

STATE OF NEW YORK

6627--A

2023-2024 Regular Sessions

IN ASSEMBLY

April 24, 2023

Introduced by M. of A. McDONALD, SAYEGH, WALLACE, SEAWRIGHT, MEEKS, JONES, JENSEN, LUPARDO, STIRPE, BUTTENSCHON, LUNSFORD -- Multi-Sponsored by -- M. of A. TAGUE -- read once and referred to the Committee on Higher Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to allowing a licensed pharmacist to order and administer respiratory syncytial virus (RSV) and Group A streptococcal tests and to initiate treatment upon positive results of COVID-19, influenza and Group A streptococcal tests

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

1 Section 1. Subdivision 7 of section 6801 of the education law, as
2 added by section 2 of part C of chapter 57 of the laws of 2022, is
3 amended to read as follows:

4 7. A licensed pharmacist is a qualified health care professional under
5 section five hundred seventy-one of the public health law for the
6 purposes of directing a limited service laboratory and ordering and
7 administering COVID-19 ~~[and]~~, influenza, respiratory syncytial virus
8 (RSV), Group A streptococcal, HbA1c, hepatitis C, and human immunodeficiency virus (HIV) tests authorized by the Food and Drug Administration
9 (FDA), subject to certificate of waiver requirements established pursuant
10 to the federal clinical laboratory improvement act of nineteen
11 hundred eighty-eight. A licensed pharmacist may also initiate treatment
12 upon positive results of COVID-19, influenza and Group A streptococcal
13 tests pursuant to a statewide protocol approved by the department of
14 health. A pharmacist shall retain a record of the test result and
15 treatment as part of the patient record and will provide, upon patient
16 request, a report of the test result and treatment to patient's design-
17 ated physician, physician's assistant or nurse practitioner.

18 § 2. This act shall take effect immediately; provided, however, that
19 the amendments to subdivision 7 of section 6801 of the education law
20 made by section one of this act shall not affect the repeal of such
21 subdivision and shall be deemed repealed therewith.

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

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