

# STATE OF NEW YORK

9351

## IN SENATE

May 13, 2024

Introduced by Sen. MARTINEZ -- read twice and ordered printed, and when printed to be committed to the Committee on Education

AN ACT to amend the education law, in relation to a standardized form for medical exemption from required immunizations

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

1 Section 1. The education law is amended by adding a new section 3205-b  
2 to read as follows:

3 § 3205-b. Medical immunization exemption. 1. The school in which a  
4 student is attending or will attend shall accept a medical immunization  
5 exemption request form containing the information pursuant to subdivi-  
6 sion two of this section. The department or any other state agency,  
7 board or commission shall not require any other condition or requirement  
8 for the medical exemption to immunization or immunizations provided for  
9 in this section for school admission.

10 2. The form accepted by the school shall contain the following infor-  
11 mation:

12 (a) Name(s) of parent, parents or guardian;

13 (b) Name of child;

14 (c) Student's birthdate;

15 (d) Student's residential address;

16 (e) School name and district;

17 (f) The medical reason, diagnosis and/or condition of which deems  
18 immunization detrimental to the student's health;

19 (g) Supporting medical documentation demonstrating the immunization  
20 would be detrimental to the student's health; and

21 (h) The signature of a licensed physician, physician's assistant or  
22 nurse practitioner, their medical license number and practice affil-  
23 iation declaring: I hereby certify that immunization against (poliomyel-  
24 itis, mumps, measles, diphtheria, rubella, varicella, Haemophilus  
25 influenzae type b (Hib), pertussis, tetanus, pneumococcal disease,  
26 influenza, meningococcal disease and hepatitis B) may be detrimental to  
27 the child's health. The date and signature of the physician, nurse prac-  
28 titioner or physician's assistant shall appear here. This certification,

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

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1 once provided to the student's school, shall serve as an exemption to  
2 section 2164 of the public health law.

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