

STATE OF NEW YORK

8496--A

2025-2026 Regular Sessions

IN SENATE

September 3, 2025

Introduced by Sens. HINCHEY, BROUK -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law and the insurance 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 hundred ninety-four, 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, or any interstate body
20 established for purposes of reviewing and making recommendations regard-
21 ing immunization coverage and access, for patients eighteen years of age
22 or older if the commissioner of health in consultation with the commis-

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

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1 sioner determines that an immunization: (i) (A) may be safely adminis-
2 tered by a licensed pharmacist within their lawful scope of practice;
3 and (B) is needed to prevent the transmission of a reportable communica-
4 ble disease that is prevalent in New York state; or (ii) is a recom-
5 mended immunization for such patients who: (A) meet age requirements,
6 (B) lack documentation of such immunization, (C) lack evidence of past
7 infection, or (D) have an additional risk factor or another indication
8 as recommended by the advisory committee on immunization practices of
9 the centers for disease control and prevention, the immunization advi-
10 sory council established pursuant to chapter five hundred twenty-one of
11 the laws of nineteen hundred ninety-four, the 21st century workgroup for
12 disease elimination and reduction established pursuant to section two
13 hundred sixty-six-a of the public health law, or any interstate body
14 established for purposes of reviewing and making recommendations regard-
15 ing immunization coverage and access. Nothing in this subdivision shall
16 authorize unlicensed persons to administer immunizations, vaccines or
17 other drugs.

18 § 2. Paragraph (e) of subdivision 2 of section 6801 of the education
19 law, as amended by section 1 of part DD of chapter 57 of the laws of
20 2018, is amended to read as follows:

21 (e) administer the immunization or immunizations according to the most
22 current recommendations by the advisory committee for immunization prac-
23 tices (ACIP), the immunization advisory council established pursuant to
24 chapter five hundred twenty-one of the laws of nineteen hundred ninety-
25 four, the 21st century workgroup for disease elimination and reduction
26 established pursuant to section two hundred sixty-six-a of the public
27 health law, or any interstate body established for purposes of reviewing
28 and making recommendations regarding immunization coverage and access,
29 provided however, that a pharmacist may administer any immunization
30 authorized under this section when specified by a patient specific
31 order.

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

35 (1) the direct application of an immunizing agent to adults, whether
36 by injection, ingestion, inhalation or any other means, pursuant to a
37 patient specific order or non-patient specific regimen prescribed or
38 ordered by a physician or certified nurse practitioner, for: immuniza-
39 tions to prevent influenza, pneumococcal, acute herpes zoster, hepatitis
40 A, hepatitis B, human papillomavirus, measles, mumps, rubella, varicel-
41 la, COVID-19, meningococcal, tetanus, diphtheria or pertussis disease
42 and medications required for emergency treatment of anaphylaxis; and
43 other immunizations recommended by the advisory committee on immuniza-
44 tion practices of the centers for disease control and prevention, the
45 immunization advisory council established pursuant to chapter five
46 hundred twenty-one of the laws of nineteen hundred ninety-four, the 21st
47 century workgroup for disease elimination and reduction established
48 pursuant to section two hundred sixty-six-a of the public health law, or
49 any interstate body established for purposes of reviewing and making
50 recommendations regarding immunization coverage and access, for patients
51 eighteen years of age or older if the commissioner of health in consul-
52 tation with the commissioner determines that an immunization: (i)(A) may
53 be safely administered by a licensed pharmacist within their lawful
54 scope of practice; and (B) is needed to prevent the transmission of a
55 reportable communicable disease that is prevalent in New York state; or
56 (ii) is a recommended immunization for such patients who: (A) meet age

1 requirements, (B) lack documentation of such immunization, (C) lack
2 evidence of past infection, or (D) have an additional risk factor or
3 another indication as recommended by the advisory committee on immuniza-
4 tion practices of the centers for disease control and prevention, the
5 immunization advisory council established pursuant to chapter five
6 hundred twenty-one of the laws of nineteen hundred ninety-four, the 21st
7 century workgroup for disease elimination and reduction established
8 pursuant to section two hundred sixty-six-a of the public health law, or
9 any interstate body established for purposes of reviewing and making
10 recommendations regarding immunization coverage and access. If the
11 commissioner of health determines that there is an outbreak of disease,
12 or that there is the imminent threat of an outbreak of disease, then the
13 commissioner of health may issue a non-patient specific regimen applica-
14 ble statewide.

