



## HHS Extends Liability Protections for Covid Vaccines

On Wednesday, the U.S. Department of Health and Human Services (HHS) [extended](#) liability protections for Covid vaccines and other countermeasures under the PREP Act — the Public Readiness and Emergency Preparedness Act, passed in 2020 — through December 31, 2029, citing a “credible risk of a future public health emergency.”

Secretary Xavier Becerra justified the move, emphasizing the need for “development and stockpiling” of vaccines and therapeutics. The directive cements long-term legal immunity for pharmaceutical companies despite growing scrutiny of vaccine-related risks.



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### **Covid and the PREP Act**

Although the official Covid-19 emergency ended on May 11, 2023, the HHS is still framing it as a “credible risk of a future public health emergency” (PHE) — a designation that hinges on the uncertainty of what the “future” might bring. Despite [current Covid numbers](#) remaining low, and despite the availability of effective Covid treatments such as ivermectin, manufacturers, distributors, and healthcare providers can enjoy five more years of legal immunity — not due to any current crisis, but due to the possibility that one might arise.

This extension is justified under the PREP Act, which, as Becerra’s [public notice](#) explains, was designed to “strike the appropriate federal-state balance” during national emergencies by shielding key players in the healthcare supply chain from legal claims. These protections cover activities tied to the manufacturing, distribution, administration, and use of the “Covered Countermeasures across the nation and the world.”

Covid countermeasures, as defined in the notice, include vaccines, antiviral drugs, biologics, medical devices, diagnostic tests, respiratory protective devices, and any product or technology designed to prevent, treat, diagnose, or limit the harm caused by Covid and its variants.

The update to the PREP Act takes effect on January 1, 2025, and contains the following critical updates:

### ***Extension of Liability Immunity***

As noted above, liability immunity for Covid-19-related medical countermeasures, including vaccines, is extended for five years. This move provides long-term protections for manufacturers, distributors, healthcare providers, and government officials involved in the development and administration of Covid vaccines. Essentially, anyone who had any tangential role in getting a vaccine from a factory to an arm is shielded from lawsuits — unless, of course, one engages in the elusive and hard-to-prove “willful misconduct.”

### ***Expansion of Roles for Healthcare Providers***

Another troubling update is the expanded authority of licensed pharmacists, pharmacy interns, and



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pharmacy technicians, allowing them to administer vaccines to a broader range of age groups and assume responsibilities traditionally reserved for doctors, pediatricians, and licensed nurses. Under the new rules, these pharmacy staff can now administer childhood vaccines to children as young as three and Covid vaccines to individuals aged three and older.

Additionally, seasonal influenza vaccines can be administered by pharmacy interns and qualified technicians to adults aged 19 and older, a role once restricted to higher-credentialed healthcare providers. The HHS defends this shift by asserting that “pharmacists are well positioned to provide continued access” to vaccines and tests, especially in so-called “underserved areas” where access to healthcare providers is limited.

While this move may increase vaccine accessibility, it effectively lowers the bar for healthcare standards, outsourcing the work of highly trained medical professionals to pharmacy staff with less clinical experience. The reliance on pharmacists and interns to fill gaps in healthcare coverage reflects a broader shift toward healthcare on the cheap, prioritizing convenience over professional medical oversight.

### ***Inclusion of Seasonal Influenza Vaccines***

Liability protections for seasonal influenza vaccines are also reiterated to address potential dual outbreaks of flu and Covid. This measure ostensibly aims to protect healthcare capacity during peak illness seasons.

### ***Countermeasures Injury Compensation Program (CICP)***

While liability immunity remains in place, Becerra highlighted the [Countermeasures Injury Compensation Program](#) (CICP) as a pathway for individuals to seek compensation for vaccine-related injuries. Under the PREP Act, claims of injury related to Covid countermeasures are managed through this taxpayer-funded, cumbersome, and extremely ineffective program, not traditional lawsuits.

The CICP has faced mounting criticism for inefficiency, lack of transparency, and inadequate support for claimants. Critics highlight significant delays. A House Select Subcommittee on the Coronavirus Pandemic [report](#) described the system as providing “little more than the right to file and lose” and warned that the current backlog of claims could take “nearly a decade” to resolve.

Per its [latest update](#), the CICP has provided compensation for a grand total of 18 injuries caused by Covid vaccines.

### ***Covid Vaccines***

Covid vaccines were initially hailed as a key tool to curb the spread of the virus, with billions of doses administered worldwide. While the official narrative eventually shifted to crediting the shots with reducing the severity of illness for many, their ability to prevent infection has been drastically ineffective, as evidenced by the need for multiple booster doses. Moreover, [some studies](#) indicate that Covid vaccinations have negative efficacy, increasing one’s chances of infections. Vaccines’ evident ineffectiveness raises questions about their value and the need for ongoing immunization campaigns.

The shots, developed at “warp speed,” have also faced scrutiny for their severe health risks. Evidence shows that vaccines may cause such serious side effects as [death](#), myocarditis and pericarditis, blood clotting, and [neurodegenerative damage](#), and negatively impact [reproductive health](#), as covered extensively by [The New American](#) in its recent special issue.

Despite these concerns, the amendment emphasizes the government’s commitment to maintaining



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public access to these ineffective and unsafe vaccines.

## **Incoming Leadership**

Incoming HHS Secretary Robert F. Kennedy Jr. and his nonprofit [Children's Health Defense](#) (CHD) have been vocal critics of Covid vaccines and the liability shields granted to manufacturers.

Kennedy's prospected appointment is expected to prompt much-needed reform of federal oversight, public trust, and industry accountability. Additionally, if confirmed, Kennedy would possess the authority to amend or rescind declarations made by his predecessors.

By contrast, President-elect Donald Trump continues to champion Covid vaccines as one of the defining successes of his administration. They, [he said](#) in a September interview, "saved hundreds of millions of lives all over the world" and were "the most incredible thing any president has ever done," referencing the achievements of Operation Warp Speed, which accelerated vaccine development and distribution.





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