



## COVID-19 Pandemic and Professional Practice

### Important Information for Licensees Impacted by COVID-19

**Advisory Notice:** Please be advised that the COVID-19 Disaster Emergency declared by the Governor, pursuant to Executive Order 202 issued on March 7, 2020, and each successor Executive Order to Executive Order 202 have expired as of June 25, 2021. While the several exceptions and authorizations relevant to the Title VIII statutes and regulations contained within these Executive Orders have now expired, the Department understands the concern regarding the short notice of the expiration of the COVID-19 Disaster Emergency and will take that into consideration in the event of any potential inquiries involving activity that had previously been authorized by Executive Order 202 and its successor Executive Orders at this time. However, Title VIII professionals should exercise due diligence and good faith efforts to return to compliance with all Title VIII statutory and regulatory requirements without delay. The Department is working closely with other New York State agencies and the Governor's Office to clarify issues relating to the expiration of the Disaster Emergency and the reinstatement of laws and regulations that have been previously modified or suspended during the COVID 19 Disaster Emergency. Please continue to monitor the Department's website for updated guidance.

We recognize that the recent pandemic has caused numerous hardships for the citizens of New York, including professional licensees. In response to the COVID-19 emergency disaster, Governor Cuomo has issued a number of [Executive Orders \(EOs\)](#) that impact licensed professionals. Please continue to monitor the Office of the Professions' [COVID-19 website](#) for updated guidance.

#### **EO #202.99 – Extended until July 5, 2021 by EO #202.110 unless noted below**

- **EXPIRED April 27, 2021 pursuant to EO #202.105** - The directive contained in **Executive Order 202.91**, as modified by **Executive Order 202.97**, that required **pharmacies** to prioritize certain individuals for vaccinations is hereby further modified to provide that **pharmacies** shall prioritize the following groups for vaccinations: (1) individuals age eligible; (2) individuals who are P-12 school (public or non-public) teachers, substitute teachers, or student teachers; and (3) individuals with comorbidities.

#### **EO #202.97 - Extended until July 5, 2021 by EO #202.110 unless noted below**

- **EXPIRED April 27, 2021 pursuant to EO #202.105** - The directive contained in **Executive Order 202.91** that required certain vaccination providers to prioritize individuals is hereby extended and modified to provide that effective March 10, 2021, **pharmacies** shall prioritize the following groups for vaccination: (1) individuals age 60 and older; and (2) individuals who are P-12 school (public or non-public) teachers, substitute teachers, or student teachers. Effective March 17, 2021 all providers other than **pharmacies** are permitted to vaccinate any eligible individual.

#### **EO #202.92 - Extended until July 5, 2021 by EO #202.110**

- The suspensions and modifications in **Executive Order 202.24** and any extensions thereof, permitting licensed **pharmacists** to be designated as a qualified healthcare professional for the purpose of directing a limited service laboratory, pursuant to subdivision (3) of section 579 of the Public Health, are hereby modified only to the extent necessary to permit such pharmacist-directed limited service laboratories to also test for COVID-19 infection using a rapid test as part of the enhanced economic activity plan authorized by the Department of Health, provided that such test is FDA-approved and waived for use in a limited service laboratory;
- **Executive Order 202.24**, to the extent it modified section 6801 of the Education Law, to authorize licensed **pharmacists** to order COVID-19 tests that are approved by the Food and Drug Administration (FDA) to detect SARS-CoV-2 or its antibodies, and to administer COVID-19 tests, is hereby modified only insofar as to authorize licensed **pharmacists** to order tests for the detection of COVID-19, including by standing order, as part of the enhanced economic activity plan authorized by the Department of Health, provided that such test is FDA-approved and subject to certificate of waiver requirements pursuant to the federal clinical laboratory improvement act of nineteen hundred eighty-eight, and provided that such testing is performed by a limited service laboratory as part of such enhanced economic activity plan;

#### **EO #202.91 - Extended until July 5, 2021 by EO #202.110 unless noted below**

- **EXPIRED April 27, 2021 pursuant to EO #202.105** - Local health departments and county governments receive allocation for and must prioritize essential workers in the 1b category. Hospitals

receive allocations for and must prioritize healthcare workers. **Pharmacies** are to prioritize individuals that are 65+. NYSDOH approved general population mass vaccination sites are to prioritize 65+ and essential workers in the 1b category. We allocate dosages to these provider classes to represent the fair distribution. If a provider distributes to a group outside of their "prioritization" they will disrupt the fairness of the allocation.

**EO #202.90 - Extended until July 5, 2021 by EO #202.110**

- Temporary Suspension and Modification of Education Law and Regulations to the extent that a **licensed pharmacist** shall be authorized to supervise up to a total of four persons who are either unlicensed assistants or pharmacy technicians holding a temporary license, as established pursuant to this Executive Order;
- The suspensions and modifications contained in **Executive Order 202.82** that permit **licensed practical nurses, licensed pharmacists, midwives, dentists, dental hygienists who have been issued a dental hygiene restricted local infiltration anesthesia/nitrous oxide analgesia certificate** in accordance with section 6605-b of the Education law, **podiatrists, emergency medical technicians, advanced emergency medical technicians, and emergency medical technician paramedics**, to administer vaccinations against COVID-19 are hereby modified only to the extent necessary to permit the aforementioned individuals to administer vaccinations against COVID-19 provided that such individuals meet conditions set by the Commissioner of Health.
- A person (a) holding a certification from a nationally accredited **pharmacy technician** certification program acceptable to the Department of Health, (b) being of good moral character, and (c) meeting such additional qualifications for licensure as required by the Commissioner of Health, in consultation with the Commissioner of Education, shall be eligible to be temporarily licensed as a "**pharmacy technician**" in the State of New York and, in such capacity, may administer COVID-19 vaccinations at Points of Dispensing (POD) sites overseen or approved by the New York State Department of Health or local health departments and operated under the medical supervision of licensed physicians, licensed physician assistants, or certified nurse practitioners, and under the direct supervision of a licensed pharmacist, and at pharmacy establishments under the direct supervision of a licensed pharmacist, provided such pharmacy technicians must first receive: (1) training in techniques, indications, precautions, contraindications, infection control practices; (2) training in use of personal protective equipment sufficient to provide the basic level of competence for such tasks; and (3) a current certificate in basic cardiopulmonary resuscitation, which at a minimum must include a certification in basic cardiopulmonary resuscitation by an online program that has received accreditation from the American Nurses Credentialing Center, the Accreditation Council for Pharmacy Education (ACPE), or the Accreditation Council for Continuing Medical Education. Temporary licensure as a "pharmacy technician" shall not entitle any individual to rights or licensing status except for those granted herein and for the effective period of this order;
- The suspensions and directives contained in **Executive Order 202.82** that permit individuals to administer vaccinations against COVID-19 are hereby modified only insofar as necessary to permit such individuals to administer vaccinations against COVID-19 provided that they meet all training requirements and conditions determined appropriate by the Commissioner of Health.

