

# STATE OF NEW YORK

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Cal. No. 315

2025-2026 Regular Sessions

## IN SENATE

September 3, 2025

Introduced by Sens. HINCHEY, RIVERA, BROUK, COONEY, FAHY, JACKSON, KRUEGER, MAY, SKOUFIS -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Higher Education in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

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

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

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

29 § 2. Paragraph (e) of subdivision 2 of section 6801 of the education  
30 law, as amended by section 1 of part DD of chapter 57 of the laws of  
31 2018, is amended to read as follows:

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

46 § 3. Paragraph (a) of subdivision 4 of section 6801 of the education  
47 law, as amended by section 1 of part DD of chapter 57 of the laws of  
48 2018, is amended to read as follows:

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

1 state body established for purposes of reviewing and making recommenda-  
2 tions regarding immunization coverage and access, or other similar  
3 nationally or internationally recognized scientific organizations; and

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

7 (1) the direct application of an immunizing agent to adults, whether  
8 by injection, ingestion, inhalation or any other means, pursuant to a  
9 patient specific order or non-patient specific regimen prescribed or

10 ordered by a physician or certified nurse practitioner, for: immuniza-  
11 tions to prevent influenza, pneumococcal, acute herpes zoster, hepatitis  
12 A, hepatitis B, human papillomavirus, measles, mumps, rubella, varicel-  
13 la, COVID-19, meningococcal, tetanus, diphtheria or pertussis disease  
14 and medications required for emergency treatment of anaphylaxis; and  
15 other immunizations [~~recommended by the advisory committee on immuniza-~~  
16 ~~tion practices of the centers for disease control and prevention~~] in  
17 accordance with regulations issued by the commissioner of health,  
18 utilizing generally accepted medical standards and taking into consider-  
19 ation recommendations of the American Academy of Pediatrics, the Ameri-  
20 can Academy of Family Physicians, the American College of Obstetricians  
21 and Gynecologists, the American College of Physicians, the advisory  
22 committee on immunization practices, any interstate body established for  
23 purposes of reviewing and making recommendations regarding immunization  
24 coverage and access, or other similar nationally or internationally

25 recognized scientific organizations for patients eighteen years of age  
26 or older if the commissioner of health in consultation with the commis-  
27 sioner determines that an immunization: (i)(A) may be safely adminis-  
28 tered by a licensed pharmacist within their lawful scope of practice;  
29 and (B) is needed to prevent the transmission of a reportable communica-  
30 ble disease that is prevalent in New York state; or (ii) is a recom-  
31 mended immunization for such patients who: (A) meet age requirements,  
32 (B) lack documentation of such immunization, (C) lack evidence of past  
33 infection, or (D) have an additional risk factor or another indication

34 [~~as recommended by the advisory committee on immunization practices of~~  
35 ~~the centers for disease control and prevention~~] in accordance with regu-  
36 lations issued by the commissioner of health, utilizing generally  
37 accepted medical standards and taking into consideration recommendations  
38 of the American Academy of Pediatrics, the American Academy of Family  
39 Physicians, the American College of Obstetricians and Gynecologists, the  
40 American College of Physicians, the advisory committee on immunization  
41 practices, any interstate body established for purposes of reviewing and  
42 making recommendations regarding immunization coverage and access, or  
43 other similar nationally or internationally recognized scientific organ-  
44 izations. If the commissioner of health determines that there is an

45 outbreak of disease, or that there is the imminent threat of an outbreak  
46 of disease, then the commissioner of health may issue a non-patient  
47 specific regimen applicable statewide.

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

50 7. A certified nurse practitioner may prescribe and order a patient  
51 specific order or non-patient specific regimen to a licensed pharmacist,  
52 pursuant to regulations promulgated by the commissioner, and consistent  
53 with the public health law, for: (a) administering immunizations to  
54 prevent influenza to patients two years of age or older; and (b) admin-  
55 istering immunizations to prevent pneumococcal, acute herpes zoster,  
56 hepatitis A, hepatitis B, human papillomavirus, measles, mumps, rubella,

1 varicella, COVID-19, meningococcal, tetanus, diphtheria or pertussis  
2 disease and medications required for emergency treatment of anaphylaxis  
3 to patients eighteen years of age or older; and (c) administering other  
4 immunizations [~~recommended by the advisory committee on immunization~~  
5 ~~practices of the centers for disease control and prevention~~] in accord-  
6 ance with regulations issued by the commissioner of health, utilizing  
7 generally accepted medical standards and taking into consideration  
8 recommendations of the American Academy of Pediatrics, the American  
9 Academy of Family Physicians, the American College of Obstetricians and  
10 Gynecologists, the American College of Physicians, the advisory commit-  
11 tee on immunization practices, any interstate body established for  
12 purposes of reviewing and making recommendations regarding immunization  
13 coverage and access, or other similar nationally or internationally  
14 recognized scientific organizations for patients eighteen years of age  
15 or older if the commissioner of health in consultation with the commis-  
16 sioner determines that an immunization: (i) (A) may be safely adminis-  
17 tered by a licensed pharmacist within their lawful scope of practice;  
18 and (B) is needed to prevent the transmission of a reportable communica-  
19 ble disease that is prevalent in New York state; or (ii) is a recom-  
20 mended immunization for such patients who: (A) meet age requirements,  
21 (B) lack documentation of such immunization, (C) lack evidence of past  
22 infection, or (D) have an additional risk factor or another indication  
23 [~~as recommended by the advisory committee on immunization practices of~~  
24 ~~the centers for disease control and prevention~~] in accordance with regu-  
25 lations issued by the commissioner of health, utilizing generally  
26 accepted medical standards and taking into consideration recommendations  
27 of the American Academy of Pediatrics, the American Academy of Family  
28 Physicians, the American College of Obstetricians and Gynecologists, the  
29 American College of Physicians, the advisory committee on immunization  
30 practices, any interstate body established for purposes of reviewing and  
31 making recommendations regarding immunization coverage and access, or  
32 other similar nationally or internationally recognized scientific organ-  
33 izations. Nothing in this subdivision shall authorize unlicensed  
34 persons to administer immunizations, vaccines or other drugs.

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

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

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

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

1 and taking into consideration recommendations of the American Academy of  
2 Pediatrics, the American Academy of Family Physicians, the American  
3 College of Obstetricians and Gynecologists, the American College of  
4 Physicians, the advisory committee on immunization practices, any inter-  
5 state body established for purposes of reviewing and making recommenda-  
6 tions regarding immunization coverage and access, or other similar  
7 nationally or internationally recognized scientific organizations, with  
8 respect to the individual involved;

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

12 (B) immunizations [~~that have in effect a recommendation from the advi-~~  
13 ~~sory committee on immunization practices of the centers for disease~~  
14 ~~control and prevention~~] in accordance with regulations issued by the  
15 commissioner of health, utilizing generally accepted medical standards  
16 and taking into consideration recommendations of the American Academy of  
17 Pediatrics, the American Academy of Family Physicians, the American  
18 College of Obstetricians and Gynecologists, the American College of  
19 Physicians, the advisory committee on immunization practices, any inter-  
20 state body established for purposes of reviewing and making recommenda-  
21 tions regarding immunization coverage and access, or other similar  
22 nationally or internationally recognized scientific organizations, with  
23 respect to the individual involved;

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

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

39 § 10. This act shall take effect immediately.