STATE OF NEW YORK

1102

2023-2024 Regular Sessions

IN ASSEMBLY

January 13, 2023

Introduced by M. of A. SANTABARBARA -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to a standardized form for medical exemption from required immunizations

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

Section 1. Subdivision 8 of section 2164 of the public health law, as amended by chapter 401 of the laws of 2015, is amended to read as follows:

8. If any physician**, nurse practitioner or physician's assistant** licensed to practice medicine in this state [~~certifies~~] **completes the required exemption form stating** that such immunization may be detrimental to a child's health, the requirements of this section shall be inapplicable until such immunization is found no longer to be detrimental to the child's health **by the child's physician, nurse practitioner or physician's assistant. The department or any other state agency, board or commission may not require any other condition or requirement for the medical exemption to immunization or immunizations provided for in this section for school admission**.

§ 2. Subdivision 8-a of section 2164 of the public health law is renumbered subdivision 8-b and a new subdivision 8-a is added to read as follows:

8-a. Any physician, nurse practitioner or physician's assistant who believes that such immunization may be detrimental to the child's health must complete the following form and file it with the child's school:

Medical Exemption Form

(a) Name(s) of parent, parents or guardian:

(b) Name of child:

(c) Child's birthdate:

(d) Child's home address:

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

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(e) I hereby certify that immunization against (poliomyelitis, mumps, measles, diptheria, rubella, varicella, Haemophilus influenzae type b (Hib), pertussis, tetanus, pneumococcal disease, influenza, meningococcal disease and hepatitis B) may be detrimental to the child's health. This certification, once provided to the child's school, shall serve as an exemption to section 2164 of the public health law.

(signature of physician, nurse practitioner or physician's assistant)

(date)

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