STATE OF NEW YORK

7320

2021-2022 Regular Sessions

IN SENATE

August 9, 2021

Introduced by Sen. HOYLMAN -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the education law, in relation to the definition of "administration" with respect to immunization to prevent COVID-19 for children between the ages of two and eighteen years of age

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

Section 1. Paragraph b of subdivision 22 of section 6802 of the education law, as amended by chapter 110 of the laws of 2020, is amended to read as follows:

b. the direct application of an immunizing agent to children between the ages of two and eighteen years of age, 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 immunization to prevent influenza [~~and~~], medications required for emergency treatment of anaphylaxis resulting from such immunization**, and for immunization to prevent COVID-19 for children between the ages of two and eighteen years of age, as authorized by the United States food and drug administration or recommended by the advisory committee on immunization practices of the centers for disease control and prevention**. If the commissioner of health determines that there is an outbreak of influenza, or that there is the imminent threat of an outbreak of influenza, then the commissioner of health may issue a non-patient specific regimen applicable statewide.

§ 2. This act shall take effect immediately; provided that the amendments to paragraph b of subdivision 22 of section 6802 of the education law made by section one of this act shall not affect the expiration and repeal of such subdivision and shall be deemed expired and repealed therewith.

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

LBD11867-01-1