

STATE OF NEW YORK

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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:

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 to patients two years of age or older; and (b) administering
9 immunizations to prevent pneumococcal, acute herpes zoster, hepatitis A,
10 hepatitis B, human papillomavirus, measles, mumps, rubella, varicella,
11 COVID-19, meningococcal, tetanus, diphtheria or pertussis disease and
12 medications required for emergency treatment of anaphylaxis to patients
13 eighteen years of age or older; and (c) administering other immuniza-
14 tions [~~recommended by the advisory committee on immunization practices~~
15 ~~of the centers for disease control and prevention~~] in accordance with
16 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.

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1 accepted medical standards and taking into consideration recommendations
2 of the American Academy of Pediatrics, the American Academy of Family
3 Physicians, the American College of Obstetricians and Gynecologists, the
4 American College of Physicians, the advisory committee on immunization
5 practices, any interstate body established for purposes of reviewing and
6 making recommendations regarding immunization coverage and access, or
7 other similar nationally or internationally recognized scientific organ-
8 izations, for patients eighteen years of age or older if the commis-
9 er of health in consultation with the commissioner determines that an
10 immunization: (i) (A) may be safely administered by a licensed pharma-
11 cist within their lawful scope of practice; and (B) is needed to prevent
12 the transmission of a reportable communicable disease that is prevalent
13 in New York state; or (ii) is a recommended immunization for such
14 patients who: (A) meet age requirements, (B) lack documentation of such
15 immunization, (C) lack evidence of past infection, or (D) have an addi-
16 tional risk factor or another indication [~~as recommended by the advisory~~
17 ~~committee on immunization practices of the centers for disease control~~
18 ~~and prevention]~~ in accordance with regulations issued by the commis-
19 ioner of health, utilizing generally accepted medical standards and taking
20 into consideration recommendations of the American Academy of Pedia-
21 trics, the American Academy of Family Physicians, the American College
22 of Obstetricians and Gynecologists, the American College of Physicians,
23 the advisory committee on immunization practices, any interstate body
24 established for purposes of reviewing and making recommendations regard-
25 ing immunization coverage and access, or other similar nationally or
26 internationally recognized scientific organizations. Nothing in this
27 subdivision shall authorize unlicensed persons to administer immuniza-
28 tions, vaccines or other drugs.

29 § 2. Paragraph (e) of subdivision 2 of section 6801 of the education
30 law, as amended by section 1 of part DD of chapter 57 of the laws of
31 2018, is amended to read as follows:

32 (e) administer the immunization or immunizations [~~according to the~~
33 ~~most current recommendations by the advisory committee for immunization~~
34 ~~practices (ACIP),]~~ in accordance with regulations issued by the commis-
35 sioner of health, utilizing generally accepted medical standards and
36 taking into consideration recommendations of the American Academy of
37 Pediatrics, the American Academy of Family Physicians, the American
38 College of Obstetricians and Gynecologists, the American College of
39 Physicians, the advisory committee on immunization practices, any inter-
40 state body established for purposes of reviewing and making recommenda-
41 tions regarding immunization coverage and access, or other similar
42 nationally or internationally recognized scientific organizations,
43 provided however, that a pharmacist may administer any immunization
44 authorized under this section when specified by a patient specific
45 order.

46 § 3. Paragraph (a) of subdivision 4 of section 6801 of the education
47 law, as amended by section 1 of part DD of chapter 57 of the laws of
48 2018, is amended to read as follows:

49 a. a clearly visible posting of the most current "Recommended Adult
50 Immunization Schedule" [~~published by the advisory committee for immuni-~~
51 ~~zation practices (ACIP)] in accordance with regulations issued by the
52 commissioner of health, utilizing generally accepted medical standards
53 and taking into consideration recommendations of the American Academy of
54 Pediatrics, the American Academy of Family Physicians, the American
55 College of Obstetricians and Gynecologists, the American College of
56 Physicians, the advisory committee on immunization practices, any inter-~~

