S T A T E O F N E W Y O R K

7698

2013-2014 Regular Sessions

I N A S S E M B L Y

May 31, 2013

Introduced by M. of A. PAULIN -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to the administration of immunizing agents by a licensed pharmacist

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 amended by chapter 116 of the laws of 2012, 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. ADULTS, PURSUANT TO a patient specific order or non-patient specific regimen prescribed or ordered by a physician or certified nurse practitioner, who has a practice site in the county in which the immunization is administered, for immunizations to prevent influenza or pneumococcal disease and medications required for emergency treatment of anaphylaxis [or];

b. CHILDREN NINE YEARS OF AGE OR OLDER IN THE CITY OF NEW YORK, PURSUANT TO A PATIENT SPECIFIC ORDER OR NON-PATIENT SPECIFIC REGIMEN PRESCRIBED OR ORDERED BY A PHYSICIAN OR CERTIFIED NURSE PRACTITIONER, FOR IMMUNIZATIONS TO PREVENT INFLUENZA OR PNEUMOCOCCAL DISEASE AND MEDICATIONS REQUIRED FOR EMERGENCY TREATMENT OF ANAPHYLAXIS;

C. ADULTS, PURSUANT TO a patient specific order prescribed or ordered by a physician or certified nurse practitioner for immunizations to prevent acute herpes zoster. 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

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

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agents to prevent influenza or pneumococcal disease and medications required for emergency treatment of anaphylaxis[.];

D. ADULTS, PURSUANT TO A PATIENT SPECIFIC ORDER OR NON-PATIENT SPECIFIC REGIMEN PRESCRIBED OR ORDERED BY A PHYSICIAN OR CERTIFIED NURSE PRACTITIONER, FOR IMMUNIZATIONS TO PREVENT MENINGOCOCCAL DISEASE.

S 2. Paragraph (a) of subdivision 7 of section 6527 of the education law, as amended by chapter 116 of the laws of 2012, is amended to read as follows:

(a) A licensed physician may prescribe and order a non-patient specific regimen to a licensed pharmacist, pursuant to regulations promulgated by the commissioner, and consistent with the public health law, for administering immunizations to prevent influenza or pneumococcal disease, IMMUNIZATIONS TO PREVENT MENINGOCOCCAL DISEASE, and medications required for emergency treatment of anaphylaxis. Nothing in this subdivision shall authorize unlicensed persons to administer immunizations, vaccines or other drugs.

S 3. Paragraph (a) of subdivision 7 of section 6909 of the education law, as amended by chapter 116 of the laws of 2012, is amended to read as follows:

(a) A certified nurse practitioner may prescribe and order a non-patient specific regimen to a licensed pharmacist, pursuant to regulations promulgated by the commissioner, and consistent with the public health law, for administering immunizations to prevent influenza or pneumococcal disease, IMMUNIZATIONS TO PREVENT MENINGOCOCCAL DISEASE, and medications required for emergency treatment of anaphylaxis. Nothing in this subdivision shall authorize unlicensed persons to administer immunizations, vaccines or other drugs.

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

(a) the amendments to subdivision 22 of section 6802 of the education law made by section one of this act shall not affect the expiration of such subdivision and shall be deemed to expire therewith;

(b) the amendments to subdivision 7 of section 6527 of the education law made by section two of this act shall not affect the expiration of such subdivision and shall be deemed to expire therewith;

(c) the amendments to subdivision 7 of section 6909 of the education law made by section three of this act shall not affect the expiration of such subdivision and shall be deemed to expire therewith.