

STATE OF NEW YORK

9060--C

2025-2026 Regular Sessions

IN ASSEMBLY

September 5, 2025

Introduced by M. of A. PAULIN, McDONALD, SHRESTHA, STECK, SHIMSKY, ROSENTHAL, HEVESI, SIMON -- read once and referred to the Committee on Higher Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Higher Education in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law and the insurance law, in relation to the establishment of immunization administration regulations based on the recommendations of certain entities

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, rubella, varicella,
11 COVID-19, meningococcal, tetanus, diphtheria or pertussis disease and
12 medications required for emergency treatment of anaphylaxis to patients
13 eighteen years of age or older; and (c) administering other immuniza-
14 tions [~~recommended by the advisory committee on immunization practices~~
15 ~~of the centers for disease control and prevention~~] in accordance with
16 regulations issued by the commissioner of health, utilizing generally
17 accepted medical standards and taking into consideration recommendations

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

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1 of the American Academy of Pediatrics, the American Academy of Family
2 Physicians, the American College of Obstetricians and Gynecologists, the
3 American College of Physicians, the advisory committee on immunization
4 practices, any interstate body established for purposes of reviewing and
5 making recommendations regarding immunization coverage and access, or
6 other similar nationally or internationally recognized scientific organ-
7 izations, for patients eighteen years of age or older if the commission-
8 er of health in consultation with the commissioner determines that an
9 immunization: (i) (A) may be safely administered by a licensed pharma-
10 cist within their lawful scope of practice; and (B) is needed to prevent
11 the transmission of a reportable communicable disease that is prevalent
12 in New York state; or (ii) is a recommended immunization for such
13 patients who: (A) meet age requirements, (B) lack documentation of such
14 immunization, (C) lack evidence of past infection, or (D) have an addi-
15 tional risk factor or another indication [~~as recommended by the advisory~~
16 ~~committee on immunization practices of the centers for disease control~~
17 ~~and prevention]~~ in accordance with regulations issued by the commis-
18 ioner of health, utilizing generally accepted medical standards and taking
19 into consideration recommendations of the American Academy of Pedia-
20 trics, the American Academy of Family Physicians, the American College
21 of Obstetricians and Gynecologists, the American College of Physicians,
22 the advisory committee on immunization practices, any interstate body
23 established for purposes of reviewing and making recommendations regard-
24 ing immunization coverage and access, or other similar nationally or
25 internationally recognized scientific organizations. Nothing in this
26 subdivision shall authorize unlicensed persons to administer immuniza-
27 tions, vaccines or other drugs.

28 § 2. Paragraph (e) of subdivision 2 of section 6801 of the education
29 law, as amended by section 1 of part DD of chapter 57 of the laws of
30 2018, is amended to read as follows:

31 (e) administer the immunization or immunizations [~~according to the~~
32 ~~most current recommendations by the advisory committee for immunization~~
33 ~~practices—(ACIP),]~~ in accordance with regulations issued by the commis-
34 sioner of health, utilizing generally accepted medical standards and
35 taking into consideration recommendations of the American Academy of
36 Pediatrics, the American Academy of Family Physicians, the American
37 College of Obstetricians and Gynecologists, the American College of
38 Physicians, the advisory committee on immunization practices, any inter-
39 state body established for purposes of reviewing and making recommenda-
40 tions regarding immunization coverage and access, or other similar
41 nationally or internationally recognized scientific organizations,
42 provided however, that a pharmacist may administer any immunization
43 authorized under this section when specified by a patient specific
44 order.