1 state body established for purposes of reviewing and making recommenda-
2 tions regarding immunization coverage and access, or other similar
3 nationally or internationally recognized scientific organizations; and

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

7 (1) the direct application of an immunizing agent to adults, whether
8 by injection, ingestion, inhalation or any other means, pursuant to a
9 patient specific order or non-patient specific regimen prescribed or

10 ordered by a physician or certified nurse practitioner, for: immuniza-
11 tions to prevent influenza, pneumococcal, acute herpes zoster, hepatitis
12 A, hepatitis B, human papillomavirus, measles, mumps, rubella, varicel-
13 la, COVID-19, meningococcal, tetanus, diphtheria or pertussis disease
14 and medications required for emergency treatment of anaphylaxis; and
15 other immunizations [~~recommended by the advisory committee on immuniza-~~
16 ~~tion practices of the centers for disease control and prevention~~] in
17 accordance with regulations issued by the commissioner of health,
18 utilizing generally accepted medical standards and taking into consider-
19 ation recommendations of the American Academy of Pediatrics, the Ameri-
20 can Academy of Family Physicians, the American College of Obstetricians
21 and Gynecologists, the American College of Physicians, the advisory
22 committee on immunization practices, any interstate body established for
23 purposes of reviewing and making recommendations regarding immunization
24 coverage and access, or other similar nationally or internationally

25 recognized scientific organizations for patients eighteen years of age
26 or older if the commissioner of health in consultation with the commis-
27 sioner determines that an immunization: (i)(A) may be safely adminis-
28 tered by a licensed pharmacist within their lawful scope of practice;
29 and (B) is needed to prevent the transmission of a reportable communica-
30 ble disease that is prevalent in New York state; or (ii) is a recom-
31 mended immunization for such patients who: (A) meet age requirements,
32 (B) lack documentation of such immunization, (C) lack evidence of past
33 infection, or (D) have an additional risk factor or another indication

34 [~~as recommended by the advisory committee on immunization practices of~~
35 ~~the centers for disease control and prevention~~] in accordance with regu-
36 lations issued by the commissioner of health, utilizing generally
37 accepted medical standards and taking into consideration recommenda-
38 tions of the American Academy of Pediatrics, the American Academy of Family
39 Physicians, the American College of Obstetricians and Gynecologists, the
40 American College of Physicians, the advisory committee on immunization
41 practices, any interstate body established for purposes of reviewing and
42 making recommendations regarding immunization coverage and access, or
43 other similar nationally or internationally recognized scientific organ-
44 izations. If the commissioner of health determines that there is an

45 outbreak of disease, or that there is the imminent threat of an outbreak
46 of disease, then the commissioner of health may issue a non-patient
47 specific regimen applicable statewide.

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

50 7. A certified nurse practitioner may prescribe and order a patient
51 specific order or non-patient specific regimen to a licensed pharmacist,
52 pursuant to regulations promulgated by the commissioner, and consistent
53 with the public health law, for: (a) administering immunizations to
54 prevent influenza to patients two years of age or older; and (b) admin-
55 istering immunizations to prevent pneumococcal, acute herpes zoster,
56 hepatitis A, hepatitis B, human papillomavirus, measles, mumps, rubella,