**EO #202.86 - Extended until July 5, 2021 by EO #202.110**

- Temporary Suspension and Modification of Education Law and Regulations to the extent necessary to authorize **retired physicians, registered professional nurses, licensed practical nurses, and nurse practitioners** licensed to practice and in current good standing in New York State, but not currently registered in New York State, to re-register through use of an expedited automatic registration form developed by the state and to waive any registration fee for the triennial registration period for such registrants;

**EO #202.83 - Extended until July 5, 2021 by EO #202.110**

- Notwithstanding any law or regulation to the contrary, **health care providers** are relieved of recordkeeping requirements to the extent necessary for health care providers to perform tasks as may be necessary to respond to the COVID-19 outbreak, including, but not limited to requirements to maintain medical records that accurately reflect the evaluation and treatment of patients, or requirement to assign diagnostic codes or to create or maintain other records for billing purposes. Any person acting reasonably and in good faith under this provision shall be afforded absolute immunity from liability for any failure to comply with any recordkeeping requirement. In order to protect from liability any person acting reasonably and in good faith under this provision, requirements to maintain medical records;

**EO #202.82 - Extended until July 5, 2021 by EO #202.110 unless noted below**

- The modification in **Executive Order 202** of sections 6521 and 6902 of the Education Law insofar as it limits the execution of medical regimens prescribed by a **licensed physicians or other licensed and legally authorized health care providers to registered nurses licensed pursuant to Article 139 of the Education Law**, to the extent necessary to permit non-nursing staff, as permitted by law or Executive Order and upon completion of training deemed adequate by the Commissioner of Health, to: (1) collect throat, nasal, or nasopharyngeal swab specimens, as applicable and appropriate, from individuals suspected of being infected by COVID-19 or influenza, for purposes of testing; (2) collect blood specimens for the diagnosis of acute or past COVID-19 disease; (3) administer vaccinations against influenza or COVID-19 pursuant to the most recent recommendations by the Advisory Committee for Immunization Practices (ACIP) and/or an applicable United States Food and Drug Administration approval or Emergency Use Authorization (EUA), subject to any other conditions set forth in this Order, including but not limited to conditions related to training and supervision, where applicable; and (4) where applicable and to the extent necessary, to perform tasks, under the supervision of a nurse, otherwise limited to the scope of practice of a licensed or registered nurse to provide care for individuals diagnosed or suspected of suffering from a COVID-19 or influenza infection;
- The modification in **Executive Order 202.1** of subdivision 4 of section 6909 of the Education Law, subdivision 6 of section 6527 of the Education Law, and section 64.7 of Title 8 of the NYCRR, to the extent necessary to include subdivision 1 of section 6902 of the Education Law, subdivisions 5, and 7 of section 6909 of the Education Law, subdivision 7 of section 6527 of the Education Law, and section 63.9 of Title 8 of the NYCRR, in order to permit **licensed physicians and certified nurse practitioners** to issue a non-patient specific regimen to **nurses, physician assistants, specialist assistants, pharmacists**, or any such other persons authorized by law or by this executive order and consistent with guidance as may be issued by the Commissioner to: (1) collect throat, nasal, or nasopharyngeal swab specimens, as applicable and appropriate, from individuals suspected of suffering from a COVID-19 or influenza infection, for purposes of testing; (2) collect blood specimens for the diagnosis of acute or past COVID-19 disease; (3) administer vaccinations against influenza or COVID-19 pursuant to the most recent recommendations by the Advisory Committee for Immunization Practices (ACIP) and/or an applicable United States Food and Drug Administration approval or Emergency Use Authorization (EUA), subject to any other conditions set forth in this Order, including but not limited to conditions related to training and supervision, where applicable; or (4) where applicable and to the extent necessary, to perform tasks, under the supervision of a nurse, otherwise limited to the scope of practice of a licensed or registered nurse to provide care for individuals diagnosed or suspected of suffering from a COVID-19 or influenza infection;
- Temporary Suspension and Modification of Education Law and Regulations to the extent necessary to permit non-patient specific regimens to be prescribed, ordered to, and executed by **registered professional nurses** for the administration of COVID-19 vaccine;
- **MODIFIED AND EXTENDED BY EO #202.90 (See above)** - Temporary Suspension and Modification of Education Law and Regulations to the extent necessary to permit non-patient specific regimens for the administration of COVID or influenza vaccination to be prescribed, ordered to, and executed by **licensed practical nurses**, so that for the purposes of this Order only such **licensed practical nurses** may administer COVID and influenza vaccinations at Points of Dispensing (POD) sites overseen or approved by the New York State Department of Health or local health departments and operated under the medical supervision of **licensed physicians, licensed physician assistants, or certified nurse practitioners**, provided such **licensed practical nurses** must first receive training in: (1) techniques, indications, precautions, contraindications, infection control practices; (2) use of personal protective equipment sufficient to provide the basic level of competence for such tasks; and (3) a current certificate in basic cardiopulmonary resuscitation, which at a minimum must include a certification in basic cardiopulmonary resuscitation by an online program that has received accreditation from the American Nurses Credentialing Center, the Accreditation Council for Pharmacy Education (ACPE), or the Accreditation Council for Continuing Medical Education;
- Temporary suspension of Chapter 110 of the Laws of 2020 to the extent necessary, and subject to the certification by the Commissioner of Health and Commissioner of Education, to permit **licensed pharmacists** to administer COVID-19 vaccine less than 90 days after approval of such vaccine by the United States Food and Drug Administration's Center for Biologics Evaluation and Research;
- Temporary Suspension and Modification of Education Law and Regulations to the extent necessary to permit patient specific orders or non-patient specific regimens for the administration of COVID vaccination to be prescribed, ordered to, and executed by **licensed pharmacists certified to administer immunizations by the State Education Department** as well as **newly licensed pharmacist**, as specified and permitted by this Executive Order;
- **MODIFIED AND EXTENDED BY EO #202.90 (See above)** - Temporary Suspension and Modification of Education Law and Regulations to the extent necessary to permit non-patient specific regimens for

the administration of COVID or influenza vaccination to be prescribed, ordered to, and executed by **licensed pharmacists not certified to administer immunizations by the State Education Department**, so that for the purposes of this Order only such pharmacists may administer COVID and influenza vaccinations at Points of Dispensing (POD) sites overseen or approved by the New York State Department of Health or local health departments and operated under the medical supervision of licensed physicians, licensed physician assistants, or certified nurse practitioners, provided such pharmacists must first receive training in: (1) techniques, indications, precautions, contraindications, infection control practices; (2) use of personal protective equipment sufficient to provide the basic level of competence for such tasks; and (3) a current certificate in basic cardiopulmonary resuscitation, which at a minimum must include a certification in basic cardiopulmonary resuscitation by an online program that has received accreditation from the American Nurses Credentialing Center, the Accreditation Council for Pharmacy Education (ACPE), or the Accreditation Council for Continuing Medical Education;