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

17 7. A certified nurse practitioner may prescribe and order a patient
18 specific order or non-patient specific regimen to a licensed pharmacist,
19 pursuant to regulations promulgated by the commissioner, and consistent
20 with the public health law, for: (a) administering immunizations to
21 prevent influenza to patients two years of age or older; and (b) admin-
22 istering immunizations to prevent pneumococcal, acute herpes zoster,
23 hepatitis A, hepatitis B, human papillomavirus, measles, mumps, rubella,
24 varicella, COVID-19, meningococcal, tetanus, diphtheria or pertussis
25 disease and medications required for emergency treatment of anaphylaxis
26 to patients eighteen years of age or older; and (c) administering other
27 immunizations recommended by the advisory committee on immunization
28 practices of the centers for disease control and prevention, the immuni-
29 zation advisory council established pursuant to chapter five hundred
30 twenty-one of the laws of nineteen hundred ninety-four, the 21st century
31 workgroup for disease elimination and reduction established pursuant to
32 section two hundred sixty-six-a of the public health law, or any inter-
33 state body established for purposes of reviewing and making recommenda-
34 tions regarding immunization coverage and access, for patients eighteen
35 years of age or older if the commissioner of health in consultation with
36 the commissioner determines that an immunization: (i) (A) may be safely
37 administered by a licensed pharmacist within their lawful scope of prac-
38 tice; and (B) is needed to prevent the transmission of a reportable
39 communicable disease that is prevalent in New York state; or (ii) is a
40 recommended immunization for such patients who: (A) meet age require-
41 ments, (B) lack documentation of such immunization, (C) lack evidence of
42 past infection, or (D) have an additional risk factor or another indi-
43 cation as recommended by the advisory committee on immunization prac-
44 tices of the centers for disease control and prevention, the immuniza-
45 tion advisory council established pursuant to chapter five hundred
46 twenty-one of the laws of nineteen hundred ninety-four, the 21st century
47 workgroup for disease elimination and reduction established pursuant to
48 section two hundred sixty-six-a of the public health law, or any inter-
49 state body established for purposes of reviewing and making recommenda-
50 tions regarding immunization coverage and access. Nothing in this subdi-
51 vision shall authorize unlicensed persons to administer immunizations,
52 vaccines or other drugs.

53 § 5. Item (ii) of subparagraph (E) of paragraph 17 of subsection (i)
54 of section 3216 of the insurance law, as amended by chapter 219 of the
55 laws of 2011, is amended to read as follows:

1 (ii) immunizations that have in effect a recommendation from the advi-
2 sory committee on immunization practices of the centers for disease
3 control and prevention, the immunization advisory council established
4 pursuant to chapter five hundred twenty-one of the laws of nine-
5 teen hundred ninety-four, the 21st century workgroup for disease elimi-
6 nation and reduction established pursuant to section two hundred
7 sixty-six-a of the public health law, or any interstate body established
8 for purposes of reviewing and making recommendations regarding immuniza-
9 tion coverage and access, with respect to the individual involved;

10 § 6. Item (ii) of subparagraph (E) of paragraph 8 of subsection (l) of
11 section 3221 of the insurance law, as amended by chapter 219 of the laws
12 of 2011, is amended to read as follows:

13 (ii) immunizations that have in effect a recommendation from the advi-
14 sory committee on immunization practices of the centers for disease
15 control and prevention, the immunization advisory council established
16 pursuant to chapter five hundred twenty-one of the laws of nine-
17 teen hundred ninety-four, the 21st century workgroup for disease elimi-
18 nation and reduction established pursuant to section two hundred
19 sixty-six-a of the public health law, or any interstate body established
20 for purposes of reviewing and making recommendations regarding immuniza-
21 tion coverage and access, with respect to the individual involved;

22 § 7. Subparagraph (B) of paragraph 3 of subsection (j) of section 4303
23 of the insurance law, as added by chapter 219 of the laws of 2011, is
24 amended to read as follows:

25 (B) immunizations that have in effect a recommendation from the advi-
26 sory committee on immunization practices of the centers for disease
27 control and prevention, the immunization advisory council established
28 pursuant to chapter five hundred twenty-one of the laws of nineteen
29 hundred ninety-four, the 21st century workgroup for disease elimination
30 and reduction established pursuant to section two hundred sixty-six-a of
31 the public health law, or any interstate body established for purposes
32 of reviewing and making recommendations regarding immunization coverage
33 and access, with respect to the individual involved;

34 § 8. Item (ii) of subparagraph (F) of paragraph 4 of subsection (b) of
35 section 4322 of the insurance law, as added by chapter 219 of the laws
36 of 2011, is amended to read as follows:

37 (ii) immunizations that have in effect a recommendation from the advi-
38 sory committee on immunization practices of the centers for disease
39 control and prevention, the immunization advisory council established
40 pursuant to chapter five hundred twenty-one of the laws of nineteen
41 hundred ninety-four, the 21st century workgroup for disease elimination
42 and reduction established pursuant to section two hundred sixty-six-a of
43 the public health law, or any interstate body established for purposes
44 of reviewing and making recommendations regarding immunization coverage
45 and access, with respect to the individual involved;

46 § 9. This act shall take effect immediately.