

Proposed “Florida No Vaccine Injured Patient Left Behind Act” – AKA Cody’s Law  
Florida Senate – 2024

**Background:** Although Federal and state governments have implemented vaccine policies, schedules, and programs for their citizens, a devastating unmet need arose from the short-sightedness of these policies. According to the FDA, pharmaceutical drug reactions are shown in studies to potentially be the fourth leading cause of death in the US. [1] Additionally, the World Health Organization studies and documents inform the public of drug and vaccine-induced adverse events; some are debilitating, fatal, or life-long. **Despite documentation, United States Federal and State policies failed to address immediate medical care for severe, debilitating, or life-threatening injuries arising from vaccines and emergency countermeasure drugs.**

While federal policies exempted vaccine manufacturers and emergency countermeasure drugs from liability claims, vaccine policies were intended to compensate the injured. However, the compensation programs are well-known for their failures, court challenges, and appeals. **They also failed to recognize that the injured claimants are human lives in immediate need of medical care for significant injuries. There were no immediate medical provisions, and our injured citizens were left behind to suffer or perish without life-preserving healthcare.**

Other State & Federal Programs also failed our injured citizens despite urgent and severe illness. The Federal Social Security disability “Compassionate Allowances” (CAL) program **identifies and expedites** claims where the applicant’s disease or condition meets Social Security’s statutory standard for disability. This program approves a list of urgent, debilitating, terminal, life-long, and severe illnesses that require access to life-saving treatments or timely medical intervention to preserve health. The CAL program did not include vaccine and countermeasure-injured citizens.

There are also no expedited, immediate, urgent medical need programs for injured, disabled, and Medically Needy Florida citizens under age 65 without minor children. According to the State of Florida, “The Division of Disability Determinations is responsible for determining medical eligibility for Florida citizens who apply for disability benefits under the Federal Social Security Administration disability programs (Social Security Disability-Title II and Supplemental Security Income-Title XVI), and under the state Medically Needy program.” **Program wait times of a year or more leave severely injured citizens in urgent need without medical care.**

**There are no State or Federal programs that afford immediate medical care to these injured citizens as they await years-long program determinations, even if their physicians have determined them disabled and in critical need.** These programs, known for extensive wait times and high denial rates, leave the injured with compounding medical bills, financial devastation, and failing health. Families have lost homes, health, and, in some cases, lives. **Medical Care is most needed at the onset of injury when serious outcomes are preventable.**

Cody’s Law asks Florida authorities to prevent further harm to our injured citizens whose immediate medical needs were overlooked by injury compensation and disability programs. Floridians ask that expedited Florida State Medicaid and Medically Needy services be afforded to these injured Floridians, who require prompt medical interventions, by enacting this proposed legislation: “Florida No Vaccine Injured Patient Left Behind Act,” or “Cody’s Law.”

1. FDA website- Preventable Adverse Drug Reactions: A Focus on Drug Interactions  
<https://www.fda.gov/drugs/drug-interactions-labeling/preventable-adverse-drug-reactions-focus-drug-interactions#ADRs:%20Prevalence%20and%20Incidence>

**Proposed Bill:**

An act relating to COVID-19 Vaccine-injured, “Traditional” Vaccine-Injured, AND COVID-19 EUA Medical Countermeasure injured Floridians who require timely medical management of urgent, critical, severe, life-threatening, or disabling medical injury. To include the above Floridians whose medical diagnosis or disability would qualify for Florida State “Medicaid” or “Medically Needy” programs AND whose enrollment and urgently needed treatments are lost or delayed due to disability determination medical or disability case processing wait times.

**WHEREAS**, Floridians undergoing critical, severe, or disabling injuries resulting from Federal or State recommended vaccines or countermeasures be afforded expedited Florida Medicaid under the “Florida No Vaccine Injured Patient Left Behind Act,” AKA “Cody’s Law.”

**WHEREAS**, Federal and State aid and compensation programs are overwhelmed, and backlogged, leaving many Floridians who lost insurance and income to injury and who otherwise meet financial and physician-determined associated disability program criteria without access to timely out-of-hospital prescribed or necessary medical care and IMMEDIATE provisions for life-preserving and life-saving medical treatments while awaiting medical program approvals.

