# STATE OF NEW YORK

6627--B

2023-2024 Regular Sessions

# IN ASSEMBLY

April 24, 2023

Introduced by M. of A. McDONALD, SAYEGH, WALLACE, SEAWRIGHT, MEEKS, JONES, JENSEN, LUPARDO, STIRPE, BUTTENSCHON, LUNSFORD -- Multi-Sponsored by -- M. of A. TAGUE -- read once and referred to the Committee on Higher Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Higher Education in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to allowing a licensed pharmacist to order and administer certain tests; and to amend part C of chapter 57 of the laws of 2022 amending the public health law and the education law relating to allowing pharmacists to direct limited service laboratories and order and administer COVID-19 and influenza tests and modernizing nurse practitioners, in relation to the effectiveness thereof

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

Section 1. Subdivision 7 of section 6801 of the education law, as added by section 2 of part C of chapter 57 of the laws of 2022, is amended to read as follows:

7. A licensed pharmacist is a qualified health care professional under section five hundred seventy-one of the public health law for the purposes of directing a limited service laboratory and ordering and administering COVID-19 [~~and~~], influenza**, respiratory syncytial virus (RSV), pharyngitis resulting from a Group A streptococcal infection, HbA1c, hepatitis C, and human immunodeficiency virus (HIV)** tests authorized by the Food and Drug Administration (FDA), subject to certificate of waiver requirements established pursuant to the federal clinical laboratory improvement act of nineteen hundred eighty-eight.

§ 2. Section 8 of part C of chapter 57 of the laws of 2022 amending the public health law and the education law relating to allowing pharma-

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

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cists to direct limited service laboratories and order and administer COVID-19 and influenza tests and modernizing nurse practitioners, is amended to read as follows:

§ 8. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2022; provided, however, that sections one, two, three, four, six and seven of this act shall expire and be deemed repealed [~~two~~] four years after it shall have become a law.

§ 3. This act shall take effect immediately; provided, however, that the amendments to subdivision 7 of section 6801 of the education law made by section one of this act shall not affect the repeal of such subdivision and shall be deemed repealed therewith.