- Temporary Suspension and Modification of Education Law and Regulations to the extent necessary to permit **licensed physicians** and **certified nurse practitioners**, located in any county within New York State, to issue a patient specific prescription or a non-patient specific regimen for COVID-19 and influenza vaccination to a **pharmacist who is certified to administer vaccinations** as well as to **newly licensed pharmacists**, as specified and permitted by this Executive Order unless administering COVID-19 or influenza vaccinations at a POD site;
- Temporary Suspension and Modification of Education Law and Regulations to the extent necessary to permit **newly licensed pharmacists**, previously issued a limited permit with certification to administer immunizations pursuant to section 6806 of the Education Law as well as section 63.4 of Title 8 of the NYCRR, to continue to provide such immunizations in New York State for ninety days immediately following licensure and registration in New York State and pending certification of administration for which an application has been filed with the Department of Education;
- **MODIFIED AND EXTENDED BY EO #202.90 (See above)** - Temporary Suspension and Modification of Education Law and Regulations, 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 Executive Order only, midwives may administer vaccinations against influenza and COVID-19 to any patient pursuant to a non-patient specific order at Points of Dispensing (POD) sites overseen or approved by the New York State Department of Health or local health departments, and operated 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 Education Department for administering immunizing agents, must first receive training in the following areas, as determined by the Commissioner of Health after consultation with the Commissioner of Education: (1) techniques, indications, precautions, contraindications, infection control practices; (2) use of personal protective equipment sufficient to provide the basic level of competence for such tasks; and (3) a current certificate in basic cardiopulmonary resuscitation, which at a minimum must include a certification in basic cardiopulmonary resuscitation by an online program that has received accreditation from the American Nurses Credentialing Center, the Accreditation Council for Pharmacy Education (ACPE), or the Accreditation Council for Continuing Medical Education;
- **MODIFIED AND EXTENDED BY EO #202.90 (See above)** - Temporary Suspension and Modification of Education Law and Regulations insofar as it limits the **practice of dentistry** to the treatment of the mouth and adjacent tissue, to the exclusion of any other part of the human body, so that, for the purposes of this Executive Order only, dentists may administer vaccinations against influenza and COVID-19 pursuant to a non-patient specific order at Points of Dispensing (POD) sites overseen or approved by the New York State Department of Health or local health departments and operated under the medical supervision of licensed physicians, licensed physician assistants, or certified nurse practitioners, provided such dentists first receive training in the following areas, as determined by the Commissioner of Health after consultation with the Commissioner of Education: (1) techniques, indications, precautions, contraindications, infection control practices; (2) use of personal protective equipment sufficient to provide the basic level of competence for such tasks; and (3) a current certificate in basic cardiopulmonary resuscitation by an online program that has received accreditation from the American Nurses Credentialing Center, the Accreditation Council for Pharmacy Education (ACPE), or the Accreditation Council for Continuing Medical Education;
- **MODIFIED AND EXTENDED BY EO #202.90 (See above)** - Temporary Suspension and Modification of Education Law and Regulations insofar as they restrict the **practice of dental hygiene** to the

performance of dental services and require that the practice of dental hygiene be conducted in the office of any licensed dentist or appropriately equipped school or public institution, under the supervision of a dentist, so that, for the purposes of this Executive Order only, **dental hygienists who have been issued a dental hygiene restricted local infiltration anesthesia/nitrous oxide analgesia certificate** in accordance with section 6605-b of the Education Law and section 61.17 of Title 8 of the NYCRR may administer vaccinations against influenza and COVID-19 pursuant to a non-patient specific order at Points of Dispensing (POD) sites overseen or approved by the New York State Department of Health or local health departments and operated under the medical supervision of licensed physicians, licensed physician assistants, or certified nurse practitioners, provided such dental hygienists first receive training in the following areas, as determined by the Commissioner of Health after consultation with the Commissioner of Education: (1) techniques, indications, precautions, contraindications, infection control practices; (2) use of personal protective equipment sufficient to provide the basic level of competence for such tasks; and (3) a current certificate in basic cardiopulmonary resuscitation, which at a minimum must include a certification in basic cardiopulmonary resuscitation by an online program that has received accreditation from the American Nurses Credentialing Center, the Accreditation Council for Pharmacy Education (ACPE), or the Accreditation Council for Continuing Medical Education;

- **MODIFIED AND EXTENDED BY EO #202.90 (See above)** - Temporary Suspension and Modification of Education Law and Regulations insofar as it limits the **practice of podiatry** to the treatment of the foot, to the exclusion of any other part of the human body, so that, for the purposes of this Executive Order only, podiatrists may administer vaccinations against influenza and COVID-19 pursuant to a non-patient specific order at Points of Dispensing (POD) sites overseen or approved by the New York State Department of Health or local health departments and operated under the medical supervision of licensed physicians, licensed physician assistants, or certified nurse practitioners, provided such podiatrists first receive training in the following areas, as determined by the Commissioner of Health after consultation with the Commissioner of Education: (1) techniques, indications, precautions, contraindications, infection control practices; (2) use of personal protective equipment sufficient to provide the basic level of competence for such tasks; and (3) a current certificate in basic cardiopulmonary resuscitation, which at a minimum must include a certification in basic cardiopulmonary resuscitation by an online program that has received accreditation from the American Nurses Credentialing Center, the Accreditation Council for Pharmacy Education (ACPE), or the Accreditation Council for Continuing Medical Education;
- **MODIFIED AND EXTENDED BY EO #202.90 (See above)** - Temporary Suspension and Modification of Public Health Law and Regulations insofar as they limit the responsibilities of **emergency medical technicians and advanced emergency medical technicians** to administration or supervision of initial emergency medical care and transportation of sick or injured persons and insofar as they require emergency medical technicians and advanced emergency medical technicians to treat patients in accordance with applicable State-approved protocols unless authorized to do otherwise for an individual patient by a medical control physician, so that, for the purposes of this Executive Order only, emergency medical technicians and advanced emergency medical technicians may administer vaccinations against influenza and COVID-19 pursuant to a non-patient specific order sites overseen or approved by the New York State Department of Health or local health departments and operated under the medical supervision of licensed physicians, licensed physician assistants, or certified nurse practitioners, provided such EMTs first receive training in the following areas, as determined by the Commissioner of Health after consultation with the Commissioner of Education: (1) techniques, indications, precautions, contraindications, infection control practices; (2) use of personal protective equipment sufficient to provide the basic level of competence for such tasks; and (3) a current certificate in basic cardiopulmonary resuscitation, which at a minimum must include a certification in basic cardiopulmonary resuscitation by an online program that has received accreditation from the American Nurses Credentialing Center, the Accreditation Council for Pharmacy Education (ACPE), or the Accreditation Council for Continuing Medical Education;
- **MODIFIED AND EXTENDED BY EO #202.90 (See above)** - Temporary Suspension and Modification of Public Health Law and Regulations to the extent necessary to allow **certified emergency medical technician-paramedics**, providing community paramedicine services in accordance with **Executive Order 202** and with prior approval of the Department of Health, to administer vaccinations against influenza and COVID-19 pursuant to a non-patient specific order and under the medical direction of a licensed physician. Provided, however, that emergency medical technician-paramedics must first receive training in the following areas, as determined by the Commissioner of Health after consultation with the Commissioner of Education: (1) techniques, indications, precautions, contraindications, infection control practices; (2) use of personal protective equipment sufficient to provide the basic level of competence for such tasks and (3) a current certificate in basic cardiopulmonary resuscitation, which at a minimum must include a certification in basic cardiopulmonary resuscitation by an online program

that has received accreditation from the American Nurses Credentialing Center, the Accreditation Council for Pharmacy Education (ACPE), or the Accreditation Council for Continuing Medical Education;

