AN ACT to amend the education law, in relation to the practice of pharmacy and to amend chapter 563 of the laws of 2008 amending the education law and the public health law relating to immunizing agents to be administered to adults by pharmacists, in relation to making such provisions permanent

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subdivision 22 of section 6802 of the education law, as added by chapter 563 of the laws of 2008, is amended to read as follows:

22. "Administer", for the purpose of section sixty-eight hundred one of this article, means the direct application of an immunizing agent to adults, whether by injection, ingestion or any other means, pursuant to a patient specific order or non-patient specific regimen prescribed or ordered issued by a physician or certified nurse practitioner [who has a practice site in the county in which the immunization is administered. However if the county where the immunization is to be administered has a population of seventy-five thousand or less, then the licensed physician or certified nurse practitioner may be in an adjoining county]. Such administration shall be limited to [immunizing agents to prevent influenza or pneumococcal disease] IMMUNIZATIONS AND VACCINES LISTED IN THE RECOMMENDED ADULT IMMUNIZATION SCHEDULE BY THE CENTERS FOR DISEASE CONTROL AND PREVENTION and medications required for emergency treatment of anaphylaxis.

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

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S 2. Section 6806 of the education law, as added by chapter 987 of the laws of 1971 and subdivision 4 as amended by chapter 62 of the laws of 1989, is amended to read as follows:

S 6806. Limited permits. 1. The department may issue a limited permit for employment as a "pharmacy intern" to:
   a. A student enrolled in the last two years of a registered program in pharmacy, or
   b. A graduate of a program in pharmacy which meets standards established by the commissioner's regulations who is engaged in meeting the experience requirements or whose application for initial licensure is pending with the department.

2. A pharmacy intern may, as determined by the commissioner's regulations, practice as a pharmacist under the immediate personal supervision of a licensed pharmacist.

3. A PHARMACY INTERN WHO HAS SUCCESSFULLY COMPLETED EVERY REQUIREMENT ESTABLISHED BY THE DEPARTMENT FOR THE CERTIFICATE OF ADMINISTRATION MAY, UNDER THE IMMEDIATE PERSONAL SUPERVISION OF A LICENSED PHARMACIST WHO HAS A VALID CERTIFICATE OF ADMINISTRATION ISSUED BY THE DEPARTMENT, ADMINISTER AN IMMUNIZATION AS PROVIDED UNDER SECTION SIXTY-EIGHT HUNDRED TWO OF THIS ARTICLE.

4. A limited permit issued to a pharmacy intern shall have an expiration date of five years from the date of issue. Limited permits may be renewed once for a period not to exceed two years.

[4] 5. Fees. The fee for each limited permit issued to a pharmacy intern shall be seventy dollars.

S 3. Subdivision 2 of section 6828 of the education law, as added by chapter 563 of the laws of 2008, is amended to read as follows:

2. The fee for a certificate of administration shall be one hundred dollars [and shall be paid on a triennial basis]. A certificate may be suspended or revoked in the same manner as a license to practice pharmacy.

S 4. Section 8 of chapter 563 of the laws of 2008 amending the education law and the public health law relating to immunizing agents to be administered to adults by pharmacists, as amended by chapter 316 of the laws of 2011, is amended to read as follows:

S 8. This act shall take effect on the ninetieth day after it shall have become a law [and shall expire and be deemed repealed March 31, 2016].

S 5. This act shall take effect on the ninetieth day after it shall have become a law.