

STATE OF NEW YORK

8496--B

2025-2026 Regular Sessions

IN SENATE

September 3, 2025

Introduced by Sens. HINCHEY, RIVERA, 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 -- 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

AN ACT to amend the education law and the insurance law, in relation to the establishment of immunization administration regulations based on the recommendations of certain entities

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~~
15 ~~of the centers for disease control and prevention~~] in accordance with
16 regulations issued by the commissioner of health, utilizing generally
17 accepted medical standards and based on recommendations of the American
18 Academy of Pediatrics, the American Academy of Family Physicians, the
19 American College of Obstetricians and Gynecologists, the American

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

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1 College of Physicians, the advisory committee on immunization practices,
2 or any interstate body established for purposes of reviewing and making
3 recommendations regarding immunization coverage and access, for patients
4 eighteen years of age or older if the commissioner of health in consul-
5 tation with the commissioner determines that an immunization: (i) (A)
6 may be safely administered by a licensed pharmacist within their lawful
7 scope of practice; and (B) is needed to prevent the transmission of a
8 reportable communicable disease that is prevalent in New York state; or
9 (ii) is a recommended immunization for such patients who: (A) meet age
10 requirements, (B) lack documentation of such immunization, (C) lack
11 evidence of past infection, or (D) have an additional risk factor or
12 another indication [~~as recommended by the advisory committee on immuni-~~
13 ~~zation practices of the centers for disease control and prevention~~] in
14 accordance with regulations issued by the commissioner of health,
15 utilizing generally accepted medical standards and based on recommenda-
16 tions of the American Academy of Pediatrics, the American Academy of
17 Family Physicians, the American College of Obstetricians and Gynecolo-
18 gists, the American College of Physicians, the advisory committee on
19 immunization practices, or any interstate body established for purposes
20 of reviewing and making recommendations regarding immunization coverage
21 and access. Nothing in this subdivision shall authorize unlicensed
22 persons to administer immunizations, vaccines or other drugs.

23 § 2. Paragraph (e) of subdivision 2 of section 6801 of the education
24 law, as amended by section 1 of part DD of chapter 57 of the laws of
25 2018, is amended to read as follows:

26 (e) administer the immunization or immunizations [~~according to the~~
27 ~~most current recommendations by the advisory committee for immunization~~
28 ~~practices (ACIP),~~] in accordance with regulations issued by the commis-
29 sioner of health, utilizing generally accepted medical standards and
30 based on recommendations of the American Academy of Pediatrics, the
31 American Academy of Family Physicians, the American College of Obstetri-
32 cians and Gynecologists, the American College of Physicians, the advi-
33 sory committee on immunization practices, or any interstate body estab-
34 lished for purposes of reviewing and making recommendations regarding
35 immunization coverage and access, provided however, that a pharmacist
36 may administer any immunization authorized under this section when spec-
37 ified by a patient specific order.

38 § 3. Paragraph (a) of subdivision 4 of section 6801 of the education
39 law, as amended by section 1 of part DD of chapter 57 of the laws of
40 2018, is amended to read as follows:

41 a. a clearly visible posting of the most current "Recommended Adult
42 Immunization Schedule" [~~published by the advisory committee for immuni-~~
43 ~~zation practices (ACIP)~~] in accordance with regulations issued by the
44 commissioner of health, utilizing generally accepted medical standards
45 and based on recommendations of the American Academy of Pediatrics, the
46 American Academy of Family Physicians, the American College of Obstetri-
47 cians and Gynecologists, the American College of Physicians, the advi-
48 sory committee on immunization practices, or any interstate body estab-
49 lished for purposes of reviewing and making recommendations regarding
50 immunization coverage and access; and

51 § 4. Subparagraph 1 of paragraph a of subdivision 22 of section 6802
52 of the education law, as amended by chapter 802 of the laws of 2022, is
53 amended to read as follows:

