

# STATE OF NEW YORK

7320

2021-2022 Regular Sessions

## IN SENATE

August 9, 2021

Introduced by Sen. HOYLMAN -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the education law, in relation to the definition of "administration" with respect to immunization to prevent COVID-19 for children between the ages of two and eighteen years of age

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

1 Section 1. Paragraph b of subdivision 22 of section 6802 of the educa-  
2 tion law, as amended by chapter 110 of the laws of 2020, is amended to  
3 read as follows:

4 b. the direct application of an immunizing agent to children between  
5 the ages of two and eighteen years of age, whether by injection, inges-  
6 tion, inhalation or any other means, pursuant to a patient specific  
7 order or non-patient specific regimen prescribed or ordered by a physi-  
8 cian or certified nurse practitioner, who has a practice site in the  
9 county or adjoining county in which the immunization is administered,  
10 for immunization to prevent influenza [~~and~~], medications required for  
11 emergency treatment of anaphylaxis resulting from such immunization, and  
12 for immunization to prevent COVID-19 for children between the ages of  
13 two and eighteen years of age, as authorized by the United States food  
14 and drug administration or recommended by the advisory committee on  
15 immunization practices of the centers for disease control and  
16 prevention. If the commissioner of health determines that there is an  
17 outbreak of influenza, or that there is the imminent threat of an  
18 outbreak of influenza, then the commissioner of health may issue a non-  
19 patient specific regimen applicable statewide.

20 § 2. This act shall take effect immediately; provided that the amend-  
21 ments to paragraph b of subdivision 22 of section 6802 of the education  
22 law made by section one of this act shall not affect the expiration and  
23 repeal of such subdivision and shall be deemed expired and repealed  
24 therewith.

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

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