- Temporary Suspension and Modification of Education Law and Regulations, insofar as they require **licensed pharmacists** administering immunizing agents pursuant to a non-patient specific regimen to report such administrations to patients' attending physicians and provide information to patients on the importance of having a primary health care practitioner, so that, for purposes of this Executive Order only, **licensed pharmacists** may administer vaccinations against influenza and COVID-19 without reporting such administrations to patients' attending physicians, but must, at a minimum, report the vaccination to the CIR or NYSIIS;
- Temporary Suspension and Modification of Education Law and Regulations, insofar as it requires **registered professional nurses** administering immunizing agents pursuant to a non-patient specific regimen to report such administration to patients' attending physicians, so that, for the purposes of this Executive Order, **registered professional nurses** may administer vaccinations against influenza and COVID-19 without reporting such administrations to patients' attending physicians, but, at a minimum, must report the vaccination to the CIR or NYSIIS, as applicable;
- **MODIFIED AND EXTENDED BY EO #202.83 (See above)** - Temporary Suspension and Modification of Education Regulations, insofar as it makes it an act of professional misconduct for the professions listed within that section to fail to maintain and retain a record for each patient which accurately reflects the evaluation and treatment of the patient, so that, for the purposes of this Executive Order only, persons practicing the professions listed within that section who are authorized to administer vaccinations pursuant to this Executive Order are not required to maintain and retain such record for those to whom they administer vaccinations against influenza or COVID-19, provided that such persons must comply with all recordkeeping requirements directed by the Department of Health;
- **MODIFIED AND EXTENDED BY EO #202.83 (See above)** - Temporary Suspension and Modification of Education Regulations, insofar as it requires a **registered professional nurse** administering an immunizing agent pursuant to a non-patient specific regimen to ensure that a record of all persons immunized is recorded, maintained, and retained in accordance with applicable regulations, so that, for the purposes of this Executive Order only, **registered professional nurses** are not required to ensure that such a record is maintained and retained for those to whom they administer vaccinations against influenza or COVID-19, provided that such persons must comply with all recordkeeping requirements directed by the Department of Health;
- **MODIFIED AND EXTENDED BY EO #202.83 (See above)** - Temporary Suspension and Modification of Education Regulations, insofar as it requires a **pharmacist** administering an immunizing agent pursuant to a non-patient specific regimen to ensure that a record of all persons immunized is recorded, maintained, and retained in accordance with applicable regulations, so that, for the purposes of this Executive Order only, **pharmacists** are not required to ensure that such a record is maintained and retained for those to whom they administer vaccinations against influenza and COVID-19, provided that such persons must comply with all recordkeeping requirements directed by the Department of Health;
- Temporary Suspension and Modification of Education Regulations, insofar as it requires a **registered professional nurse** authorized to administer immunization agents pursuant to a non-patient specific order to be currently certified in cardio-pulmonary resuscitation (CPR), to clarify that for the purpose of this Executive Order, **registered professional nurses** must have a current certificate in basic cardiopulmonary resuscitation, which at a minimum must include a certification in basic cardiopulmonary resuscitation by an online program that has received accreditation from the American Nurses Credentialing Center, the Accreditation Council for Pharmacy Education (ACPE), or the Accreditation Council for Continuing Medical Education;
- The modification in **Executive Order 202.10** of paragraph 1 of section 6542 of the Education Law to the extent necessary to include any associated regulations, including, but not limited to, subdivisions (a) and (b) of section 94.2 of Title 10 of the NYCRR and paragraph 5 of subdivision a of section 29.2 of Title 8 of the NYCRR in order to permit a **physician assistant** to provide medical services appropriate to their education, training and experience without oversight from a supervising physician, including, but not limited to, administering COVID-19 and influenza vaccine and medically supervising points of dispensing or other types of vaccination sites, as permitted by this Executive Order, without civil or criminal penalty related to a lack of oversight by a supervising physician;
- The modification in **Executive Order 202.10** of subdivision (3) of section 6902 of Education Law, and any associated regulations, including, but not limited to, sections 29.2, 29.14, and 64.5 of Title 10 of the NYCRR, to the extent necessary to permit a **nurse practitioner** to provide medical services appropriate to their education, training and experience, without a written practice agreement, or

collaborative relationship with a physician, including, but not limited to, administering COVID-19 and influenza vaccine and medically supervising points of dispensing or other types of vaccination sites, as permitted by this Executive Order, without civil or criminal penalty related to a lack of written practice agreement, or collaborative relationship, with a physician;

