

STATE OF NEW YORK

5340--C

Cal. No. 311

2025-2026 Regular Sessions

IN SENATE

February 20, 2025

Introduced by Sens. STAVISKY, JACKSON -- read twice and ordered printed, and when printed to be committed 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 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, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the education law and the public health law, in relation to the administration of immunizations by medical assistants

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

1 Section 1. Section 6526 of the education law is amended by adding a
2 new subdivision 11 to read as follows:

3 11. Any medical assistant when drawing and administering an immuniza-
4 tion in an outpatient office setting under the direct supervision of a
5 physician, nurse practitioner, or physician assistant. For the purposes
6 of this subdivision, a medical assistant is an unlicensed direct-care
7 employee who is at least eighteen years of age, has completed an educa-
8 tional pathway acceptable to the department, and that performs clerical,
9 administrative, and clinical tasks as set forth in department guidelines
10 and as authorized by section twenty-one hundred thirteen of the public
11 health law and pursuant to subdivision twenty-five of section sixty-five
12 hundred thirty of this article.

13 § 2. Section 6526 of the education law is amended by adding a new
14 subdivision 12 to read as follows:

15 12. A certified nurse practitioner may delegate the task of drawing up
16 and administering vaccinations to a medical assistant as defined in

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

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1 subdivision eleven of this section in outpatient office settings pursu-
2 ant to section twenty-one hundred thirteen of the public health law,
3 provided that it shall be professional misconduct to delegate profes-
4 sional responsibilities to a person when the licensee delegating such
5 responsibilities knows or has reason to know that such person is not
6 qualified, by training or by experience to perform them.

7 § 3. The public health law is amended by adding a new section 2113 to
8 read as follows:

9 § 2113. Administration of immunizations; medical assistants. Notwith-
10 standing any other law, rule, or regulation to the contrary, physicians,
11 nurse practitioners, and physician assistants are hereby authorized to
12 delegate the task of drawing up and administering vaccinations to
13 medical assistants as defined in subdivision eleven of section sixty-
14 five hundred twenty-six of the education law, in an outpatient office
15 setting; provided, however, that such vaccinations are recommended by
16 the commissioner, utilizing generally accepted medical standards and
17 taking into consideration recommendations of the American Academy of
18 Pediatrics, the American Academy of Family Physicians, the American
19 College of Obstetricians and Gynecologists, the American College of
20 Physicians, the Advisory Committee on Immunization Practices, or other
21 similar nationally or internationally recognized scientific organiza-
22 tions; and provided, further, that medical assistants receive appropri-
23 ate training and adequate supervision in administering immunizations
24 pursuant to regulations determined by the commissioner in consultation
25 with the commissioner of education.

26 § 4. This act shall take effect on the one hundred eightieth day after
27 it shall have become a law. Effective immediately, the addition, amend-
28 ment and/or repeal of any rule or regulation necessary for the implemen-
29 tation of this act on its effective date are authorized to be made and
30 completed on or before such effective date.