

# STATE OF NEW YORK

5263

2023-2024 Regular Sessions

## IN SENATE

February 28, 2023

Introduced by Sens. SKOUFIS, ADDABBO, HOYLMAN-SIGAL, LIU -- read twice  
and ordered printed, and when printed to be committed to the Committee  
on Health

AN ACT to amend the public health law, in relation to allowing for the  
testing of certain infectious diseases at pharmacies

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

Section 1. Section 579 of the public health law is amended by adding a  
new subdivision 4 to read as follows:

4. (a) Any licensed pharmacists may order infectious disease tests,  
approved by the food and drug administration, to detect the infectious  
disease or its antibodies, and administering such tests, subject to  
certificate of waiver requirements pursuant to the federal clinical  
laboratory improvement act of nineteen hundred eighty-eight, to patients  
suspected of an infectious disease, or suspected of having recovered  
from an infectious disease, subject to completion of appropriate train-  
ing developed by the department.

(b) Licensed pharmacists shall be designated as a qualified healthcare  
professional for the purpose of directing a limited service laboratory,  
pursuant to subdivision three of this section, to test patients  
suspected of an infectious disease or its antibodies provided that such  
test is approved by the food and drug administration and waived for its  
use in a limited service laboratory.

§ 2. This act shall take effect immediately.

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

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