

STATE OF NEW YORK

8496

2025-2026 Regular Sessions

IN SENATE

September 3, 2025

Introduced by Sen. HINCHEY -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the education law, in relation to entities authorized to make recommendations on the administration of immunizations

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, as
2 amended by chapter 555 of the laws of 2021, is amended to read as
3 follows:
4 7. A licensed physician may prescribe and order a patient specific
5 order or non-patient specific regimen to a licensed pharmacist, pursuant
6 to regulations promulgated by the commissioner, and consistent with the
7 public health law, for: (a) administering immunizations to prevent
8 influenza to patients two years of age or older; and (b) administering
9 immunizations to prevent pneumococcal, acute herpes zoster, hepatitis A,
10 hepatitis B, human papillomavirus, measles, mumps, rubella, varicella,
11 COVID-19, meningococcal, tetanus, diphtheria or pertussis disease and
12 medications required for emergency treatment of anaphylaxis to patients
13 eighteen years of age or older; and (c) administering other immuniza-
14 tions recommended by the advisory committee on immunization practices of
15 the centers for disease control and prevention, the immunization advi-
16 sory council established pursuant to chapter five hundred twenty-one of
17 the laws of nineteen ninety-four, or the 21st century workgroup for
18 disease elimination and reduction established pursuant to section two
19 hundred sixty-six-a of the public health law for patients eighteen years
20 of age or older if the commissioner of health in consultation with the
21 commissioner determines that an immunization: (i) (A) may be safely
22 administered by a licensed pharmacist within their lawful scope of prac-
23 tice; and (B) is needed to prevent the transmission of a reportable
24 communicable disease that is prevalent in New York state; or (ii) is a
25 recommended immunization for such patients who: (A) meet age require-

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

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1 ments, (B) lack documentation of such immunization, (C) lack evidence of
2 past infection, or (D) have an additional risk factor or another indi-
3 cation as recommended by the advisory committee on immunization prac-
4 tices of the centers for disease control and prevention, the immuniza-
5 tion advisory council established pursuant to chapter five hundred
6 twenty-one of the laws of nineteen ninety-four, or the 21st century
7 workgroup for disease elimination and reduction established pursuant to
8 section two hundred sixty-six-a of the public health law. Nothing in
9 this subdivision shall authorize unlicensed persons to administer immun-
10 izations, vaccines or other drugs.

11 § 2. Paragraph (e) of subdivision 2 of section 6801 of the education
12 law, as amended by section 1 of part DD of chapter 57 of the laws of
13 2018, is amended to read as follows:

14 (e) administer the immunization or immunizations according to the most
15 current recommendations by the advisory committee for immunization prac-
16 tices (ACIP), the immunization advisory council established pursuant to
17 chapter five hundred twenty-one of the laws of nineteen ninety-four, or
18 the 21st century workgroup for disease elimination and reduction estab-
19 lished pursuant to section two hundred sixty-six-a of the public health
20 law, provided however, that a pharmacist may administer any immunization
21 authorized under this section when specified by a patient specific
22 order.

23 § 3. Subparagraph 1 of paragraph a of subdivision 22 of section 6802
24 of the education law, as amended by chapter 802 of the laws of 2022, is
25 amended to read as follows:

26 (1) the direct application of an immunizing agent to adults, whether
27 by injection, ingestion, inhalation or any other means, pursuant to a
28 patient specific order or non-patient specific regimen prescribed or
29 ordered by a physician or certified nurse practitioner, for: immuniza-
30 tions to prevent influenza, pneumococcal, acute herpes zoster, hepatitis
31 A, hepatitis B, human papillomavirus, measles, mumps, rubella, varicel-
32 la, COVID-19, meningococcal, tetanus, diphtheria or pertussis disease
33 and medications required for emergency treatment of anaphylaxis; and
34 other immunizations recommended by the advisory committee on immuniza-
35 tion practices of the centers for disease control and prevention, the
36 immunization advisory council established pursuant to chapter five
37 hundred twenty-one of the laws of nineteen ninety-four, or the 21st
38 century workgroup for disease elimination and reduction established
39 pursuant to section two hundred sixty-six-a of the public health law for
40 patients eighteen years of age or older if the commissioner of health in
41 consultation with the commissioner determines that an immunization:
42 (i)(A) may be safely administered by a licensed pharmacist within their
43 lawful scope of practice; and (B) is needed to prevent the transmission
44 of a reportable communicable disease that is prevalent in New York
45 state; or (ii) is a recommended immunization for such patients who: (A)
46 meet age requirements, (B) lack documentation of such immunization, (C)
47 lack evidence of past infection, or (D) have an additional risk factor
48 or another indication as recommended by the advisory committee on immu-
49 nization practices of the centers for disease control and prevention, the
50 immunization advisory council established pursuant to chapter five
51 hundred twenty-one of the laws of nineteen ninety-four, or the 21st
52 century workgroup for disease elimination and reduction established
53 pursuant to section two hundred sixty-six-a of the public health law. If
54 the commissioner of health determines that there is an outbreak of
55 disease, or that there is the imminent threat of an outbreak of disease,

1 then the commissioner of health may issue a non-patient specific regimen
2 applicable statewide.

3 § 4. Subdivision 7 of section 6909 of the education law, as amended by
4 chapter 555 of the laws of 2021, is amended to read as follows:

5 7. A certified nurse practitioner may prescribe and order a patient
6 specific order or non-patient specific regimen to a licensed pharmacist,
7 pursuant to regulations promulgated by the commissioner, and consistent
8 with the public health law, for: (a) administering immunizations to
9 prevent influenza to patients two years of age or older; and (b) admin-
10 istering immunizations to prevent pneumococcal, acute herpes zoster,
11 hepatitis A, hepatitis B, human papillomavirus, measles, mumps, rubella,
12 varicella, COVID-19, meningococcal, tetanus, diphtheria or pertussis
13 disease and medications required for emergency treatment of anaphylaxis
14 to patients eighteen years of age or older; and (c) administering other
15 immunizations recommended by the advisory committee on immunization
16 practices of the centers for disease control and prevention, the immuni-
17 zation advisory council established pursuant to chapter five hundred
18 twenty-one of the laws of nineteen ninety-four, or the 21st century
19 workgroup for disease elimination and reduction established pursuant to
20 section two hundred sixty-six-a of the public health law, for patients
21 eighteen years of age or older if the commissioner of health in consul-
22 tation with the commissioner determines that an immunization: (i) (A)
23 may be safely administered by a licensed pharmacist within their lawful
24 scope of practice; and (B) is needed to prevent the transmission of a
25 reportable communicable disease that is prevalent in New York state; or
26 (ii) is a recommended immunization for such patients who: (A) meet age
27 requirements, (B) lack documentation of such immunization, (C) lack
28 evidence of past infection, or (D) have an additional risk factor or
29 another indication as recommended by the advisory committee on immuniza-
30 tion practices of the centers for disease control and prevention, the
31 immunization advisory council established pursuant to chapter five
32 hundred twenty-one of the laws of nineteen ninety-four, or the 21st
33 century workgroup for disease elimination and reduction established
34 pursuant to section two hundred sixty-six-a of the public health law.
35 Nothing in this subdivision shall authorize unlicensed persons to admin-
36 ister immunizations, vaccines or other drugs.

37 § 5. This act shall take effect immediately.