STATE OF NEW YORK

9886

IN ASSEMBLY

April 26, 2024

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

AN ACT to amend the public health law, in relation to increasing eligibility of admitted persons in general hospitals for immunizations against influenza virus

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

Section 1. Subdivision 2 of section 2805-h of the public health law, as added by chapter 266 of the laws of 2006 and the subdivision heading as amended by chapter 282 of the laws of 2009, is amended to read as follows:

2. Immunizations against influenza **for certain persons fifty or older** and **immunizations against** pneumococcal for certain persons sixty-five or older. (a) Annually between September first and April first, it shall be the duty of the administrative officer or other person in charge of each general hospital to offer each admitted person age [~~sixty-five~~] **fifty** or older vaccination against influenza virus. Such officer or person need not offer the vaccination to persons who have already received such vaccine or for whom it is otherwise inappropriate.

(b) It shall be the duty of the administrative officer or other person in charge of each general hospital to offer vaccination against pneumococcal disease to each admitted person age sixty-five or older in the hospital's care. Such officer or person need not offer the vaccination to people who have already received it, are not in need of a booster, or for whom it is otherwise inappropriate.

(c) Each general hospital shall adopt an influenza and pneumococcal immunization policy which shall include, but not be limited to, the following: procedures for identifying persons age **fifty or older for influenza,** sixty-five or older **for pneumococcal disease** and at the discretion of the facility other individuals at risk; procedures for the offering of immunization against influenza virus **upon admission or discharge to persons age fifty or older**, between September first and April first, and pneumococcal disease upon admission or discharge to persons age sixty-five or older; procedures for ensuring that individ-

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

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uals offered immunization or their guardian receive information regarding the risks and benefits of vaccination; a standing order policy approved by the medical director or other appropriate physician which shall include, but not be limited to, an assessment for contra-indications; and a system for documenting vaccine administration, medical contra-indications, patient refusals and any post-vaccination adverse events.

(d) The commissioner may waive the requirements of this subdivision due to a shortage of influenza and/or pneumococcal vaccine.

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