- Temporary Suspension and Modification of Public Health Law and Regulations to the extent necessary, to the extent necessary to: (1) suspend the requirement that persons 19 years of age or older must consent to have their immunization information reported to the New York State Immunization Information Registry (NYSIIS) or the City Immunization Registry (CIR), so that for the purposes of this Executive Order, the New York State Commissioner of Health or the New York City Commissioner or Health may include adult immunization information in NYSIIS or the CIR, as applicable, without the consent of the vaccine, and subject to guidance issued by the New York State Department of Health; and (2) require all influenza and COVID-19 vaccinations for any individual (child or adult) to be reported to the NYSIIS or CIR, as applicable, within 24 hours of administration of such vaccine. Nothing in this provision 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 on their behalf such as a parent or guardian;
- The temporary modification of Title V of Article 5 of the Public Health Law and parts 19 and 58 of Title 10 of the NYCRR, contained in **EO 202.10**, as extended, authorizing certain laboratories to perform testing for the detection of SARS-CoV-2 specimens, to the extent necessary to further allow laboratories holding a **Clinical Laboratory Improvement Acts (CLIA) certificate** in the relevant specialty of testing and meeting the CLIA quality standards described in 42 CFR Subparts H, J, K and M, upon approval from the Department of Health, to perform testing for the detection of influenza virus, respiratory syncytial virus RNA, or other respiratory panels as approved by the Department of Health, in specimens collected from individuals suspected of suffering from a COVID-19 infection, including postmortem specimens;
- The temporary modification of Sections 8602 and 8603 of the Education Law, and section 58-1.5 of Title 10 of the NYCRR, contained in **EO 202.16**, as extended, insofar as such modification authorized individuals to perform testing for the detection of SARS-CoV-2, or its antibodies, in specimens collected from individuals suspected of suffering from a COVID-19 infection, to the extent necessary to further allow such individuals to perform any clinical laboratory test on any specimen, provided such individual is under appropriate supervision and meets the federal requirements for testing personnel appropriate to the assay or device authorized by the FDA or the New York State Department of Health;
- **MODIFIED AND EXTENDED BY EO #202.92 (See above)** - The temporary modification of Section 6801 of the Education Law, contained in **EO 202.24**, as extended, insofar as such modification authorized **licensed pharmacists** to order and administer COVID-19 tests, to the extent necessary to further allow **licensed pharmacists** to order tests for the detection of influenza virus or respiratory syncytial virus RNA, in specimens collected from individuals suspected of suffering from a COVID-19 or influenza infection; and to administer tests for the detection of influenza virus or respiratory syncytial virus RNA, subject to certificate of waiver requirements pursuant to the federal clinical laboratory improvement act of nineteen hundred eighty-eight, in patients suspected of suffering from a COVID-19 or influenza infection, or suspected of having recovered from COVID-19 infection, upon completion of appropriate training developed by the Department of Health.
- Temporary Suspension and Modification of Education Law and Regulations to the extent necessary to permit an authorized vaccine provider within New York State to furnish federal COVID-19 vaccine and ancillary supplies (obtained as a result of enrollment in the CDC COVID-19 Vaccination Program) to another authorized vaccine provider within New York State, who has also enrolled in the CDC COVID-19 Vaccination Program, for the purposes of administering such vaccination at no cost and subject to applicable storage and handling requirements; the conditions set forth in CDC COVID-19 Vaccination Program Provider Agreement; and any guidance issued by the New York State Department of Health in consultation with the New York State Education Department;
- **MODIFIED AND EXTENDED BY EO #202.90 (See above)** - Individuals enrolled in the following educational programs may administer vaccinations against influenza and COVID-19 pursuant to a non-patient specific order at Points of Dispensing (POD) sites overseen or approved by the New York State Department of Health or local health departments and operated under the medical supervision of licensed physicians, licensed physician assistants, or certified nurse practitioners, provided such students have completed at least one year of clinical experience (unless otherwise specified in this Executive Order) and first receive training in the following areas, as determined by and in accordance with guidance issued by the Commissioner of Health after consultation with the Commissioner of Education: (1) techniques, indications, precautions, contraindications, infection control practices; (2) use of personal protective equipment sufficient to provide the basic level of competence for such tasks; (3) a current certificate in basic cardiopulmonary resuscitation, which at a minimum must include a

certification in basic cardiopulmonary resuscitation by an online program that has received accreditation from the American Nurses Credentialing Center, the Accreditation Council for Pharmacy Education (ACPE), or the Accreditation Council for Continuing Medical Education (4) subject to any other conditions as specified by the Commissioner of Health in consultation with the Commissioner of Education, including but not limited to requiring the applicable educational institutions and programs in which students are enrolled to assess such students' vaccine administration skills and issue an attestation on a form to be approved by the Commissioners of Health and Education that such students have completed all required trainings and displayed competence in vaccine administration:

- A **medical program** approved and/or registered the State Education Department pursuant to Article 131 of the Education Law and Part 60 of Title 8 of the NYCRR;
  - A **registered professional nursing program** or **licensed practical nursing program** approved and/or registered by the State Education Department pursuant to Article 139 of the Education Law and Part 64 of Title 8 of the NYCRR;
  - A **physician assistant program** approved and/or registered by the State Education Department pursuant to Article 131-B of the Education Law and Part 60 of Title 8 of the NYCRR;
  - A **pharmacy program** approved and/or registered by the State Education Department pursuant to Article 137 of the Education Law and Part 63 of Title 8 of the NYCRR. For the purposes of this Executive Order, pharmacy students who have obtained a limited permit, including a certificate to administer immunizations, pursuant to section 6806 of the Education Law and section 63.4 of Title 8 of the NYCRR shall be deemed to have the minimum necessary clinical experience to administer COVID-19 and influenza vaccinations in a POD setting, provided such students meet all other training requirements and adhere to all applicable guidance set forth above;
  - A **dentistry program** approved and/or registered by the State Education Department pursuant to Article 133 of the Education Law and Part 61 of Title 8 of the NYCRR;
  - A **podiatric medicine program** approved and/or registered by the State Education Department pursuant to Article 141 of the Education Law and Part 65 of Title 8 of the NYCRR;
  - A **midwifery program** approved and/or registered by the State Education Department pursuant to Article 140 of the Education Law and Subpart 79-5 of Title 8 of the NYCRR.
- Any **licensed physician, licensed physician assistant, and certified nurse practitioner** medically supervising Points of Dispensing (POD) sites or other types of vaccination sites, as permitted by this Executive Order, and overseen or approved by the New York State Department of Health or local health departments must have a current certification in cardiopulmonary resuscitation (CPR);
  - Within 60 days of this Order, all **clinical laboratories permitted by the Department of Health pursuant to Article 5, Title 5 of the Public Health Law**, and having more than 25 employees, must become qualified entity participants and connect to the SHIN-NY through a qualified entity, and must allow private and secure bi-directional access to patient information by other qualified entity participants authorized by law to access such patient information, pursuant to Part 300 of Title 10 of the NYCRR.

**EO #202.69 - Extended until July 5, 2021 by EO #202.110 unless noted below**

- **MODIFIED AND EXTENDED BY EO #202.82 (See above)** - Temporary Suspension and Modification of Education Law and Regulations 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 executive order to collect throat or nasopharyngeal swab specimens from individuals suspected of suffering from a COVID-19 infection, for purposes of testing, or to perform such other tasks as may be necessary to provide care for individuals diagnosed or suspected of suffering from a COVID-19 infection is hereby modified to also include saliva swab specimens.

**EO #202.44 - Extended until July 5, 2021 by EO #202.110**

- Temporary Suspension and Modification of Education Law and Regulations to the extent necessary to allow **physicians** to order COVID-19 tests for self-collection without having a physician-patient relationship.

**EO #202.36 - Extended until July 5, 2021 by EO #202.110**

- Temporary Suspension and Modification of Education Law and Regulations to the extent necessary to allow a questionnaire administered through an asynchronous electronic interface or electronic mail that is approved by a physician licensed in the State of New York to be sufficient to establish a practitioner-patient relationship for purposes of ordering a clinical laboratory test.

**EO #202.32 - Extended until July 5, 2021 by EO #202.110**



- Temporary Suspension and Modification of Education Law and Regulations to the extent necessary to allow **physicians** to order COVID-19 tests, authorized by the U.S. Food and Drug Administration (FDA) for self-collection, without otherwise having an initial physician-patient relationship with the patient.

