



AAP's historic victory in vaccine lawsuit a 'critical step' in restoring science to federal policy

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A historic ruling that blocks implementation of a federal childhood immunization schedule while an AAP lawsuit proceeds is a win for child health, AAP officials said Monday.

The ruling also finds that the 13 federal vaccine advisers serving on the Advisory Committee on Immunization Practices (ACIP) were unlawfully appointed and halts their previous decisions.

“This decision effectively means that a science-based process for developing immunization recommendations is not to be trifled with and represents a critical step to restoring scientific decision-making to federal vaccine policy that has kept children healthy for years,” AAP President Andrew D. Racine, M.D., Ph.D., FAAP, said in a [statement](#).

The AAP and other medical groups filed the lawsuit against Health and Human Services (HHS) Secretary Robert F. Kennedy Jr. in July 2025 and have updated it several times as Kennedy continues to change vaccine recommendations without scientific evidence.

The [lawsuit challenges](#) Kennedy's decision to replace members of ACIP, who advise the Centers for Disease Control and Prevention (CDC), with people who lack the credentials and required experience. It also challenged the CDC's January 2026 overhaul of the childhood immunization schedule that drastically reduced the number of routine vaccines for children.

U.S. District Court Judge Brian E. Murphy on Monday granted the AAP's request to block implementation of the new schedule, the new ACIP members and the ACIP members' votes while the case continues.

HHS changing the immunization schedule without consulting ACIP is “both a technical, procedural failure itself and a strong indication of something more fundamentally problematic: an abandonment of the technical knowledge and expertise embodied by that committee,” Murphy [wrote in his ruling](#).

The status of the federal vaccine schedule is unclear. However, the AAP continues to recommend routine vaccination to protect against 18 diseases in its [2026 immunization schedule](#). The AAP schedule has been endorsed by more than 12 national medical societies representing more than 1 million clinicians. A coalition of more than 230 medical, public health, parent and labor groups also have [announced their support](#) for the AAP’s schedule.

Murphy also ruled the new makeup of ACIP likely does not comply with federal law on being “fairly balanced.”

“These findings go beyond ‘specific appointments’ ... and instead suggest that the appointment process, in general, and thus the full committee was tainted,” Murphy wrote.

He added that he also would halt all votes taken by those ACIP members. Those include [changing COVID-19 vaccine recommendations](#) to shared clinical decision-making, removing the recommendation for a [universal birth dose of hepatitis B vaccine](#) and requiring flu vaccine manufacturers to [discontinue use of thimerosal](#). The ACIP meeting [scheduled for this week](#) has been postponed.

"Today's ruling is a win for public health and reaffirms that national vaccine policy should be guided by rigorous, evidence-based science, not politics," said Jason M. Goldman, M.D., MACP, president of the American College of Physicians, another plaintiff in the lawsuit. "Vaccines are critical to maintaining public health and recommendations about their use must be based on the best available data. Scientific consensus and overwhelming evidence demonstrate that vaccines are safe and effective."

Dr. Racine said the AAP would prefer to return to its partnership with the federal government to protect children from dangerous illnesses instead of litigating against it. However, it was “mission-bound to step up and push back against these dangerous actions that have sown chaos and confusion for parents and pediatricians across the country.”

“In the wake of today’s decision, one thing remains clear: parents can continue to turn to the AAP’s childhood vaccine recommendations and talk with their pediatrician about how to best protect their children’s health,” Dr. Racine said.

Staff Writer Steve Schering contributed to this report.