

# STATE OF NEW YORK

4346

2025-2026 Regular Sessions

## IN ASSEMBLY

February 4, 2025

Introduced by M. of A. DINOWITZ, SEAWRIGHT, JACOBSON, LEVENBERG, GLICK, SIMON, ZACCARO -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to the administration of certain immunizations by a pharmacist or a certified nurse practitioner

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

1 Section 1. Subdivision 7 of section 6527 of the education law, as  
2 amended by chapter 555 of the laws of 2021, is amended to read as  
3 follows:  
4 7. A licensed physician may prescribe and order a patient specific  
5 order or non-patient specific regimen to a licensed pharmacist, pursuant  
6 to regulations promulgated by the commissioner, and consistent with the  
7 public health law, for: (a) administering immunizations to prevent  
8 influenza to patients two years of age or older; and (b) administering  
9 immunizations to prevent pneumococcal, acute herpes zoster, hepatitis A,  
10 hepatitis B, human papillomavirus, measles, mumps, mpox, rubella, vari-  
11 cella, COVID-19, meningococcal, tetanus, diphtheria or pertussis disease  
12 and medications required for emergency treatment of anaphylaxis to  
13 patients eighteen years of age or older; and (c) administering other  
14 immunizations recommended by the advisory committee on immunization  
15 practices of the centers for disease control and prevention for patients  
16 eighteen years of age or older if the commissioner of health in consul-  
17 tation with the commissioner determines that an immunization: (i) (A)  
18 may be safely administered by a licensed pharmacist within their lawful  
19 scope of practice; and (B) is needed to prevent the transmission of a  
20 reportable communicable disease that is prevalent in New York state; or  
21 (ii) is a recommended immunization for such patients who: (A) meet age  
22 requirements, (B) lack documentation of such immunization, (C) lack  
23 evidence of past infection, or (D) have an additional risk factor or  
24 another indication as recommended by the advisory committee on immuniza-  
25 tion practices of the centers for disease control and prevention. Noth-

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

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1 ing in this subdivision shall authorize unlicensed persons to administer  
2 immunizations, vaccines or other drugs.

3 § 2. Subparagraph 1 of paragraph a of subdivision 22 of section 6802  
4 of the education law, as amended by chapter 802 of the laws of 2022, is  
5 amended to read as follows:

6 (1) the direct application of an immunizing agent to adults, whether  
7 by injection, ingestion, inhalation or any other means, pursuant to a  
8 patient specific order or non-patient specific regimen prescribed or  
9 ordered by a physician or certified nurse practitioner, for: immuniza-  
10 tions to prevent influenza, pneumococcal, acute herpes zoster, hepatitis  
11 A, hepatitis B, human papillomavirus, measles, mumps, mpox, rubella,  
12 varicella, COVID-19, meningococcal, tetanus, diphtheria or pertussis  
13 disease and medications required for emergency treatment of anaphylaxis;  
14 and other immunizations recommended by the advisory committee on immuni-  
15 zation practices of the centers for disease control and prevention for  
16 patients eighteen years of age or older if the commissioner of health in  
17 consultation with the commissioner determines that an immunization:  
18 (i)(A) may be safely administered by a licensed pharmacist within their  
19 lawful scope of practice; and (B) is needed to prevent the transmission  
20 of a reportable communicable disease that is prevalent in New York  
21 state; or (ii) is a recommended immunization for such patients who: (A)  
22 meet age requirements, (B) lack documentation of such immunization, (C)  
23 lack evidence of past infection, or (D) have an additional risk factor  
24 or another indication as recommended by the advisory committee on immuni-  
25 zation practices of the centers for disease control and prevention. If  
26 the commissioner of health determines that there is an outbreak of  
27 disease, or that there is the imminent threat of an outbreak of disease,  
28 then the commissioner of health may issue a non-patient specific regimen  
29 applicable statewide.

30 § 3. Subdivision 7 of section 6909 of the education law, as amended by  
31 chapter 555 of the laws of 2021, is amended to read as follows:

32 7. A certified nurse practitioner may prescribe and order a patient  
33 specific order or non-patient specific regimen to a licensed pharmacist,  
34 pursuant to regulations promulgated by the commissioner, and consistent  
35 with the public health law, for: (a) administering immunizations to  
36 prevent influenza to patients two years of age or older; and (b) admin-  
37 istering immunizations to prevent pneumococcal, acute herpes zoster,  
38 hepatitis A, hepatitis B, human papillomavirus, measles, mumps, mpox,  
39 rubella, varicella, COVID-19, meningococcal, tetanus, diphtheria or  
40 pertussis disease and medications required for emergency treatment of  
41 anaphylaxis to patients eighteen years of age or older; and (c) adminis-  
42 tering other immunizations recommended by the advisory committee on  
43 immunization practices of the centers for disease control and prevention  
44 for patients eighteen years of age or older if the commissioner of  
45 health in consultation with the commissioner determines that an immuni-  
46 zation: (i) (A) may be safely administered by a licensed pharmacist  
47 within their lawful scope of practice; and (B) is needed to prevent the  
48 transmission of a reportable communicable disease that is prevalent in  
49 New York state; or (ii) is a recommended immunization for such patients  
50 who: (A) meet age requirements, (B) lack documentation of such immuni-  
51 zation, (C) lack evidence of past infection, or (D) have an additional  
52 risk factor or another indication as recommended by the advisory commit-  
53 tee on immunization practices of the centers for disease control and  
54 prevention. Nothing in this subdivision shall authorize unlicensed  
55 persons to administer immunizations, vaccines or other drugs.

56 § 4. This act shall take effect immediately.