**EO #202.24 - Extended until July 5, 2021 by EO #202.110 unless noted below**

- **MODIFIED AND EXTENDED BY EO #202.82 and EO#202.92 (See above)** - Temporary Suspension and Modification of Education Law and Regulations to the extent necessary to authorize **licensed pharmacists** to order COVID-19 tests, approved by the Food and Drug Administration (FDA), to detect SARS-CoV-2 or its antibodies, and to administer COVID-19 tests subject to certificate of waiver requirements pursuant to the federal clinical laboratory improvement act of nineteen hundred eighty-eight, in patients suspected of a COVID-19 infection, or suspected of having recovered from COVID-19 infection, subject to completion of appropriate training developed by the Department of Health;
- **MODIFIED AND EXTENDED BY EO #202.92 (See above)** - Temporary Suspension and Modification of Public Health Law and Regulations to the extent necessary to permit **licensed pharmacists** to be designated as a qualified healthcare professional for the purpose of directing a limited service laboratory, pursuant to subdivision 579(3) of the Public Health Law, to test patients suspected of a COVID-19 infection or its antibodies provided that such test is FDA-approved and waived for use in a limited service laboratory

**EO #202.18 - Extended until July 5, 2021 by EO #202.110**

- Temporary Suspension and Modification of Education Law and Regulations to the extent necessary to allow **registered nurses, licensed practical nurses, and nurse practitioners or a substantially similar title** licensed and in current good standing in any province or territory of Canada, to practice in New York State without civil or criminal penalty related to lack of licensure;
- Temporary Suspension and Modification of Education Law and Regulations to the extent necessary to allow **physicians** licensed and in current good standing in any province or territory of Canada, to practice medicine in New York State without civil or criminal penalty related to lack of licensure;
- Temporary Suspension and Modification of Education Law and Regulations to the extent necessary to allow **physician assistants or a substantially similar title** licensed and in current good standing in any province or territory of Canada, to practice in New York State without civil or criminal penalty related to lack of licensure;
- Temporary Suspension and Modification of Education Law and Regulations to the extent necessary to allow **clinical nurse specialists, specialist assistants, and substantially similar titles** certified and in current good standing in any state in the United States, or any province or territory of Canada, to practice in New York State without civil or criminal penalty related to lack of certification;
- Temporary Suspension and Modification of Education Law and Regulations to the extent necessary to allow **licensed master social workers, licensed clinical social workers, and substantially similar titles** licensed and in current good standing in any state in the United States, or in any province or territory of Canada, to practice in New York State without civil or criminal penalty related to lack of licensure;
- Temporary Suspension and Modification of Education Law and Regulations to the extent necessary to allow **specialist assistants, respiratory therapists, respiratory therapist technicians, pharmacists, clinical nurse specialists, dentists, dental hygienists, registered dental assistants, midwives, perfusionists, clinical laboratory technologists, cytotechnologists, certified clinical laboratory technicians, certified histological technicians, licensed clinical social workers, licensed master social workers, podiatrists, physical therapists, physical therapist assistants, mental health counselors, marriage and family therapists, creative arts therapists, psychoanalysts and psychologists** who have an unencumbered license and are currently in good standing in New York State but not registered in New York State to practice in New York State without civil or criminal penalty related to lack of registration;
- Temporary Suspension and Modification of Education Law and Regulations to the extent necessary to permit **graduates of State Education Department registered, licensure qualifying nurse practitioner education programs** to be employed to practice nursing in a hospital or nursing home for 180 days immediately following successful completion of a New York State Registered licensure qualifying education program, provided that the graduate files with the State Education Department an application for certification as a nurse practitioner;
- Temporary Suspension and Modification of Education Law and Regulations to the extent necessary to permit **graduates of State Education Department registered, licensure qualifying clinical laboratory technology and clinical laboratory technician education programs** to be employed to practice for 180 days immediately following successful completion of a New York State Registered licensure qualifying education program, in a clinical laboratory with a valid New York State permit,

provided that the graduate files an application for a New York State clinical laboratory practitioner license and limited permit;

- Temporary Suspension and Modification of Education Law and Regulations to the extent necessary to extend the triennial registrations of **pharmacy establishments** who are currently registered and whose registration is set to expire on or after March 31, 2020. An application for re-registration of such registrations shall be submitted no later than 30 days after expiration of Executive Order 202;
- Temporary Suspension and Modification of Education Law and Regulations to the extent necessary to extend the triennial renewal of **certificates of authorizations of domestic or foreign professional service corporations, design professional service corporations, professional service limited liability companies, foreign professional service limited liability companies, registered professional limited liability partnerships, New York registered professional foreign limited liability partnerships, partnerships and joint enterprises specified in Education Law §7209(4) authorized to provide professional engineering, land surveying or professional geology services** whose certificates of authorizations are set to expire on or after March 31, 2020. The application for the renewal of such certificates of authorization shall be submitted no later than 30 days after the expiration of Executive Order 202;
- Temporary Suspension and Modification of Education Law and Regulations to the extent necessary to extend the waivers for certain **special education schools and early intervention programs providing certain professional services** whose waivers are set to expire on or after March 31, 2020. An application for renewal of such waivers shall be submitted no later than 30 days after expiration of Executive Order 202;
- Temporary Suspension and Modification of Education Law and Regulations to the extent necessary to permit **pharmacy technicians** and **pharmacists** to practice at an alternative location, including their home, as long as there is adequate security to prevent any Personal Health Information from being compromised;
- Temporary Suspension and Modification of Education Law and Regulations to the extent necessary to allow **clinical laboratory practitioners** to perform testing in a clinical laboratory under remote supervision, provided a supervisor is on-site at least eight hours per week.

**EO #202.16 - Extended until July 5, 2021 by EO #202.110 unless noted below**

- **MODIFIED AND EXTENDED BY EO #202.82 (See above)** - Temporary Suspension and Modification of Education Law and Regulations to the extent necessary to permit **individuals to perform testing** for the detection of SARS-CoV-2, or its antibodies, in specimens collected from individuals suspected of suffering from a COVID-19 infection; **individuals performing testing** must meet the federal requirements for testing personnel appropriate to the assay or device authorized by the FDA or the New York State Department of Health.

