

# STATE OF NEW YORK

3467--A

2023-2024 Regular Sessions

## IN SENATE

January 31, 2023

Introduced by Sens. RIVERA, ADDABBO, GALLIVAN, GOUNARDES, KRUEGER, SKOUFIS -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- 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 pharmacists to direct limited service laboratories and order and administer COVID-19 and influenza tests and modernizing nurse practitioners, is amended to read as follows:

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

LBD02558-07-3

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4 shall expire and be deemed repealed [~~two~~ four] years after it shall have  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

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9 subdivision and shall be deemed repealed therewith.