

CAPITOL STREET

March 16, 2026

District Court Blocks HHS Vaccine Changes, New ACIP Members

Positive for Vaccine Stakeholders As Government Appeal Plays Out

Relevant Companies



»» Our Take & Next Up

In a near-term positive for vaccines and public health, a federal judge in Massachusetts stopped the Trump administration's reductions to the number of recommended childhood vaccines ([here](#)). Under the order, 1) The January 2026 CDC memo that revised the childhood immunization schedule is paused, 2) The appointments of 13 members of the CDC's Advisory Committee on Immunization Practices (ACIP) are temporarily blocked, and 3) Any votes taken by that group have been halted.

This action means ACIP will be unable to meet as planned this week, on March 18-19, with the 13 members being blocked while the court continues its proceedings (our take [here](#)). We expect the Trump Administration will appeal the stay and the final decision (when issued) to the U.S. Court of Appeals for the First Circuit, but litigation is expected to take several months at least.

»» Key Points

This is not the final decision but a win for public health, near-term. The US government could appeal the stay. Any and all legal activity will take months, getting us into the mid-terms.

We note that this is a preliminary (not final) ruling. The administration can appeal both the stay and whatever final decision is made to the U.S. Court of Appeals for the First Circuit. Next up is likely a full trial with a possible summary judgment motion first ([here](#)).

The court decision comes as the Trump Administration has been moving away from vaccine controversies ahead of the midterms. Anti-vaccination rhetoric has evolved and shifted (more towards "medical freedom"), exemplified by leadership changes at HHS.

We have noted the administration's pivot away from anti-vax messaging despite RFK Jr's MAHA movement, as a mid-term election strategy (our take [here](#)). The President and White House are supporting RFK Jr, but acknowledge the risk that anti-vax rhetoric presents as they adjust to appeal to the wider public. A

majority of voters are not concerned about the negative health impacts from vaccines and a significant majority of parents still support traditional childhood vaccines, including MMR and polio vaccines.

What now? We expect future, potential extreme anti-vax measures to be toned down, a positive for industry. *Politico* recently noted HHS is considering adding autism to the vaccine injury table (here), and we have seen the FDA take a stricter approach to vaccine regulations (here). Another potential near-term vaccine target is reconfiguration of the USPSTF and its priorities (our prior take here). We believe these actions are still possible but less likely, despite the recent court decision and the administration's deprioritization of vaccine issues.

BACKGROUND

Today U.S. District Judge Brian E. Murphy, appointed by President Biden, sided with the American Academy of Pediatrics and issued a stay. The ruling blocks the new, shorter childhood vaccine schedule and halts the recent reorganization of the CDC's Advisory Committee on Immunization Practices (ACIP), nullifying all committee votes made since the changes.

Pediatric vaccine coverage was on track to become increasingly fragmented with the ongoing questioning and dismantling of prior ACIP recommendations (Hep B). The administration upended vaccine norms with shifting recommendations, claims of autism and other side effects, and a push for individually administered vs. combo vaccines (our take on ACIP recommendations here).

- In January, HHS pared down the number of recommended vaccines from 17 to 11 (here), recommending some vaccines only for "high-risk" individuals (meningitis, hepatitis A and B, dengue, and respiratory syncytial virus vaccines) and deeming others (COVID-19, flu, meningitis, rotavirus, and Hep A and B) be given through "shared clinical decision-making."
- In December, ACIP voted (8-3) to recommend against Hep B vaccination for infants born to pregnant women testing negative for Hep B infection. The panel also voted (6-4 w/ 1 abstention) to recommend children take Hep B immunity tests before considering a second Hep B shot (our take here).

The December ACIP meeting also foreshadowed future changes to the immunization schedule and potential removal of aluminum adjuvants.

- An ACIP workgroup also presented on potential risks of vaccine adjuvants such as aluminum, signaling further investigation is likely on the horizon.
- This aligns with President Trump's prior statement that we have "already taken out and are in the process of taking out mercury and aluminum now."
- Vaccines can contain small amounts of aluminum salts, which are used as adjuvants to create a stronger immune response.
- Known vaccines with aluminum additives include DTaP vaccines (GSK, SNY), the pneumococcal conjugate vaccine (MRK, PFE), the HPV vaccine (MRK), and Hep B vaccine (GSK, MRK).

Positively, insurance coverage has remained consistent (2026) despite ACIP recommendations, but headwinds remain on coverage for new vaccinations. The health insurance industry association, AHIP, in Sept 2025 announced (here) that it would maintain coverage for the vaccines under discussion, despite changes in ACIP recommendations. We note that vaccine coverage has remained consistent despite ACIP changes for coverage vaccines. A major headwind is the nonfunctional status of ACIP and the difficulty in establishing new coverage recommendations during the turmoil. Without ACIP recommendations, vaccine

manufacturers will have to turn to fragmented regional bodies to establish the consistent recommendations to support reimbursement.

Ipsita Smolinski
Managing Director | Capitol Street
ipsita@capitol-street.com

900 19th St NW 6th Fl
Washington, D.C. 20006

202.250.3741 | www.capitol-street.com

CAPITOL STREET

Copyright 2026 Capitol Street.

This communication, including this broadcast and any attachments hereto, is intended solely for the original recipient(s) and may not be redistributed without the written consent of Capitol Street. This communication is for informational purposes only and is not intended as an offer or solicitation for the purchase or sale of any financial instruments, nor is it intended as advice to purchase or sell such instruments