54 (1) the direct application of an immunizing agent to adults, whether
55 by injection, ingestion, inhalation or any other means, pursuant to a
56 patient specific order or non-patient specific regimen prescribed or

1 ordered by a physician or certified nurse practitioner, for: immuniza-
2 tions to prevent influenza, pneumococcal, acute herpes zoster, hepatitis
3 A, hepatitis B, human papillomavirus, measles, mumps, rubella, varicel-
4 la, COVID-19, meningococcal, tetanus, diphtheria or pertussis disease
5 and medications required for emergency treatment of anaphylaxis; and
6 other immunizations [~~recommended by the advisory committee on immuniza-~~
7 ~~tion practices of the centers for disease control and prevention~~] in
8 accordance with regulations issued by the commissioner of health,
9 utilizing generally accepted medical standards and based on recommenda-
10 tions of the American Academy of Pediatrics, the American Academy of
11 Family Physicians, the American College of Obstetricians and Gynecolo-
12 gists, the American College of Physicians, the advisory committee on
13 immunization practices, or any interstate body established for purposes
14 of reviewing and making recommendations regarding immunization coverage
15 and access for patients eighteen years of age or older if the commis-
16 sioner of health in consultation with the commissioner determines that
17 an immunization: (i)(A) may be safely administered by a licensed pharma-
18acist within their lawful scope of practice; and (B) is needed to prevent
19 the transmission of a reportable communicable disease that is prevalent
20 in New York state; or (ii) is a recommended immunization for such
21 patients who: (A) meet age requirements, (B) lack documentation of such
22 immunization, (C) lack evidence of past infection, or (D) have an addi-
23 tional risk factor or another indication [~~as recommended by the advisory~~
24 ~~committee on immunization practices of the centers for disease control~~
25 ~~and prevention~~] in accordance with regulations issued by the commis-
26 ioner of health, utilizing generally accepted medical standards and based
27 on recommendations of the American Academy of Pediatrics, the American
28 Academy of Family Physicians, the American College of Obstetricians and
29 Gynecologists, the American College of Physicians, the advisory commit-
30 tee on immunization practices, or any interstate body established for
31 purposes of reviewing and making recommendations regarding immunization
32 coverage and access. If the commissioner of health determines that
33 there is an outbreak of disease, or that there is the imminent threat of
34 an outbreak of disease, then the commissioner of health may issue a
35 non-patient specific regimen applicable statewide.

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

38 7. A certified nurse practitioner may prescribe and order a patient
39 specific order or non-patient specific regimen to a licensed pharmacist,
40 pursuant to regulations promulgated by the commissioner, and consistent
41 with the public health law, for: (a) administering immunizations to
42 prevent influenza to patients two years of age or older; and (b) admin-
43 istering immunizations to prevent pneumococcal, acute herpes zoster,
44 hepatitis A, hepatitis B, human papillomavirus, measles, mumps, rubella,
45 varicella, COVID-19, meningococcal, tetanus, diphtheria or pertussis
46 disease and medications required for emergency treatment of anaphylaxis
47 to patients eighteen years of age or older; and (c) administering other
48 immunizations [~~recommended by the advisory committee on immunization~~
49 ~~practices of the centers for disease control and prevention~~] in accord-
50 ance with regulations issued by the commissioner of health, utilizing
51 generally accepted medical standards and based on recommendations of the
52 American Academy of Pediatrics, the American Academy of Family Physi-
53 cians, the American College of Obstetricians and Gynecologists, the
54 American College of Physicians, the advisory committee on immunization
55 practices, or any interstate body established for purposes of reviewing
56 and making recommendations regarding immunization coverage and access