**EO #202.15 - Extended until July 5, 2021 by EO #202.110**

- Temporary Suspension and Modification of Education Law and Regulations to the extent necessary to permit a **manufacturer, repacker, or wholesaler of prescription drugs or devices**, physically located outside of New York and not registered in New York, but licensed and/or registered in any other state, may deliver into New York, prescription drugs or devices;
- Temporary Suspension and Modification of Education Law and Regulations to the extent necessary to allow that a New York-licensed **pharmacy** may receive drugs and medical supplies or devices from an unlicensed **pharmacy, wholesaler, or third-party logistics provider** located in another state to alleviate a temporary shortage of a drug or device that could result in the denial of health care under the following conditions:
  - The unlicensed location is appropriately licensed in its home state, and documentation of the license verification can be maintained by the New York **pharmacy**.
  - The **pharmacy** maintains documentation of the temporary shortage of any drug or device received from any **pharmacy, wholesaler, or third-party logistics provider** not licensed in New York.
  - The **pharmacy** complies with all record-keeping requirements for each drug and device received from any **pharmacy, wholesaler, or third-party logistics provider** not licensed in New York.
  - All documentation and records required above shall be maintained and readily retrievable for three years following the end of the declared emergency.
  - The drug or device was produced by an authorized FDA registered drug manufacturer.
- Temporary Suspension and Modification of Education Law and Regulations to the extent necessary to allow **individuals, who graduated from registered or accredited medical programs located in New York State in 2020**, to practice medicine in New York State, without the need to obtain a license and without civil or criminal penalty related to lack of licensure, provided that the practice of medicine by such graduates shall in all cases be supervised by a **physician** licensed and registered to practice medicine in the State of New York.

- Temporary Suspension and Modification of Education Law and Regulations to the extent necessary to allow **respiratory therapy technicians** licensed and in current good standing in any state in the United States to practice in New York State without civil or criminal penalty related to lack of licensure.
- Temporary Suspension and Modification of Education Law and Regulations to the extent necessary to allow **mental health counselors, marriage and family therapists, creative arts therapists and psychoanalysts** licensed and in current good standing in any state in the United States to practice in New York State without civil or criminal penalty related to lack of licensure.

**EO #202.14 - Extended until July 5, 2021 by EO #202.110**

- Temporary Suspension and Modification of Education Law and Regulations to the extent necessary to allow any **physician** who will graduate in 2020 from an academic medical program accredited by a medical education accrediting agency for medical education by the Liaison Committee on Medical Education or the American Osteopathic Association, and has been accepted by an Accreditation Council for Graduate Medical Education accredited residency program within or outside of New York State to practice at any institution under the supervision of a **licensed physician**.

**EO #202.11 - Extended until July 5, 2021 by EO #202.110 unless noted below**

- Temporary Suspension and Modification of Education Law and Regulations to the extent necessary to temporarily permit registered **resident pharmacies** and registered **resident outsourcing facilities** to compound certain alcohol-based hand sanitizer products, consistent with the Food and Drug Administration's Policy for Temporary Compounding of Certain Alcohol-Based Hand Sanitizer Products During the Public Health Emergency (March 2020)
- Temporary Suspension and Modification of Education Law and Regulations to the extent necessary to permit **pharmacy technicians** and **pharmacists** to practice at an alternative location, including their home, as long as there is adequate security to prevent any Personal Health Information from being compromised
- Temporary Suspension and Modification of Education Law and Regulations to permit **graduates of registered professional nurse and licensed practical nurse licensure qualifying education programs registered by the State Education Department** to be employed to practice nursing under the supervision of a registered professional nurse and with the endorsement of the employing hospital or nursing home for 180 days immediately following graduation;
- Temporary Suspension and Modification of Education Law and Regulations, and any other applicable state or local law, rule, or regulation, to the extent necessary to suspend the thirty-day requirement for submission of **certificates of residence** to community colleges in New York State, and to allow for electronic mail and mail by post applications for **certificates of residence** in every county for the duration of the COVID-19 emergency;
- Temporary Suspension and Modification of Education Law and Regulations to the extent necessary to allow **midwives** licensed and in current good standing in any state in the United States, or in any province or territory of Canada, to practice in New York State without civil or criminal penalty related to lack of licensure;
- **EXPIRED JULY 7, 2020 PURSUANT TO EO #202.48** - The directive contained in [Executive Order 202.10](#) related to restrictions on dispensing hydroxychloroquine or chloroquine for prophylactic purposes is amended as follows: No **pharmacist** shall dispense hydroxychloroquine or chloroquine except when written: as prescribed for an FDA-approved indication; for an indication supported by one or more citations included or approved for inclusion in the compendia specified in 42 U.S.C. 1396r-8(g)(1)(B)(i); for patients in inpatient settings and acute settings; for residents in a subacute part of a skilled nursing facility; or as part of an study approved by an Institutional Review Board. Any person authorized to prescribe such medications shall denote on the prescription the condition for which the prescription has been issued.
- Any guidance issued by the New York State Department of Health related to prevention and infection control of COVID-19 shall be effective immediately and shall supersede any prior conflicting guidance issued by the New York State Department of Health and any guidance issued by any local board of health, any local department of health, or any other political subdivision of the State related to the same subject.

**EO #202.10 - Extended until July 5, 2021 by EO #202.110 unless noted below**

- **EXPIRED May 8, 2020 pursuant to EO #202.28** - Temporary Suspension and Modification of Regulations to permit an **advanced practice registered nurse** with a doctorate or master's degree specializing in the administration of anesthesia administering anesthesia in a general hospital without the supervision of a qualified physician in these health care settings;
- Temporary Suspension and Modification of Regulations to permit an **advanced practice registered nurse** with a doctorate or master's degree specializing in the administration of anesthesia administering anesthesia in a free-standing ambulatory surgery center without the supervision of a qualified physician in these health care settings;