1 varicella, COVID-19, meningococcal, tetanus, diphtheria or pertussis
2 disease and medications required for emergency treatment of anaphylaxis
3 to patients eighteen years of age or older; and (c) administering other
4 immunizations [~~recommended by the advisory committee on immunization~~
5 ~~practices of the centers for disease control and prevention~~] in accord-
6 ance with regulations issued by the commissioner of health, utilizing
7 generally accepted medical standards and taking into consideration
8 recommendations of the American Academy of Pediatrics, the American
9 Academy of Family Physicians, the American College of Obstetricians and
10 Gynecologists, the American College of Physicians, the advisory commit-
11 tee on immunization practices, any interstate body established for
12 purposes of reviewing and making recommendations regarding immunization
13 coverage and access, or other similar nationally or internationally
14 recognized scientific organizations for patients eighteen years of age
15 or older if the commissioner of health in consultation with the commis-
16 sioner determines that an immunization: (i) (A) may be safely adminis-
17 tered by a licensed pharmacist within their lawful scope of practice;
18 and (B) is needed to prevent the transmission of a reportable communica-
19 ble disease that is prevalent in New York state; or (ii) is a recom-
20 mended immunization for such patients who: (A) meet age requirements,
21 (B) lack documentation of such immunization, (C) lack evidence of past
22 infection, or (D) have an additional risk factor or another indication
23 [~~as recommended by the advisory committee on immunization practices of~~
24 ~~the centers for disease control and prevention~~] in accordance with regu-
25 lations issued by the commissioner of health, utilizing generally
26 accepted medical standards and taking into consideration recommendations
27 of the American Academy of Pediatrics, the American Academy of Family
28 Physicians, the American College of Obstetricians and Gynecologists, the
29 American College of Physicians, the advisory committee on immunization
30 practices, any interstate body established for purposes of reviewing and
31 making recommendations regarding immunization coverage and access, or
32 other similar nationally or internationally recognized scientific organ-
33 izations. Nothing in this subdivision shall authorize unlicensed
34 persons to administer immunizations, vaccines or other drugs.

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

38 (ii) immunizations [~~that have in effect a recommendation from the~~
39 ~~advisory committee on immunization practices of the centers for disease~~
40 ~~control and prevention~~] in accordance with regulations issued by the
41 commissioner of health, utilizing generally accepted medical standards
42 and taking into consideration recommendations of the American Academy of
43 Pediatrics, the American Academy of Family Physicians, the American
44 College of Obstetricians and Gynecologists, the American College of
45 Physicians, the advisory committee on immunization practices, any inter-
46 state body established for purposes of reviewing and making recommenda-
47 tions regarding immunization coverage and access, or other similar
48 nationally or internationally recognized scientific organizations, with
49 respect to the individual involved;

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

53 (ii) immunizations [~~that have in effect a recommendation from the~~
54 ~~advisory committee on immunization practices of the centers for disease~~
55 ~~control and prevention~~] in accordance with regulations issued by the
56 commissioner of health, utilizing generally accepted medical standards

1 and taking into consideration recommendations of the American Academy of
2 Pediatrics, the American Academy of Family Physicians, the American
3 College of Obstetricians and Gynecologists, the American College of
4 Physicians, the advisory committee on immunization practices, any inter-
5 state body established for purposes of reviewing and making recommenda-
6 tions regarding immunization coverage and access, or other similar
7 nationally or internationally recognized scientific organizations, with
8 respect to the individual involved;

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

12 (B) immunizations [~~that have in effect a recommendation from the advi-~~
13 ~~sory committee on immunization practices of the centers for disease~~
14 ~~control and prevention~~] in accordance with regulations issued by the
15 commissioner of health, utilizing generally accepted medical standards
16 and taking into consideration recommendations of the American Academy of
17 Pediatrics, the American Academy of Family Physicians, the American
18 College of Obstetricians and Gynecologists, the American College of
19 Physicians, the advisory committee on immunization practices, any inter-
20 state body established for purposes of reviewing and making recommenda-
21 tions regarding immunization coverage and access, or other similar
22 nationally or internationally recognized scientific organizations, with
23 respect to the individual involved;

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

27 (ii) immunizations [~~that have in effect a recommendation from the~~
28 ~~advisory committee on immunization practices of the centers for disease~~
29 ~~control and prevention~~] in accordance with regulations issued by the
30 commissioner of health, utilizing generally accepted medical standards
31 and taking into consideration recommendations of the American Academy of
32 Pediatrics, the American Academy of Family Physicians, the American
33 College of Obstetricians and Gynecologists, the American College of
34 Physicians, the advisory committee on immunization practices, any inter-
35 state body established for purposes of reviewing and making recommenda-
36 tions regarding immunization coverage and access, or other similar
37 nationally or internationally recognized scientific organizations, with
38 respect to the individual involved;

39 § 10. This act shall take effect immediately.