists to search for a vaccine-autism link. Many think that link may be the preservative thimerosal, a mercury derivative no longer used in most vaccines.

Now Estep represents one of nearly 5,000 families of children with autism who have filed for damages from the federal Vaccine Injury Compensation Program.

That's nearly twice as many families as the program has compensated since its inception two decades ago. And most of those awards were for well-documented side effects that occur in a small number of cases, things like getting polio from the oral polio vaccine.

Paying claims to all those children with autism would quickly bankrupt the program, which is funded by a 75-cents-per-dose excise tax levied on all childhood vaccines.

"There's no question this is the biggest challenge to the vaccine compensation system it's ever seen," said Rep. Henry Waxman (D-CA), who wrote the law that created the vaccine compensation system in 1988.

Waxman says the program is threatened, no matter what happens. If the families of autistic children win compensation, there won't be enough money to pay all their bills. But if compensation is denied those families, Waxman says, they will probably go to court instead.

And that, Waxman says, could scare off manufacturers from staying in the vaccine business.

Vaccine manufacturers won't say they have considered that. But they voice another worry: that if the vaccine program awards money to families for autism, other parents might be afraid to vaccinate their children.

Thomas Netzer of the drug and vaccine maker Merck said that, in turn, could hurt efforts to control dangerous diseases.

"In fact, there'd be a real risk, I believe, that diseases that have been controlled in the United States, which used to cause very high morbidity and mortality — and thousands of deaths every year — could once again become common in the United States," Netzer said.

"That would not be a good outcome."

With the government's concession in the Poling case, a formal hearing won't be held in Georgia. But nine other test cases are being heard by the vaccine injury compensation program — testing various theories that either vaccines alone, thimerosal alone, or a combination of the two, could cause autism.

It could be a year before all those cases are decided.

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