

4881

2013-2014 Regular Sessions

I N S E N A T E

April 29, 2013

Introduced by Sen. HOYLMAN -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education

AN ACT to amend the education law, in relation to authorizing a licensed pharmacist and certified nurse practitioner to administer meningococcal disease immunizing agents

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Subdivision 7 of section 6527 of the education law is
2 amended by adding a new paragraph (c) to read as follows:

3 (C) A LICENSED PHYSICIAN MAY PRESCRIBE AND ORDER A NON-PATIENT SPECIF-
4 IC ORDER TO A LICENSED PHARMACIST, PURSUANT TO REGULATIONS PROMULGATED
5 BY THE COMMISSIONER, AND CONSISTENT WITH THE PUBLIC HEALTH LAW, FOR
6 ADMINISTERING IMMUNIZATIONS TO PREVENT MENINGOCOCCAL DISEASE.

7 S 2. Subdivision 7 of section 6909 of the education law is amended by
8 adding a new paragraph (c) to read as follows:

9 (C) A CERTIFIED NURSE PRACTITIONER MAY PRESCRIBE AND ORDER A NON-PA-
10 TIENT SPECIFIC ORDER TO A LICENSED PHARMACIST, PURSUANT TO REGULATIONS
11 PROMULGATED BY THE COMMISSIONER, AND CONSISTENT WITH THE PUBLIC HEALTH
12 LAW, FOR ADMINISTERING IMMUNIZATIONS TO PREVENT MENINGOCOCCAL DISEASE.

13 S 3. Subdivision 22 of section 6802 of the education law, as amended
14 by chapter 116 of the laws of 2012, is amended to read as follows:

15 22. "Administer", for the purpose of section sixty-eight hundred one
16 of this article, means the direct application of an immunizing agent to
17 adults, whether by injection, ingestion or any other means, pursuant to
18 a. a patient specific order or non-patient specific regimen prescribed
19 or ordered by a physician or certified nurse practitioner, who has a
20 practice site in the county in which the immunization is administered,
21 for immunizations to prevent influenza or pneumococcal disease and medi-
22 cations required for emergency treatment of anaphylaxis or b. a patient
23 specific order prescribed or ordered by a physician or certified nurse
24 practitioner for immunizations to prevent [acute herpes zoster] MENINGO-

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets
[] is old law to be omitted.

LBD10441-03-3

1 COCCAL DISEASE OR C. A PATIENT SPECIFIC ORDER OR NON-PATIENT SPECIFIC
2 REGIMEN PRESCRIBED OR ORDERED BY A PHYSICIAN OR CERTIFIED NURSE PRACTI-
3 TIONER FOR IMMUNIZATIONS TO PREVENT MENINGOCOCCAL DISEASE. If the coun-
4 ty where the immunization is to be administered has a population of
5 seventy-five thousand or less, then the licensed physician or certified
6 nurse practitioner may be in an adjoining county. Such administration
7 shall be limited to immunizing agents to prevent influenza or pneumococ-
8 cal disease and medications required for emergency treatment of anaphy-
9 laxis.

10 S 4. This act shall take effect on the ninetieth day after it shall
11 have become a law; provided, that:

12 (a) the amendments to subdivision 7 of section 6527 of the education
13 law, made by section one of this act shall not affect the expiration and
14 reversion of such subdivision, as provided in section 6 of chapter 116
15 of the laws of 2012, and shall be deemed to expire therewith; and

16 (b) the amendments to subdivision 7 of section 6909 of the education
17 law, made by section two of this act shall not affect the expiration and
18 reversion of such subdivision, as provided in section 6 of chapter 116
19 of the laws of 2012, and shall be deemed to be expire therewith; and

20 (c) the amendments to subdivision 22 of section 6802 of the education
21 law made by section three of this act shall not affect the expiration of
22 such subdivision and shall be deemed to expire therewith.