

NYS Laws and Regulations Temporarily Suspended or Modified During the Statewide Disaster Emergency Due to Monkeypox



[Executive Order No. 20](#) Issued July 29, 2022

- State Disaster Emergency and suspension/modification of laws/regulations effective July 29 to August 28, 2022.

<i>Nature of Waiver</i>	<i>Law / Regulation Reference</i>	<i>Scope</i>	<i>E.O. No. Effective Dates</i>
State Disaster Emergency Declaration	Section 28 of Article 2-B of the Executive Law	A State disaster emergency for the entire State of New York is declared through August 8, 2022.	E.O. 20 07/29/22 – 08/28/22
Vaccination: EMS	Subdivisions 6 and 7 of section 3001 of the Public Health Law, subdivisions (o) and (p) of section 800.3, and 10 NYCRR 800.15	To the extent necessary to allow certified emergency medical technicians-paramedics and advanced EMS providers, providing community paramedicine services with prior approval of the Department of Health, to administer vaccinations against monkeypox pursuant to a non-patient specific order, including in non-emergency environments and locations, provided that emergency medical technicians-paramedics and advanced EMS providers must first meet conditions set by the Commissioner of Health;	E.O. 20 07/29/22 – 08/28/22
Vaccination: Midwives	Section 6951 of the Education Law, and 8 NYCRR 79-5.5	Insofar as such provisions limit the practice of midwifery to management of normal pregnancies, child birth and postpartum care as well as primary preventive reproductive health care of essentially healthy women, and newborn evaluation, resuscitation and referral for infants, and insofar as it limits the practice of midwifery to midwives who practice in accordance with collaborative relationships with licensed physicians or hospitals, so that for the purposes of this disaster emergency, midwives may administer vaccinations against monkeypox to any patient pursuant to a non-patient specific order under the medical supervision of licensed physicians, licensed physician assistants, or certified nurse practitioners, provided, however, that a midwife without a certificate issued by the State	E.O. 20 07/29/22 – 08/28/22

		Education Department for administering immunizing agents, must meet conditions set by the Commissioner of Health;	
Vaccination: Pharmacists	Subdivision 2 of section 6801 of the Education Law and 8 NYCRR 63.9	To the extent necessary to allow pharmacists to administer vaccinations against monkeypox pursuant to a non-patient specific order;	E.O. 20 07/29/22 – 08/28/22
Vaccination: Physicians and Nurse Practitioners	Subdivision 6 of section 6527 of the Education Law, subdivision 4 of section 6909 of the Public Health Law, and 8 NYCRR 64.7	To the extent necessary to permit physicians and certified nurse practitioners to issue a non-patient specific regimen to nurses or any such other persons authorized by law or by this executive order to administer vaccinations against monkeypox;	E.O. 20 07/29/22 – 08/28/22
Vaccination: Reporting	Subdivision 3 of Section 2168 of the Public Health Law and 10 NYCRR 66-1.2	To the extent necessary to suspend the requirement that health care providers, including registered nurses and pharmacists, who administer monkeypox vaccine to persons 19 years of age or older are required to obtain consent of the vaccinee in order to report such vaccination to the New York State Immunization Information System (NYSIIS) or the Citywide Immunization Registry (CIR), and such provisions are further modified to the extent necessary to require all monkeypox vaccinations for any individual (child or adult) to be reported to NYSIIS or CIR, as applicable, within 72 hours of administration of a monkeypox vaccination. Nothing in this paragraph shall be read to permit the vaccination of any person without their consent or the consent of another person legally authorized to provide such consent.	E.O. 20 07/29/22 – 08/28/22