STATE OF NEW YORK

6846

2019-2020 Regular Sessions

IN ASSEMBLY

March 21, 2019

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

AN ACT to amend the education law, in relation to authorizing the administration of vaccines for hepatitis A, hepatitis B, and human papillomavirus by a licensed pharmacist and by a certified nurse practitioner

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision 7 of section 6527 of the education law, as amended by chapter 46 of the laws of 2015, is amended to read as follows:

7. A licensed physician may prescribe and order a patient specific order or 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, pneumococcal, acute herpes zoster, **hepatitis A, hepatitis B, human papillomavirus,** meningococcal, tetanus, diphtheria or pertussis disease and medications required for emergency treatment of anaphylaxis. Nothing in this subdivision shall authorize unlicensed persons to administer immunizations, vaccines or other drugs.

§ 2. Paragraph a of subdivision 22 of section 6802 of the education law, as amended by section 2 of part DD of chapter 57 of the laws of 2018, is amended to read as follows:

a. the direct application of an immunizing agent to adults, whether by injection, ingestion, inhalation or any other means, 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 or adjoining county in which the immunization is administered, for immunizations to prevent influenza, pneumococcal, acute herpes zoster, **hepatitis A, hepatitis B, human papillomavirus,** meningococcal, tetanus, diphtheria or pertussis disease and medications required for emergency treatment of anaphylaxis. If the commissioner of

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

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health determines that there is an outbreak of disease, or that there is the imminent threat of an outbreak of disease, then the commissioner of health may issue a non-patient specific regimen applicable statewide.

§ 3. Subdivision 7 of section 6909 of the education law, as amended by chapter 46 of the laws of 2015, is amended to read as follows:

7. A certified nurse practitioner may prescribe and order a patient specific order or 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, pneumococcal, acute herpes zoster, **hepatitis A, hepatitis B, human papillomavirus,** meningococcal, tetanus, diphtheria or pertussis disease and medications required for emergency treatment of anaphylaxis. Nothing in this subdivision shall authorize unlicensed persons to administer immunizations, vaccines or other drugs.

§ 4. This act shall take effect immediately; provided, however, that:

(a) the amendments to subdivision 7 of section 6527 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 22 of section 6802 of the education law made by section two of this act shall not affect the expiration and repeal of such subdivision and shall be deemed repealed therewith; and

(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.