STATE OF NEW YORK

8496--C

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:

Section 1. Subdivision 7 of section 6527 of the education law, as amended by chapter 555 of the laws of 2021, is amended to read as follows:

7. A licensed physician may prescribe and order a patient specific order or non-patient specific regimen to a licensed pharmacist, pursuant to regulations promulgated by the commissioner, and consistent with the public health law, for: (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, hepatitis B, human papillomavirus, measles, mumps, rubella, varicella, COVID-19, meningococcal, tetanus, diphtheria or pertussis disease and medications required for emergency treatment of anaphylaxis to patients eighteen years of age or older; and (c) administering other immunizations [~~recommended by the advisory committee on immunization practices of the centers for disease control and prevention~~] **in accordance with 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.

LBD13697-08-6

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, any interstate body established for purposes of reviewing and making recommendations regarding immunization coverage and access, 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 [~~as recommended by the advisory committee on immunization practices of the centers for disease control and prevention~~] in accordance with regulations issued by the commissioner of health, 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, any interstate body established for purposes of reviewing and making recommendations regarding immunization coverage and access, or other similar nationally or internationally recognized scientific organizations. Nothing in this subdivision shall authorize unlicensed persons to administer immunizations, vaccines or other drugs.

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

(e) administer the immunization or immunizations [~~according to the most current recommendations by the advisory committee for immunization practices (ACIP),~~] in accordance with regulations issued by the commissioner of health, 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, any interstate body established for purposes of reviewing and making recommendations regarding immunization coverage and access, or other similar nationally or internationally recognized scientific organizations, provided however, that a pharmacist may administer any immunization authorized under this section when specified by a patient specific order.

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

a. a clearly visible posting of the most current "Recommended Adult Immunization Schedule" [~~published by the advisory committee for immunization practices (ACIP)~~] in accordance with regulations issued by the commissioner of health, 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, any inter-

state body established for purposes of reviewing and making recommendations regarding immunization coverage and access, or other similar nationally or internationally recognized scientific organizations; and

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

(1) the direct application of an immunizing agent to adults, whether by injection, ingestion, inhalation or any other means, pursuant to a patient specific order or non-patient specific regimen prescribed or ordered by a physician or certified nurse practitioner, for: immunizations to prevent influenza, pneumococcal, acute herpes zoster, hepatitis A, hepatitis B, human papillomavirus, measles, mumps, rubella, varicella, COVID-19, meningococcal, tetanus, diphtheria or pertussis disease and medications required for emergency treatment of anaphylaxis; and other immunizations [~~recommended by the advisory committee on immunization practices of the centers for disease control and prevention~~] in accordance with regulations issued by the commissioner of health, 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, any interstate body established for purposes of reviewing and making recommendations regarding immunization coverage and access, 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 [~~as recommended by the advisory committee on immunization practices of the centers for disease control and prevention~~] in accordance with regulations issued by the commissioner of health, 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, any interstate body established for purposes of reviewing and making recommendations regarding immunization coverage and access, or other similar nationally or internationally recognized scientific organizations. If the commissioner of health determines that there is an outbreak of disease, or that there is the imminent threat of an outbreak of disease, then the commissioner of health may issue a non-patient specific regimen applicable statewide.

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

7. A certified nurse practitioner may prescribe and order a patient specific order or non-patient specific regimen to a licensed pharmacist, pursuant to regulations promulgated by the commissioner, and consistent with the public health law, for: (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, hepatitis B, human papillomavirus, measles, mumps, rubella,

varicella, COVID-19, meningococcal, tetanus, diphtheria or pertussis disease and medications required for emergency treatment of anaphylaxis to patients eighteen years of age or older; and (c) administering other immunizations [~~recommended by the advisory committee on immunization practices of the centers for disease control and prevention~~] in accordance with regulations issued by the commissioner of health, 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, any interstate body established for purposes of reviewing and making recommendations regarding immunization coverage and access, 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 [~~as recommended by the advisory committee on immunization practices of the centers for disease control and prevention~~] in accordance with regulations issued by the commissioner of health, 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, any interstate body established for purposes of reviewing and making recommendations regarding immunization coverage and access, or other similar nationally or internationally recognized scientific organizations. Nothing in this subdivision shall authorize unlicensed persons to administer immunizations, vaccines or other drugs.

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

(ii) immunizations [~~that have in effect a recommendation from the advisory committee on immunization practices of the centers for disease control and prevention~~] in accordance with regulations issued by the commissioner of health, 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, any interstate body established for purposes of reviewing and making recommendations regarding immunization coverage and access, or other similar nationally or internationally recognized scientific organizations, with respect to the individual involved;

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

(ii) immunizations [~~that have in effect a recommendation from the advisory committee on immunization practices of the centers for disease control and prevention~~] in accordance with regulations issued by the commissioner of health, 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, any interstate body established for purposes of reviewing and making recommendations regarding immunization coverage and access, or other similar nationally or internationally recognized scientific organizations, with respect to the individual involved;

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

(B) immunizations [~~that have in effect a recommendation from the advisory committee on immunization practices of the centers for disease control and prevention~~] in accordance with regulations issued by the commissioner of health, 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, any interstate body established for purposes of reviewing and making recommendations regarding immunization coverage and access, or other similar nationally or internationally recognized scientific organizations, with respect to the individual involved;

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

(ii) immunizations [~~that have in effect a recommendation from the advisory committee on immunization practices of the centers for disease control and prevention~~] in accordance with regulations issued by the commissioner of health, 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, any interstate body established for purposes of reviewing and making recommendations regarding immunization coverage and access, or other similar nationally or internationally recognized scientific organizations, with respect to the individual involved;

§ 10. This act shall take effect immediately.