45 § 3. Paragraph (a) of subdivision 4 of section 6801 of the education
46 law, as amended by section 1 of part DD of chapter 57 of the laws of
47 2018, is amended to read as follows:

48 a. a clearly visible posting of the most current "Recommended Adult
49 Immunization Schedule" [~~published by the advisory committee for immuni-~~
50 ~~zation practices—(ACIP)]~~ in accordance with regulations issued by the
51 commissioner of health, utilizing generally accepted medical standards
52 and taking into consideration recommendations of the American Academy of
53 Pediatrics, the American Academy of Family Physicians, the American
54 College of Obstetricians and Gynecologists, the American College of
55 Physicians, the advisory committee on immunization practices, any inter-
56 state body established for purposes of reviewing and making recommenda-

tions regarding immunization coverage and access, or other similar nationally or internationally recognized scientific organizations; and

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

(1) the direct application of an immunizing agent to adults, whether by injection, ingestion, inhalation or any other means, pursuant to a patient specific order or non-patient specific regimen prescribed or ordered by a physician or certified nurse practitioner, for: immunizations to prevent influenza, pneumococcal, acute herpes zoster, hepatitis A, hepatitis B, human papillomavirus, measles, mumps, rubella, varicella, COVID-19, meningococcal, tetanus, diphtheria or pertussis disease and medications required for emergency treatment of anaphylaxis; and other immunizations ~~[recommended by the advisory committee on immunization practices of the centers for disease control and prevention]~~ in accordance with regulations issued by the commissioner of health, utilizing generally accepted medical standards and taking into consideration recommendations of the American Academy of Pediatrics, the American Academy of Family Physicians, the American College of Obstetricians and Gynecologists, the American College of Physicians, the advisory committee on immunization practices, any interstate body established for purposes of reviewing and making recommendations regarding immunization coverage and access, or other similar nationally or internationally recognized scientific organizations for patients eighteen years of age or older if the commissioner of health in consultation with the commissioner determines that an immunization: (i)(A) may be safely administered by a licensed pharmacist within their lawful scope of practice; and (B) is needed to prevent the transmission of a reportable communicable disease that is prevalent in New York state; or (ii) is a recommended immunization for such patients who: (A) meet age requirements, (B) lack documentation of such immunization, (C) lack evidence of past infection, or (D) have an additional risk factor or another indication ~~[as recommended by the advisory committee on immunization practices of the centers for disease control and prevention]~~ in accordance with regulations issued by the commissioner of health, utilizing generally accepted medical standards and taking into consideration recommendations of the American Academy of Pediatrics, the American Academy of Family Physicians, the American College of Obstetricians and Gynecologists, the American College of Physicians, the advisory committee on immunization practices, any interstate body established for purposes of reviewing and making recommendations regarding immunization coverage and access, or other similar nationally or internationally recognized scientific organizations. If the commissioner of health determines that there is an outbreak of disease, or that there is the imminent threat of an outbreak of disease, then the commissioner of health may issue a non-patient specific regimen applicable statewide.

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

7. A certified nurse practitioner may prescribe and order a patient specific order or non-patient specific regimen to a licensed pharmacist, pursuant to regulations promulgated by the commissioner, and consistent with the public health law, for: (a) administering immunizations to prevent influenza to patients two years of age or older; and (b) administering immunizations to prevent pneumococcal, acute herpes zoster, hepatitis A, hepatitis B, human papillomavirus, measles, mumps, rubella, varicella, COVID-19, meningococcal, tetanus, diphtheria or pertussis

