

7324--A

2013-2014 Regular Sessions

I N   A S S E M B L Y

May 10, 2013

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Introduced by M. of A. O'DONNELL -- read once and referred to the Committee on Higher Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to authorizing a licensed pharmacist and certified nurse practitioner to administer meningococcal disease immunizing agents

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 is  
2 amended by adding a new paragraph (c) to read as follows:

3     (C) A LICENSED PHYSICIAN MAY PRESCRIBE AND ORDER A NON-PATIENT SPECIF-  
4 IC REGIMEN TO A LICENSED PHARMACIST, PURSUANT TO REGULATIONS PROMULGATED  
5 BY THE COMMISSIONER, AND CONSISTENT WITH THE PUBLIC HEALTH LAW, FOR  
6 ADMINISTERING IMMUNIZATIONS TO PREVENT MENINGOCOCCAL DISEASE.

7     S 2. Subdivision 7 of section 6909 of the education law is amended by  
8 adding a new paragraph (c) to read as follows:

9     (C) A CERTIFIED NURSE PRACTITIONER MAY PRESCRIBE AND ORDER A NON-PA-  
10 TIENT SPECIFIC REGIMEN TO A LICENSED PHARMACIST, PURSUANT TO REGULATIONS  
11 PROMULGATED BY THE COMMISSIONER, AND CONSISTENT WITH THE PUBLIC HEALTH  
12 LAW, FOR ADMINISTERING IMMUNIZATIONS TO PREVENT MENINGOCOCCAL DISEASE.

13     S 3. Subdivision 22 of section 6802 of the education law, as amended  
14 by chapter 116 of the laws of 2012, is amended to read as follows:

15     22. "Administer", for the purpose of section sixty-eight hundred one  
16 of this article, means the direct application of an immunizing agent to  
17 adults, whether by injection, ingestion or any other means, pursuant to  
18 a. a patient specific order or non-patient specific regimen prescribed  
19 or ordered by a physician or certified nurse practitioner, who has a  
20 practice site in the county in which the immunization is administered,  
21 for immunizations to prevent influenza or pneumococcal disease and medi-  
22 cations required for emergency treatment of anaphylaxis or b. a patient  
23 specific order prescribed or ordered by a physician or certified nurse

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

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1 practitioner for immunizations to prevent acute herpes zoster OR MENIN-  
2 GOCOCCAL DISEASE OR C. A PATIENT SPECIFIC ORDER OR NON-PATIENT SPECIFIC  
3 REGIMEN PRESCRIBED OR ORDERED BY A PHYSICIAN OR CERTIFIED NURSE PRACTI-  
4 TIONER FOR IMMUNIZATIONS TO PREVENT MENINGOCOCCAL DISEASE. If the coun-  
5 ty where the immunization is to be administered has a population of  
6 seventy-five thousand or less, then the licensed physician or certified  
7 nurse practitioner may be in an adjoining county. Such administration  
8 shall be limited to immunizing agents to prevent influenza or pneumococ-  
9 cal disease and medications required for emergency treatment of anaphy-  
10 laxis.

11 S 4. This act shall take effect on the ninetieth day after it shall  
12 have become a law; provided, that:

13 (a) the amendments to subdivision 7 of section 6527 of the education  
14 law, made by section one of this act shall not affect the expiration and  
15 reversion of such subdivision, as provided in section 6 of chapter 116  
16 of the laws of 2012, and shall be deemed to expire therewith; and

17 (b) the amendments to subdivision 7 of section 6909 of the education  
18 law, made by section two of this act shall not affect the expiration and  
19 reversion of such subdivision, as provided in section 6 of chapter 116  
20 of the laws of 2012, and shall be deemed to be expire therewith; and

21 (c) the amendments to subdivision 22 of section 6802 of the education  
22 law made by section three of this act shall not affect the expiration of  
23 such subdivision and shall be deemed to expire therewith.