

STATE OF NEW YORK

7154

2023-2024 Regular Sessions

IN ASSEMBLY

May 11, 2023

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

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:

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

4 (b) (i) Any health care provider who administers any vaccine to a
5 person nineteen years of age or older, [~~may~~] shall report[~~, with the~~
6 ~~consent of the vaccinee,~~] all such immunizations to the department in a
7 format prescribed by the commissioner within fourteen days of adminis-
8 tration of such immunizations. Health care providers administering
9 immunizations to persons nineteen years of age or older in the city of
10 New York [~~may~~] shall report[~~, with the consent of the vaccinee,~~] in a
11 format prescribed by the city of New York commissioner of health and
12 mental hygiene, all such immunizations to the citywide immunization
13 registry. The reporting by a health care provider of administration of
14 an immunization to a person nineteen years of age or older to a regional
15 health information organization or other health information exchange
16 shall satisfy the reporting requirements in this section if such data is
17 provided by the regional health information organization or health
18 information exchange to the department or citywide immunization regis-
19 try.

20 (ii) A registered professional nurse, or a pharmacist who administers
21 a vaccine pursuant to subdivision two of section sixty-eight hundred one
22 of the education law, to a person nineteen years of age or older, shall
23 report[~~, with the consent of the vaccinee,~~] all such immunizations to
24 the department in a format prescribed by the commissioner within four-
25 teen days of administration of such immunizations. Registered profes-

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

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1 sional nurses or pharmacists administering immunizations pursuant to
2 subdivision two of section sixty-eight hundred one of the education law,
3 to persons nineteen years of age or older in the city of New York shall
4 report[~~, with the consent of the vaccinee,~~] in a format prescribed by
5 the city of New York commissioner of health and mental hygiene, all such
6 immunizations to the citywide immunization registry. The reporting by a
7 registered professional nurse or a pharmacist of administration of an
8 immunization to a person nineteen years of age or older to a regional
9 health information organization or other health information exchange
10 shall satisfy the reporting requirements in this section if such data is
11 provided by the regional health information organization or health
12 information exchange to the department or citywide immunization regis-
13 try.

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

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