

Leading Medical and Public Health Groups Request Transparency, Evidence Behind Changing ACIP Recommendations in Court Hearing

BOSTON, Dec. 17, 2025 -- A group of medical professional societies, led by the American Academy of Pediatrics (AAP), today argued in federal court that the changes to vaccine recommendations by the Advisory Committee on Immunization Practices (ACIP), and other actions by HHS Secretary Robert F. Kennedy, Jr. violate the Administrative Procedure Act (APA) and the Federal Advisory Committee Act (FACA).

Today's hearing in the U.S. District Court for the District of Massachusetts, in Boston, focused on the government's motion to dismiss in *AAP et al., v. Kennedy et al.*, and whether the plaintiffs have standing to bring suit. Plaintiffs alleged ongoing and continuous harms resulting from the Secretarial Directive and an improperly appointed ACIP.

Based on his line of questioning, U.S. District Court Judge Brian Murphy showed interest in a range of issues from the nature of ACIP recommendations, coverage and payment for ACIP-recommended vaccines, to the types of harms providers could experience. A decision on the government's motion to dismiss is expected the first week of January.

Plaintiff and Attorney Statements:

Susan Kressly, MD, FAAP, American Academy of Pediatrics (Lead Plaintiff):

"Right now, our children need strong government leadership. With measles surging, with flu and respiratory season upon us, and with holiday travel leading to more exposures for babies too young to be immunized who rely on their community to protect them, families deserve clarity. They deserve thoughtful, deliberative guidance grounded in medical evidence. They deserve access to immunizations for their children without confusion and chaos. And their pediatricians will do all we can—from the clinic to the courthouse—to keep children healthy, to speak up for them and to fight for them."

Richard Hughes IV, Epstein Becker Green, Attorney for Plaintiffs:

"Today, we detailed for the court the harms plaintiffs are facing because of the unfortunate, unsupported changes to the adult and pediatric immunization schedules. We demonstrated the plausibility of our claims and we are confident that the Judge will agree with us on the law and the facts.

Under federal law, ACIP must operate independently and base its decisions on evidence. The integrity of its process is fundamental to public health—not a technicality. The government's motion to dismiss seeks to avoid scrutiny of actions that have far-reaching implications for our clients and millions of families. The court should deny its motion and allow this case to proceed to the merits."

Ronald G. Nahass, MD, MHCM, FIDSA, President, Infectious Diseases Society of America:

"The confusion and chaos created by Secretary Kennedy's misinformation about vaccines is hurting patients and destroying trust in medicine. It forces physicians to spend valuable time countering false and misleading narratives instead of focusing fully on the care people rely on. We filed this lawsuit for one reason: to stand up for those we serve. Patients deserve access to care and information grounded in

the best available scientific evidence, not harmful claims that put their health at risk and undermine trust."

Carlene Pavlos, Executive Director, Massachusetts Public Health Alliance:

"The Massachusetts Public Health Alliance's mission is to support conditions that allow everyone in our Commonwealth to achieve their best health. Today's hearing, which determines whether this case moves forward, represents a critical moment. At stake is the integrity of the process that shapes vaccine recommendations, decisions that affect millions of families in Massachusetts and across the country. When the advisory committee developing these recommendations fails to operate independently, transparently, and with regard to the best available, peer-reviewed science, it destroys public trust and is a retreat from decades of progress we've made in preventing infectious disease.

This litigation is about accountability: public health decisions must be evidence-based and free from undue influence. We are hopeful this case proceeds so we can ensure that the voices of families, providers, and public health advocates are heard, and that future ACIP recommendations truly reflect – not politics – but what is best for our communities."

Georges C. Benjamin, MD, Executive Director of the American Public Health Association:

"This case must move forward expediently to protect the public's health. It is about ensuring we return to an evidence- and science-based approach to decision-making. It is also about transparency and the engagement of experts to ensure the public's trust. Secretary Kennedy's actions, including the remaking of the ACIP and publicly embracing the anti-vaccine movement, have worked to undermine the functioning of the decision-making aspects of the ACIP and damage the credibility of the advice and scientific independence of the process. His actions have already harmed the public's health.

Several epidemics of vaccine-preventable disease are getting worse and the ACIP's guidance, as proposed, will only make current and future epidemics worse. Now, they propose to undermine the safety of newborns and return the nation to epidemic of hepatitis B and its consequences of serious liver disease and cancer as they age.

We need an ACIP grounded in science and data, providing clear, credible and consistent guidance to protect our health. Mr. Kennedy's decisions on the ACIP must be reversed."

Jason M. Goldman, MD, MACP, President, American College of Physicians:

"The American College of Physicians is highly concerned about the administration's actions regarding ACIP and the negative impact it will have on our patients and our physician practices. Destabilizing a trusted source and its evidence-based process for helping guide decision-making for vaccines to protect the public health in our country erodes public confidence in our government's ability to ensure the health of the American public and contributes to confusion and uncertainty. As physicians, we require reliable, science-based guidance that is based on the best available evidence, developed through an independent, evidence-based, and transparent process, free from politicization and misinformation, to ensure the safety, welfare, and lives of our patients."

Sindhu K. Srinivas, MD, MSCE, President, Society for Maternal-Fetal Medicine:

"SMFM members—and the patients they serve—deserve vaccine recommendations grounded in

rigorous, transparent, evidence-based review. We are deeply concerned that the Advisory Council on Immunization Practices is no longer meeting the standards of scientific rigor and independence that clinicians need to rely on for trustworthy guidance. SMFM remains committed to providing evidence-based recommendations so patients can make informed decisions that protect their health."