

AMENDMENT TO THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to sections 207, 6504, 6507, 6527, 6902 and 6909 of the Education Law

Subdivision (a) of section 64.7 of the Regulations of the Commissioner of Education is amended, to read as follows:

(a) Immunizations.

(1) As used in this subdivision:

(i) Immunizing agents means vaccines and immunoglobulin drugs approved by the federal Food and Drug Administration to provide immunity against diseases caused by the infectious agents described in clauses (a) through (e[d]) of this subparagraph.

(a) In the case of adults, vaccines against the following infectious diseases: Hepatitis A, Hepatitis B, Influenza, Pneumococcus, Diphtheria, Tetanus, Measles, Mumps, Rubella, Varicella, Polio, Pertussis, Human Papilloma Virus, Meningococcus, and Herpes Zoster;

(b) In the case of infants and children under the age of 18, vaccines against the following infectious diseases: Diphtheria, Tetanus, Pertussis, Measles, Mumps, Rubella, Varicella, Haemophilus Influenzae Type b (Hib), Polio, Hepatitis B, Hepatitis A, Influenza, Meningococcus, Pneumococcus, Rotavirus, and Human Papilloma Virus[.];

(c) immunizing agents against an infectious disease that causes an epidemic or a community wide outbreak, provided that such immunizing agents are administered as part of a public health program established by the Commissioner of the Department of Health, a County Commissioner of Health, or a County Public Health Director to immunize persons against the infectious disease during the epidemic or community outbreak of the infectious disease; [and,]

(d) additional immunizing agents approved by resolution of the Board of Regents upon recommendation by the commissioner that such additional immunization agents are safe and effective immunization agents for registered professional nurses to administer to patients, pursuant to a non-patient specific order and protocol as prescribed in this section, after consideration of the recommendations of State and/or nationwide authorities that evaluate the effectiveness and safety of immunization agents, including but not limited to the Centers for Disease Control and Prevention of the U.S. Department of Health and Human Services. Such additional immunization agents, which are not specifically enumerated in this subparagraph, may be removed by resolution of the Board of Regents, upon recommendation of the commissioner that such immunization agents are not safe and effective immunization agents for registered professional nurses to administer to patients, pursuant to a non-patient specific order and protocol as prescribed in this section, after consideration of the recommendations of State and/or nationwide authorities that evaluate the effectiveness and safety of immunization agents, including but not limited to the Centers for Disease Control and Prevention of the U.S. Department of Health and Human Services; and

(e) vaccines that are fully approved or authorized for emergency use by the federal Food and Drug Administration to provide immunity against COVID-19 and administered in accordance with applicable federal Food and Drug Administration requirements and recommendations.