STATE OF NEW YORK

279--A

2021-2022 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 6, 2021

Introduced by M. of A. GOTTFRIED, McDONALD, DINOWITZ, PAULIN, FERNANDEZ, ZINERMAN, SIMON, STIRPE, LAVINE, RODRIGUEZ, BURDICK, WOERNER, L. ROSENTHAL, FAHY, RICHARDSON, GALEF, HEVESI, FORREST -- read once and referred to the Committee on Health -- reported and referred to the Committee on Codes -- reported and referred to the Committee on Rules -- Rules Committee discharged, bill amended, ordered reprinted as amended and recommitted to the Committee on Rules

AN ACT to amend the public health law, in relation to adult immunization reporting requirements

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

Section 1. Paragraph (b) of subdivision 3 of section 2168 of the public health law, as amended by chapter 420 of the laws of 2014, is amended to read as follows:

(b) (i) Any health care provider who administers any vaccine to a person nineteen years of age or older, [~~may~~] **shall** report[~~, with the consent of the vaccinee,~~] all such immunizations to the department in a format prescribed by the commissioner within fourteen days of administration of such immunizations. Health care providers administering immunizations to persons nineteen years of age or older in the city of New York [~~may~~] **shall** report[~~, with the consent of the vaccinee,~~] in a format prescribed by the city of New York commissioner of health and mental hygiene, all such immunizations to the citywide immunization registry. **The reporting by a health care provider of administration of an immunization to a person nineteen years of age or older to a regional health information organization or other health information exchange shall satisfy the reporting requirements in this section if such data is provided by the regional health information organization or health information exchange to the department or citywide immunization registry.**

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

LBD00349-02-1

(ii) A registered professional nurse, or a pharmacist who administers a vaccine pursuant to subdivision two of section sixty-eight hundred one of the education law, to a person nineteen years of age or older, shall report[~~, with the consent of the vaccinee,~~] all such immunizations to the department in a format prescribed by the commissioner within fourteen days of administration of such immunizations. Registered professional nurses or pharmacists administering immunizations pursuant to subdivision two of section sixty-eight hundred one of the education law, to persons nineteen years of age or older in the city of New York shall report[~~, with the consent of the vaccinee,~~] in a format prescribed by the city of New York commissioner of health and mental hygiene, all such immunizations to the citywide immunization registry. **The reporting by a registered professional nurse or a pharmacist of administration of an immunization to a person nineteen years of age or older to a regional health information organization or other health information exchange shall satisfy the reporting requirements in this section if such data is provided by the regional health information organization or health information exchange to the department or citywide immunization registry.**

(iii) However, no report shall be made under this paragraph if the person to whom the vaccine is administered, or a person authorized to consent to health care for the person, objects to the person who administered the vaccine, prior to the making of the report.

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