**WHEREAS**, These Florida families became financially distressed by the burden of their injury, left with surmounting medical expenses, and as such, the health outcomes are dire for these citizens who were left without means to access timely, necessary, and prescribed medical care.

**WHEREAS**, Floridians affected by these injuries include adults, minors, and individuals with intellectual or physical disabilities.

**WHEREAS**, Floridians ask the state Legislature to find that it is in the best interest of the state and its residents that the disabled and medically needy Vaccine-Injured AND Emergency Countermeasure-Injured patients suffering from lack of timely services and treatment are afforded “Compassionate Allowances” by expediting these Florida Medicaid claims **NOW**.

**THEREFORE**, we ask that “Cody’s Law” be enacted by the Legislature of the State of Florida:

**Section 1.** To be cited as Florida No Vaccine Injured Patient Left Behind Act –Cody’s Law.

**Section 2.** Florida Statutes should be created to read: [TBD Section number] COVID-19 Vaccine-Injured, Vaccine-Injured AND Declared Emergency Countermeasure-Injured Rights.

**(1)** The state Medicaid and “Medically Needy” programs shall swiftly process claims in which **the Florida resident’s physician has diagnosed a severe, debilitating, life-threatening, or life-long vaccine-injury or emergency countermeasure drug adverse event** when taking a U.S. or State of Florida recommended vaccine or emergency countermeasure treatment.

(2) The state shall also set forth a list of related medical conditions for the expedited claims by working with **Florida physicians who treat the COVID-19 Vaccine-Injured, COVID-19 Countermeasure-Injured and Traditional Vaccine-Injured Floridians** NOW.

(a) The state shall also include the list(s) of potential adverse reactions (POR) found within the vaccine or drug manufacturer's product inserts deemed critical, severe, or temporarily or permanently disabling by **Florida physicians described herein**.

(b) The POR is a starting reference, but this list should not be limited to the POR, as new conditions that the manufacturer or healthcare community has not yet recognized could arise.

(c) To include future emergency countermeasure vaccines, drugs, or therapies the agency and/or the patient's Florida physician deem appropriate, as described herein.

(3) To include a state provider alert to inform medical providers and hospitals of the contents of this Bill/Act so that private hospital social services and individual providers are informed of the contents to best serve the needs of their vaccine-injured patients with urgent medical needs.

(4) The agency shall adopt rules to implement all sections above.

#### **A personal message:**

In 2021, after his COVID-19 mRNA vaccines, my son Cody was hospitalized at age 21 with a large pulmonary embolism, leaky heart valve, left ventricular hypertrophy (LVH), weakness, walking with a cane, coughing blood, and sores across his body. Multiple hospital COVID-19 infection tests were negative. Soon, it was learned that Cody had developed the most severe (triple positive) form of the autoimmune blood clotting disorder called antiphospholipid syndrome (APS). He also had thrombocytopenia (bleeding). In 2022, he went on treatments and improved for a while. His case was peer-reviewed and published, linking his APS to his COVID-19 mRNA vaccine. Cody was a 4.0 GPA Florida college student who is now a multiple stroke victim, disabled, unable to work, and fighting for his life.

In 2023, every blood thinner treatment tried by doctors and hospitals has failed him. He has since suffered blood clots in all four limbs, two strokes, severe brain venous stenosis, and two brain infarcts; he has managed to live as he awaits new treatments, but we can't get the crucial care that he needs without help from the state. He needs Florida Medicaid NOW.

Cody goes without treatments and specialist care, as even with insurance, we can't afford all his care. He has been waiting for over a year for disability approval. He did what he was asked to do to keep others safe, and now his body may not survive the wait for our state to do right by him.

**Most importantly, Cody is one of countless similar vaccine-injured individuals needing similar care and awaiting disability determinations to receive lifesaving or life-preserving medical care.** Please help them by enacting Cody's Law now.

Heather Hudson – Cody's Mom