STATE OF NEW YORK

3285

2025-2026 Regular Sessions

IN ASSEMBLY

January 27, 2025

Introduced by M. of A. McDONALD, SAYEGH, SEAWRIGHT, MEEKS, JONES, JENSEN, LUPARDO, STIRPE, BUTTENSCHON, LUNSFORD, SIMON, SIMONE, LEVENBERG, BLUMENCRANZ, HEVESI, RAMOS, LAVINE, MILLER, BRONSON, ZACCARO, COLTON, DAVILA, ANGELINO, BENDETT -- Multi-Sponsored by -- M. of A. TAGUE -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to allowing a licensed pharmacist to order and administer certain tests; and to amend part C of chapter 57 of the laws of 2022 amending the public health law and the education law relating to allowing pharmacists to direct limited service laboratories and order and administer COVID-19 and influenza tests and modernizing nurse practitioners, in relation to the effectiveness thereof

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

Section 1. Subdivision 7 of section 6801 of the education law, as added by section 2 of part C of chapter 57 of the laws of 2022, is amended to read as follows:

7. A licensed pharmacist is a qualified health care professional under section five hundred seventy-one of the public health law for the purposes of directing a limited service laboratory and ordering and administering COVID-19 [~~and~~], influenza**, respiratory syncytial virus (RSV), pharyngitis resulting from a Group A streptococcal infection, HbA1c, hepatitis C, and human immunodeficiency virus (HIV)** tests authorized by the Food and Drug Administration (FDA), subject to certificate of waiver requirements established pursuant to the federal clinical laboratory improvement act of nineteen hundred eighty-eight.

§ 2. Section 8 of part C of chapter 57 of the laws of 2022 amending the public health law and the education law relating to allowing pharmacists to direct limited service laboratories and order and administer COVID-19 and influenza tests and modernizing nurse practitioners, as

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

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amended by section 1 of part P of chapter 57 of the laws of 2024, is amended to read as follows:

§ 8. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2022; provided, however, that sections one, two, three, four, six and seven of this act shall expire and be deemed repealed July 1, [~~2026~~] **2028**.

§ 3. This act shall take effect immediately; provided, however, that the amendments to subdivision 7 of section 6801 of the education law made by section one of this act shall not affect the repeal of such subdivision and shall be deemed repealed therewith.