

STATE OF NEW YORK

9141--A

IN ASSEMBLY

January 31, 2022

Introduced by M. of A. DURSO, DeSTEFANO, ASHBY, GANDOLFO, LAWLER, McDO-
NOUGH, BYRNES, ANGELINO, TAGUE, MONTESANO, LEMONDES, JENSEN, MANKTE-
LOW, B. MILLER, TANNOUSIS -- Multi-Sponsored by -- M. of A. DiPIETRO
-- read once and referred to the Committee on Health -- committee
discharged, bill amended, ordered reprinted as amended and recommitted
to said committee

AN ACT to amend the public health law, in relation to requiring a person
in a parental relation to a child be physically present during any
immunization

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

Section 1. Subdivision 1 of section 2504 of the public health law, as
added by chapter 769 of the laws of 1972, is amended to read as follows:

1. (a) Any person who is eighteen years of age or older, or is the
parent of a child or has married, may give effective consent for
medical, dental, health and hospital services for himself or herself,
and the consent of no other person shall be necessary.

(b) A parent, guardian or person in a parental relation to a child
under the age of eighteen shall be physically present when any immuniza-
tion is administered to such child unless the child: (i) is an emanci-
pated minor; (ii) has been living separate and apart from any parent,
guardian, or person in a parental relation to the child; (iii) is a
runaway youth as defined in section five hundred thirty-two-a of the
executive law; (iv) is a homeless youth as defined in section five
hundred thirty-two-a of the executive law; (v) is enrolled in a runaway
and homeless youth crisis services program; (vi) is in a residential
transitional independent living support program pursuant to section five
hundred thirty-two-d of the executive law; (vii) is not under the super-
vision or control of a parent, custodian, or legal guardian; or (viii)
is not in the care and custody of the office of children and family
services.

§ 2. This act shall take effect immediately.

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

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