STATE OF NEW YORK

5340--C

Cal. No. 311

2025-2026 Regular Sessions

IN SENATE

February 20, 2025

Introduced by Sens. STAVISKY, JACKSON -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Higher Education in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the education law and the public health law, in relation to the administration of immunizations by medical assistants

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

Section 1. Section 6526 of the education law is amended by adding a new subdivision 11 to read as follows:

11. Any medical assistant when drawing and administering an immunization in an outpatient office setting under the direct supervision of a physician, nurse practitioner, or physician assistant. For the purposes of this subdivision, a medical assistant is an unlicensed direct-care employee who is at least eighteen years of age, has completed an educational pathway acceptable to the department, and that performs clerical, administrative, and clinical tasks as set forth in department guidelines and as authorized by section twenty-one hundred thirteen of the public health law and pursuant to subdivision twenty-five of section sixty-five hundred thirty of this article.

§ 2. Section 6526 of the education law is amended by adding a new subdivision 12 to read as follows:

12. A certified nurse practitioner may delegate the task of drawing up and administering vaccinations to a medical assistant as defined in

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

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subdivision eleven of this section in outpatient office settings pursuant to section twenty-one hundred thirteen of the public health law, provided that it shall be professional misconduct to delegate professional responsibilities to a person when the licensee delegating such responsibilities knows or has reason to know that such person is not qualified, by training or by experience to perform them.

§ 3. The public health law is amended by adding a new section 2113 to read as follows:

§ 2113. Administration of immunizations; medical assistants. Notwithstanding any other law, rule, or regulation to the contrary, physicians, nurse practitioners, and physician assistants are hereby authorized to delegate the task of drawing up and administering vaccinations to medical assistants as defined in subdivision eleven of section sixty-five hundred twenty-six of the education law, in an outpatient office setting; provided, however, that such vaccinations are recommended by the commissioner, utilizing generally accepted medical standards and taking into consideration recommendations of the American Academy of Pediatrics, the American Academy of Family Physicians, the American College of Obstetricians and Gynecologists, the American College of Physicians, the Advisory Committee on Immunization Practices, or other similar nationally or internationally recognized scientific organizations; and provided, further, that medical assistants receive appropriate training and adequate supervision in administering immunizations pursuant to regulations determined by the commissioner in consultation with the commissioner of education.

§ 4. This act shall take effect on the one hundred eightieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.