

# STATE OF NEW YORK

7692--A

2025-2026 Regular Sessions

## IN ASSEMBLY

April 4, 2025

Introduced by M. of A. McMAHON -- read once and referred to the Committee on Higher Education -- 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

AN ACT to amend the education law and the public health law, in relation to authorizing certain nursing students to administer certain vaccines pursuant to patient specific orders or non-patient specific orders and authorizing physicians and certified nurse practitioners to prescribe and order a patient specific order or non-patient specific order to a nursing student to administer certain vaccines

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

Section 1. Section 6901 of the education law is amended by adding a new subdivision 4 to read as follows:

4. "Nursing student" shall mean any person either receiving an education in nursing or who has completed an education in nursing within the prior year, where completing such education in nursing may permit such person to be granted licensure under this article in accordance with the applicable commissioner's regulations.

§ 2. The education law is amended by adding a new section 6913 to read as follows:

§ 6913. Vaccination by nursing students. 1. Any nursing student may, pursuant to a patient specific order or a non-patient specific order under sections sixty-nine hundred nine and sixty-five hundred twenty-seven of this title while overseen or approved by the department of health or local health departments and operated under the medical supervision of licensed physicians, licensed physician assistants, or certified nurse practitioners: (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,

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

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1 hepatitis B, human papillomavirus, measles, mumps, rubella, varicella,  
2 COVID-19, meningococcal, tetanus, diphtheria or pertussis disease and  
3 medications required for emergency treatment of anaphylaxis to patients  
4 eighteen years of age or older; and (c) administering other immuniza-  
5 tions in accordance with regulations issued by the commissioner, utiliz-  
6 ing generally accepted medical standards and taking into consideration  
7 recommendations of the American Academy of Pediatrics, the American  
8 Academy of Family Physicians, the American College of Obstetricians and  
9 Gynecologists, the American College of Physicians, the Advisory Commit-  
10 tee on Immunization Practices, or other similar nationally or interna-  
11 tionally recognized scientific organizations for patients eighteen years  
12 of age or older if the commissioner of health in consultation with the  
13 commissioner determines that an immunization: (i) (A) may be safely  
14 administered by a licensed pharmacist within their lawful scope of prac-  
15 tice; and (B) is needed to prevent the transmission of a reportable  
16 communicable disease that is prevalent in New York state; or (ii) is a  
17 recommended immunization for such patients who: (A) meet age require-  
18 ments, (B) lack documentation of such immunization, (C) lack evidence of  
19 past infection, or (D) have an additional risk factor or another indi-  
20 cation in accordance with regulations issued by the commissioner,  
21 utilizing generally accepted medical standards and taking into consider-  
22 ation recommendations of the American Academy of Pediatrics, the Ameri-  
23 can Academy of Family Physicians, the American College of Obstetricians  
24 and Gynecologists, the American College of Physicians, the Advisory  
25 Committee on Immunization Practices, or other similar nationally or  
26 internationally recognized scientific organizations.

27 2. Prior to administering immunizations, a nursing student shall  
28 receive training in the following areas, as determined by the commis-  
29 sioner of health after consultation with the commissioner:

30 (a) techniques, indications, precautions, contraindications, infection  
31 control practices;

32 (b) use of personal protective equipment sufficient to provide the  
33 basic level of competence for such tasks; and

34 (c) a current certificate in basic cardiopulmonary resuscitation,  
35 which at a minimum must include a certification in basic cardiopulmonary  
36 resuscitation by an online program that has received accreditation from  
37 the American Nurses Credentialing Center, the Accreditation Council for  
38 Pharmacy Education (ACPE), or the Accreditation Council for Continuing  
39 Medical Education.

40 3. When a nursing student administers an immunization, they shall:

41 (a) report such administration to the department of health either  
42 through the statewide immunization information system or the citywide  
43 immunization registry under section twenty-one hundred sixty-eight of  
44 the public health law; and

45 (b) prior to administering the immunization, inform the patient or,  
46 where applicable, the person legally responsible for the patient, on the  
47 importance of having a primary health care practitioner.

