

# STATE OF NEW YORK

3455

2025-2026 Regular Sessions

## IN ASSEMBLY

January 27, 2025

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

AN ACT to amend the public health law, in relation to requiring a person in a parental relation to a child be physically present during any immunization

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

1 Section 1. Subdivision 1 of section 2504 of the public health law, as  
2 added by chapter 107 of the laws of 2023, is amended to read as follows:

3 1. (a) Any person who is eighteen years of age or older, or is the  
4 parent of a child or has married, or is a homeless youth as defined in  
5 section five hundred thirty-two-a of the executive law, or receives  
6 services at an approved runaway and homeless youth crisis services  
7 program or a transitional independent living support program as defined  
8 in section five hundred thirty-two-a of the executive law, may give  
9 effective consent for medical, dental, health and hospital services for  
10 themselves, and the consent of no other person shall be necessary.

11 (b) A parent, guardian or person in a parental relation to a child  
12 under the age of eighteen shall be physically present when any immuniza-  
13 tion is administered to such child unless the child: (i) is an emanci-  
14 pated minor; (ii) has been living separate and apart from any parent,  
15 guardian, or person in a parental relation to the child; (iii) is a  
16 runaway youth as defined in section five hundred thirty-two-a of the  
17 executive law; (iv) is a homeless youth as defined in section five  
18 hundred thirty-two-a of the executive law; (v) is enrolled in a runaway  
19 and homeless youth crisis services program; (vi) is in a residential  
20 transitional independent living support program pursuant to section five  
21 hundred thirty-two-d of the executive law; (vii) is not under the super-  
22 vision or control of a parent, custodian, or legal guardian; or (viii)  
23 is not in the care and custody of the office of children and family  
24 services.

25 § 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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