1 for patients eighteen years of age or older if the commissioner of
2 health in consultation with the commissioner determines that an immuni-
3 zation: (i) (A) may be safely administered by a licensed pharmacist
4 within their lawful scope of practice; and (B) is needed to prevent the
5 transmission of a reportable communicable disease that is prevalent in
6 New York state; or (ii) is a recommended immunization for such patients
7 who: (A) meet age requirements, (B) lack documentation of such immuniza-
8 tion, (C) lack evidence of past infection, or (D) have an additional
9 risk factor or another indication [~~as recommended by the advisory
10 committee on immunization practices of the centers for disease control
11 and prevention~~] in accordance with regulations issued by the commis-
12 sioner of health, utilizing generally accepted medical standards and based
13 on recommendations of the American Academy of Pediatrics, the American
14 Academy of Family Physicians, the American College of Obstetricians and
15 Gynecologists, the American College of Physicians, the advisory commit-
16 tee on immunization practices, or any interstate body established for
17 purposes of reviewing and making recommendations regarding immunization
18 coverage and access. Nothing in this subdivision shall authorize unli-
19 censed persons to administer immunizations, vaccines or other drugs.

20 § 6. Item (ii) of subparagraph (E) of paragraph 17 of subsection (i)
21 of section 3216 of the insurance law, as amended by chapter 219 of the
22 laws of 2011, is amended to read as follows:

23 (ii) immunizations [~~that have in effect a recommendation from the
24 advisory committee on immunization practices of the centers for disease
25 control and prevention~~] in accordance with regulations issued by the
26 commissioner of health, utilizing generally accepted medical standards
27 and based on recommendations of the American Academy of Pediatrics, the
28 American Academy of Family Physicians, the American College of Obstetri-
29 cians and Gynecologists, the American College of Physicians, the advi-
30 sory committee on immunization practices, or any interstate body estab-
31 lished for purposes of reviewing and making recommendations regarding
32 immunization coverage and access, with respect to the individual
33 involved;

34 § 7. Item (ii) of subparagraph (E) of paragraph 8 of subsection (l) of
35 section 3221 of the insurance law, as amended 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
38 advisory committee on immunization practices of the centers for disease
39 control and prevention~~] in accordance with regulations issued by the
40 commissioner of health, utilizing generally accepted medical standards
41 and based on recommendations of the American Academy of Pediatrics, the
42 American Academy of Family Physicians, the American College of Obstetri-
43 cians and Gynecologists, the American College of Physicians, the advi-
44 sory committee on immunization practices, or any interstate body estab-
45 lished for purposes of reviewing and making recommendations regarding
46 immunization coverage and access, with respect to the individual
47 involved;

48 § 8. Subparagraph (B) of paragraph 3 of subsection (j) of section 4303
49 of the insurance law, as added by chapter 219 of the laws of 2011, is
50 amended to read as follows:

51 (B) immunizations [~~that have in effect a recommendation from the advi-
52 sory committee on immunization practices of the centers for disease
53 control and prevention~~] in accordance with regulations issued by the
54 commissioner of health, utilizing generally accepted medical standards
55 and based on recommendations of the American Academy of Pediatrics, the
56 American Academy of Family Physicians, the American College of Obstetri-

1 icians and Gynecologists, the American College of Physicians, the advi-
2 sory committee on immunization practices, or any interstate body estab-
3 lished for purposes of reviewing and making recommendations regarding
4 immunization coverage and access, with respect to the individual
5 involved;

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

9 (ii) immunizations [~~that have in effect a recommendation from the~~
10 ~~advisory committee on immunization practices of the centers for disease~~
11 ~~control and prevention] in accordance with regulations issued by the
12 commissioner of health, utilizing generally accepted medical standards
13 and based on recommendations of the American Academy of Pediatrics, the
14 American Academy of Family Physicians, the American College of Obstetri-
15 cians and Gynecologists, the American College of Physicians, the advi-
16 sory committee on immunization practices, or any interstate body estab-
17 lished for purposes of reviewing and making recommendations regarding
18 immunization coverage and access, with respect to the individual
19 involved;~~

20 § 10. This act shall take effect immediately.