48 § 3. Paragraph (b) of subdivision 3 of section 2168 of the public  
49 health law is amended by adding a new subparagraph (iii) to read as  
50 follows:

51 (iii) A nursing student, as defined in section sixty-nine hundred one  
52 of the education law, who administers a vaccine pursuant to section  
53 sixty-nine hundred thirteen of the education law to a person nineteen  
54 years of age or older shall, with the consent of the patient, report all  
55 such immunizations to the department in a format prescribed by the  
56 commissioner within fourteen days of administration of such immuniza-

1 tions. A nursing student, as defined in section sixty-nine hundred one  
2 of the education law, who administers a vaccine pursuant to section  
3 sixty-nine hundred thirteen of the education law to a person nineteen  
4 years of age or older in the city of New York shall, with the consent of  
5 the patient, report in a format prescribed by the city of New York  
6 commissioner of health and mental hygiene, all such immunizations to the  
7 citywide immunization registry.

8 § 4. Section 6527 of the education law is amended by adding a new  
9 subdivision 7-b to read as follows:

10 7-b. A licensed physician may prescribe and order a patient specific  
11 order or a non-patient specific order to a nursing student, as defined  
12 in section sixty-nine hundred one of this title, pursuant to regulations  
13 made by the commissioner, and consistent with the public health law,  
14 for: (a) administering immunizations to prevent influenza to patients  
15 two years of age or older; and (b) administering immunizations to  
16 prevent pneumococcal, acute herpes zoster, hepatitis A, hepatitis B,  
17 human papillomavirus, measles, mumps, rubella, varicella, COVID-19,  
18 meningococcal, tetanus, diphtheria or pertussis disease and medications  
19 required for emergency treatment of anaphylaxis to patients eighteen  
20 years of age or older; and (c) administering other immunizations in  
21 accordance with regulations issued by the commissioner, utilizing gener-  
22 ally accepted medical standards and taking into consideration recommen-  
23 dations of the American Academy of Pediatrics, the American Academy of  
24 Family Physicians, the American College of Obstetricians and Gynecolo-  
25 gists, the American College of Physicians, the Advisory Committee on  
26 Immunization Practices, or other similar nationally or internationally  
27 recognized scientific organizations for patients eighteen years of age  
28 or older if the commissioner of health in consultation with the commis-  
29 sioner determines that an immunization: (i) (A) may be safely adminis-  
30 tered by a licensed pharmacist within their lawful scope of practice;  
31 and (B) is needed to prevent the transmission of a reportable communica-  
32 ble disease that is prevalent in New York state; or (ii) is a recom-  
33 ended immunization for such patients who: (A) meet age requirements,  
34 (B) lack documentation of such immunization, (C) lack evidence of past  
35 infection, or (D) have an additional risk factor or another indication  
36 in accordance with regulations issued by the commissioner, utilizing  
37 generally accepted medical standards and taking into consideration  
38 recommendations of the American Academy of Pediatrics, the American  
39 Academy of Family Physicians, the American College of Obstetricians and  
40 Gynecologists, the American College of Physicians, the Advisory Commit-  
41 tee on Immunization Practices, or other similar nationally or interna-  
42 tionally recognized scientific organizations.

43 § 5. Section 6909 of the education law is amended by adding a new  
44 subdivision 7-a to read as follows:

45 7-a. A certified nurse practitioner may prescribe and order a patient  
46 specific order or a non-patient specific order to a nursing student  
47 pursuant to regulations made by the commissioner, and consistent with  
48 the public health law, for: (a) administering immunizations to prevent  
49 influenza to patients two years of age or older; and (b) administering  
50 immunizations to prevent pneumococcal, acute herpes zoster, hepatitis A,  
51 hepatitis B, human papillomavirus, measles, mumps, rubella, varicella,  
52 COVID-19, meningococcal, tetanus, diphtheria or pertussis disease and  
53 medications required for emergency treatment of anaphylaxis to patients  
54 eighteen years of age or older; and (c) administering other immuniza-  
55 tions in accordance with regulations issued by the commissioner, utiliz-  
56 ing 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, 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 in accordance with regulations issued by the commissioner, 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, or other similar nationally or internationally recognized scientific organizations.

§ 6. This act shall take effect immediately.