

# 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:

1 Section 1. Subdivision 7 of section 6801 of the education law, as  
2 added by section 2 of part C of chapter 57 of the laws of 2022, is  
3 amended to read as follows:  
4 7. A licensed pharmacist is a qualified health care professional under  
5 section five hundred seventy-one of the public health law for the  
6 purposes of directing a limited service laboratory and ordering and  
7 administering COVID-19 [~~and~~], influenza, respiratory syncytial virus  
8 (RSV), pharyngitis resulting from a Group A streptococcal infection,  
9 HbA1c, hepatitis C, and human immunodeficiency virus (HIV) tests author-  
10 ized by the Food and Drug Administration (FDA), subject to certificate  
11 of waiver requirements established pursuant to the federal clinical  
12 laboratory improvement act of nineteen hundred eighty-eight.  
13 § 2. Section 8 of part C of chapter 57 of the laws of 2022 amending  
14 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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1 cists to direct limited service laboratories and order and administer  
2 COVID-19 and influenza tests and modernizing nurse practitioners, is  
3 amended to read as follows:

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7 shall expire and be deemed repealed [~~two~~ **four** years after it shall have  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

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12 subdivision and shall be deemed repealed therewith.