disease and medications required for emergency treatment of anaphylaxis to patients eighteen years of age or older; and (c) administering other immunizations [~~recommended by the advisory committee on immunization practices of the centers for disease control and prevention~~] in accordance with regulations issued by the commissioner of health, utilizing generally accepted medical standards and taking into consideration recommendations of the American Academy of Pediatrics, the American Academy of Family Physicians, the American College of Obstetricians and Gynecologists, the American College of Physicians, the advisory committee on immunization practices, any interstate body established for purposes of reviewing and making recommendations regarding immunization coverage and access, or other similar nationally or internationally recognized scientific organizations for patients eighteen years of age or older if the commissioner of health in consultation with the commissioner determines that an immunization: (i) (A) may be safely administered by a licensed pharmacist within their lawful scope of practice; and (B) is needed to prevent the transmission of a reportable communicable disease that is prevalent in New York state; or (ii) is a recommended immunization for such patients who: (A) meet age requirements, (B) lack documentation of such immunization, (C) lack evidence of past infection, or (D) have an additional risk factor or another indication [~~as recommended by the advisory committee on immunization practices of the centers for disease control and prevention~~] in accordance with regulations issued by the commissioner of health, utilizing generally accepted medical standards and taking into consideration recommendations of the American Academy of Pediatrics, the American Academy of Family Physicians, the American College of Obstetricians and Gynecologists, the American College of Physicians, the advisory committee on immunization practices, any interstate body established for purposes of reviewing and making recommendations regarding immunization coverage and access, or other similar nationally or internationally recognized scientific organizations. Nothing in this subdivision shall authorize unlicensed persons to administer immunizations, vaccines or other drugs.

§ 6. Item (ii) of subparagraph (E) of paragraph 17 of subsection (i) of section 3216 of the insurance law, as amended by chapter 219 of the laws of 2011, is amended to read as follows:

(ii) immunizations [~~that have in effect a recommendation from the advisory committee on immunization practices of the centers for disease control and prevention~~] in accordance with regulations issued by the commissioner of health, utilizing generally accepted medical standards and taking into consideration recommendations of the American Academy of Pediatrics, the American Academy of Family Physicians, the American College of Obstetricians and Gynecologists, the American College of Physicians, the advisory committee on immunization practices, any interstate body established for purposes of reviewing and making recommendations regarding immunization coverage and access, or other similar nationally or internationally recognized scientific organizations, with respect to the individual involved;

§ 7. Item (ii) of subparagraph (E) of paragraph 8 of subsection (1) of section 3221 of the insurance law, as amended by chapter 219 of the laws of 2011, is amended to read as follows:

(ii) immunizations [~~that have in effect a recommendation from the advisory committee on immunization practices of the centers for disease control and prevention~~] in accordance with regulations issued by the commissioner of health, utilizing generally accepted medical standards and taking into consideration recommendations of the American Academy of

Pediatrics, the American Academy of Family Physicians, the American College of Obstetricians and Gynecologists, the American College of Physicians, the advisory committee on immunization practices, any interstate body established for purposes of reviewing and making recommendations regarding immunization coverage and access, or other similar nationally or internationally recognized scientific organizations, with respect to the individual involved;

§ 8. Subparagraph (B) of paragraph 3 of subsection (j) of section 4303 of the insurance law, as added by chapter 219 of the laws of 2011, is amended to read as follows:

(B) immunizations ~~[that have in effect a recommendation from the advisory committee on immunization practices of the centers for disease control and prevention]~~ in accordance with regulations issued by the commissioner of health, utilizing generally accepted medical standards and taking into consideration recommendations of the American Academy of Pediatrics, the American Academy of Family Physicians, the American College of Obstetricians and Gynecologists, the American College of Physicians, the advisory committee on immunization practices, any interstate body established for purposes of reviewing and making recommendations regarding immunization coverage and access, or other similar nationally or internationally recognized scientific organizations, with respect to the individual involved;

§ 9. Item (ii) of subparagraph (F) of paragraph 4 of subsection (b) of section 4322 of the insurance law, as added by chapter 219 of the laws of 2011, is amended to read as follows:

(ii) immunizations ~~[that have in effect a recommendation from the advisory committee on immunization practices of the centers for disease control and prevention]~~ in accordance with regulations issued by the commissioner of health, utilizing generally accepted medical standards and taking into consideration recommendations of the American Academy of Pediatrics, the American Academy of Family Physicians, the American College of Obstetricians and Gynecologists, the American College of Physicians, the advisory committee on immunization practices, any interstate body established for purposes of reviewing and making recommendations regarding immunization coverage and access, or other similar nationally or internationally recognized scientific organizations, with respect to the individual involved;

§ 10. This act shall take effect immediately.