

# STATE OF NEW YORK

8716

## IN SENATE

January 7, 2026

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

AN ACT to amend the education law, in relation to the prescribing and administration of certain immunizations by a physician, 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 and COVID-19 to patients two years of age or older; and (b)  
9 administering immunizations to prevent pneumococcal, acute herpes zost-  
10 er, hepatitis A, hepatitis B, human papillomavirus, measles, mumps,  
11 rubella, varicella, [~~COVID-19,~~] meningococcal, tetanus, diphtheria or  
12 pertussis disease and medications required for emergency treatment of  
13 anaphylaxis to patients eighteen years of age or older; and (c) adminis-  
14 tering other immunizations recommended by the advisory committee on  
15 immunization practices of the centers for disease control and prevention  
16 for patients eighteen years of age or older if the commissioner of  
17 health in consultation with the commissioner determines that an immuni-  
18 zation: (i) (A) may be safely administered by a licensed pharmacist  
19 within their lawful scope of practice; and (B) is needed to prevent the  
20 transmission of a reportable communicable disease that is prevalent in  
21 New York state; or (ii) is a recommended immunization for such patients  
22 who: (A) meet age requirements, (B) lack documentation of such immuniza-  
23 tion, (C) lack evidence of past infection, or (D) have an additional  
24 risk factor or another indication as recommended by the advisory commit-  
25 tee on immunization practices of the centers for disease control and  
26 prevention. Nothing in this subdivision shall authorize unlicensed  
27 persons to administer immunizations, vaccines or other drugs.

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

LBD13959-02-5

1 § 2. Section 6801 of the education law is amended by adding a new  
2 subdivision 10 to read as follows:

3 10. A licensed pharmacist within their lawful scope of practice may  
4 prescribe and order a patient specific order for medications to prevent  
5 COVID-19 to patients two years of age or older.

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

9 (2) the direct application of an immunizing agent to children between  
10 the ages of two and eighteen years of age, whether by injection, inges-  
11 tion, inhalation or any other means, pursuant to a patient specific  
12 order or non-patient specific regimen prescribed or ordered by a physi-  
13 cian or certified nurse practitioner, for immunization to prevent influ-  
14 enza and COVID-19 and medications required for emergency treatment of  
15 anaphylaxis resulting from such immunization. If the commissioner of  
16 health determines that there is an outbreak of influenza or COVID-19, or  
17 that there is the imminent threat of an outbreak of influenza or COVID-  
18 19, then the commissioner of health may issue a non-patient specific  
19 regimen applicable statewide.

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

22 7. A certified nurse practitioner may prescribe and order a patient  
23 specific order or non-patient specific regimen to a licensed pharmacist,  
24 pursuant to regulations promulgated by the commissioner, and consistent  
25 with the public health law, for: (a) administering immunizations to  
26 prevent influenza and COVID-19 to patients two years of age or older;  
27 and (b) administering immunizations to prevent pneumococcal, acute  
28 herpes zoster, hepatitis A, hepatitis B, human papillomavirus, measles,  
29 mumps, rubella, varicella, [~~COVID-19,~~] meningococcal, tetanus, diphthe-  
30 ria or pertussis disease and medications required for emergency treat-  
31 ment of anaphylaxis to patients eighteen years of age or older; and (c)  
32 administering other immunizations recommended by the advisory committee  
33 on immunization practices of the centers for disease control and  
34 prevention for patients eighteen years of age or older if the commis-  
35 sioner of health in consultation with the commissioner determines that  
36 an immunization: (i) (A) may be safely administered by a licensed phar-  
37 macist within their lawful scope of practice; and (B) is needed to  
38 prevent the transmission of a reportable communicable disease that is  
39 prevalent in New York state; or (ii) is a recommended immunization for  
40 such patients who: (A) meet age requirements, (B) lack documentation of  
41 such immunization, (C) lack evidence of past infection, or (D) have an  
42 additional risk factor or another indication as recommended by the advi-  
43 sory committee on immunization practices of the centers for disease  
44 control and prevention. Nothing in this subdivision shall authorize  
45 unlicensed persons to administer immunizations, vaccines or other drugs.

46 § 5. This act shall take effect immediately.