

STATE OF NEW YORK

3317

2021-2022 Regular Sessions

IN ASSEMBLY

January 22, 2021

Introduced by M. of A. EPSTEIN -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to requiring any health care practitioner who treats a child to provide the parent of such child with evidence-based information about certain immunizations

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision 2 of section 2995 of the public health law is
2 amended by adding three new paragraphs (f), (g), and (h) to read as
3 follows:

4 (f) "Health care practitioner" shall mean a physician, nurse practitioner, or physician assistant or other health care practitioner acting
5 within his or her lawful scope of practice.

6 (g) "Child" shall mean and include any person between the ages of two
7 months and eighteen years.

8 (h) "Person in parental relation to a child" shall mean and include
9 his or her father or mother, by birth or adoption, his or her legally
10 appointed guardian, or his or her custodian. A person shall be regarded
11 as the custodian of a child if he or she has assumed the charge and care
12 of the child because the parents or legally appointed guardian of the
13 minor have died, are imprisoned, are mentally ill, or have been committed
14 to an institution, or because they have abandoned or deserted such
15 child or are living outside the state or their whereabouts are unknown,
16 or have designated the person pursuant to title fifteen-A of article
17 five of the general obligations law as a person in parental relation to
18 the child.

19
20 § 2. The public health law is amended by adding a new section 2997-f-1
21 to read as follows:

22 § 2997-f-1. Provision of information relating to immunization. 1. Any
23 health care practitioner who treats a child shall provide the person in
24 parental relation to such child with the following written information:

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

LBD02125-01-1

1 current and evidence-based information about immunization against
2 poliomyelitis, mumps, measles, diphtheria, rubella, varicella, Haemophi-
3 lus influenzae type b (Hib), pertussis, tetanus, pneumococcal disease,
4 meningococcal disease, and hepatitis B that has been reviewed by one or
5 more accredited medical experts.

6 2. (a) The commissioner shall provide written information to health
7 care practitioners necessary to implement subdivision one of this
8 section, and shall post such information on the department's website.

9 (b) The commissioner shall ensure that such information is culturally
10 and linguistically appropriate for all recipients.

11 (c) Any local or national organization that provides education or
12 services related to immunization against poliomyelitis, mumps, measles,
13 diphtheria, rubella, varicella, Haemophilus influenzae type b (Hib),
14 pertussis, tetanus, pneumococcal disease, meningococcal disease, and
15 hepatitis B may request that the commissioner include such organiza-
16 tion's informational material and contact information on the depart-
17 ment's website. Once such a request is made, the commissioner may add
18 the information to the department's website at his or her discretion.

19 § 3. This act shall take effect on the ninetieth day after it shall
20 have become a law.