- **MODIFIED AND EXTENDED BY EO #202.82 (See above)** - Temporary Suspension and Modification of Education law and Regulations to permit a **physician assistant** to provide medical services appropriate to their education, training and experience without oversight from a supervising physician without civil or criminal penalty related to a lack of oversight by a supervising physician;
- Temporary Suspension and Modification of Education law and Regulations to permit a **specialist assistant** to provide medical services appropriate to their education, training and experience without oversight from a supervising physician without civil or criminal penalty related to a lack of oversight by a supervising physician;
- **MODIFIED AND EXTENDED BY EO #202.82 (See above)** - Temporary Suspension and Modification of Education law and Regulations to permit a **nurse practitioner** to provide medical services appropriate to their education, training and experience, without a written practice agreement, or collaborative relationship with a physician, without civil or criminal penalty related to a lack of written practice agreement, or collaborative relationship, with a physician;|
- **EXPIRED May 8, 2020 pursuant to EO #202.28** - Temporary Suspension and Modification of Education law and Regulations to the extent necessary to provide that all **physicians, physician assistants, specialist assistants, nurse practitioners, licensed registered professional nurses and licensed practical nurses** shall be immune from civil liability for any injury or death alleged to have been sustained directly as a result of an act or omission by such medical professional in the course of providing medical services in support of the State's response to the COVID-19 outbreak, unless it is established that such injury or death was caused by the gross negligence of such medical professional;
- Any healthcare facility is authorized to allow **students, in programs to become licensed in New York State to practice as a healthcare professional**, to volunteer at the healthcare facility for educational credit as if the student had secured a placement under a clinical affiliation agreement, without entering into any such clinical affiliation agreement;
- **EXPIRED May 8, 2020 pursuant to EO #202.28** - Notwithstanding any law or regulation to the contrary, **health care providers** are relieved of recordkeeping requirements to the extent necessary for health care providers to perform tasks as may be necessary to respond to the COVID-19 outbreak, including, but not limited to, requirements to maintain medical records that accurately reflect the evaluation and treatment of patients, or requirements to assign diagnostic codes or to create or maintain other records for billing purposes. Any person acting reasonably and in good faith under this provision shall be afforded absolute immunity from liability for any failure to comply with any recordkeeping requirement. In order to protect from liability any person acting reasonably and in good faith under this provision, requirements to maintain medical records under Subdivision 32 of Section 6530 of the Education Law, Paragraph (3) of Subdivision (a) of Section 29.2 of Title 8 of the NYCRR, and Sections 58-1.11, 405.10, and 415.22 of Title 10 of the NYCRR, or any other such laws or regulations are suspended or modified to the extent necessary for health care providers to perform tasks as may be necessary to respond to the COVID-19 outbreak;
- Temporary Suspension and Modification of Education law and Regulations to the extent necessary to remove limits on working hours for **physicians** and postgraduate trainees;
- Temporary Suspension and Modification of Education law and Regulations to the extent necessary to allow **graduates of foreign medical schools** having at least one year of graduate medical education to provide patient care in hospitals, is modified so as to allow such graduates without licenses to provide patient care in hospitals if they have completed at least one year of graduate medical education. Such graduates are required to have limited permits, see <http://www.op.nysed.gov/prof/med/medlic.htm#limit>.
- Temporary Suspension and Modification of Education law and Regulations to the extent necessary to allow **respiratory therapists** licensed and in current good standing in any state in the United States to practice in New York State without civil or criminal penalty related to lack of licensure;
- Temporary Suspension and Modification of Education law and Regulations to the extent necessary to allow **physician's assistants** licensed and in current good standing in New York State but not registered in New York State to practice in New York State without civil or criminal penalty related to lack of registration;
- Temporary Suspension and Modification of Education law and Regulations to the extent necessary to allow **registered professional nurses, licensed practical nurses and nurse practitioners** licensed and in current good standing in New York State but not registered in New York State to practice in New York State without civil or criminal penalty related to lack of registration;
- **MODIFIED AND EXTENDED BY EO #202.82 (See above)** - Temporary Suspension and Modification of Education law and Regulations to the extent necessary to permit **registered nurses** to order the collection of throat or nasopharyngeal swab specimens from individuals suspected of being infected by COVID-19, for purposes of testing; and
- Temporary Suspension and Modification of Education law and Regulations to the extent necessary to permit a **certified or registered pharmacy technician**, under the direct personal supervision of a licensed pharmacist, to assist such licensed **pharmacist**, as directed, in compounding, preparing, labeling, or dispensing of drugs used to fill valid prescriptions or medication orders for a home infusion

provider licensed as a pharmacy in New York, compliant with the United States Pharmacopeia General Chapter 797 standards for Pharmaceutical Compounding – sterile preparations, and providing home infusion services through a home care agency licensed under Article 36 of the Public Health Law.

- Any healthcare facility is authorized to allow **students, in programs to become licensed in New York State to practice a healthcare profession**, to volunteer at the healthcare facility for educational credit as if the student had secured a placement under a clinical affiliation agreement, without entering into any such clinical affiliation agreement;
- EXPIRED JULY 7, 2020 PURSUANT TO EO #202.48** - No **pharmacist** shall dispense hydroxychloroquine or chloroquine except when written as prescribed for an FDA-approved indication; or as part of a state approved clinical trial related to COVID-19 for a patient who has tested positive for COVID-19, with such test result documented as part of the prescription. No other experimental or prophylactic use shall be permitted, and any permitted prescription is limited to one fourteen-day prescription with no refills.

#### **EO #202.8 - Extended until July 5, 2021 by EO #202.110**

- Effective on March 22 at 8 p.m.: All businesses and not-for-profit entities in the state shall utilize, to the maximum extent possible, any telecommuting or work from home procedures that they can safely utilize. Each employer shall reduce the in-person workforce at any work locations by 100% no later than March 22 at 8 p.m. Any essential business or entity providing essential services or functions shall not be subject to the in-person restrictions. An entity providing essential services or functions whether to an essential business or a non-essential business shall not be subjected to the in-person work restriction but may operate at the level necessary to provide such service or function. A list of areas deemed essential at this time is available [here](#).

#### **EO #202.7 - Extended until July 5, 2021 by EO #202.110**

- Temporary Suspension and Modification of Education law and Regulations to any notarial act that is required under New York State law to allow authorization to be performed utilizing audio-video technology provided that [certain conditions](#) are met.

#### **EO #202.5 - Extended until July 5, 2021 by EO #202.110**

- Temporary Suspension and Modification of Education law and Regulations to allow **physicians** licensed and in current good standing in any state in the United States to practice medicine in New York State without civil or criminal penalty related to lack of licensure.
- Temporary Suspension and Modification of Education law and Regulations to allow **physicians** licensed and in current good standing in New York State but not registered in New York State to practice in New York State without civil or criminal penalty related to lack of registration.
- Temporary Suspension and Modification of Education law and Regulations to allow **registered nurses, licensed practical nurses, and nurse practitioners** licensed and in current good standing in any state in the United States to practice in New York State without civil or criminal penalty related to lack of licensure.
- Temporary Suspension and Modification of Education law and Regulations to allow **physician assistants** licensed and in current good standing in any state in the United States to practice in New York State without civil or criminal penalty related to lack of licensure.

#### **EO #202.1 - Extended until July 5, 2021 by EO #202.110 unless noted below**

- MODIFIED AND EXTENDED BY EO #202.82 (See above)** - Temporary Suspension and Modification of Education law and Regulations 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 executive order to collect throat or nasopharyngeal swab specimens from individuals suspected of suffering from a COVID-19 infection, for purposes of testing, or to perform such other tasks as may be necessary to provide care for individuals diagnosed or suspected of suffering from a COVID-19 infection.
- Temporary Suspension of Public Officers Law to the extent necessary to permit any public body to meet and take such actions authorized by the law without permitting in public in-person access to meetings and authorizing such meetings to be held remotely by conference call or similar service, provided that the public has the ability to view or listen to such proceeding and that such meetings are recorded and later transcribed.

#### **EO #202 - Extended until July 5, 2021 by EO #202.110 unless noted below**

- MODIFIED AND EXTENDED BY EO #202.82 (See above)** - Temporary Suspension and Modification of Education law to permit unlicensed individuals, upon completion of training deemed adequate by the Commissioner of Health, to collect throat or nasopharyngeal swab specimens from individuals suspected of being infected by COVID-19, for purposes of testing; and to the extent necessary to permit non-nursing staff, upon completion of training deemed adequate by the Commissioner of Health,

to perform tasks, under the supervision of a nurse, otherwise limited to the scope of practice of a **licensed or registered nurse**.

- Temporary Suspension and Modification of Education law and Regulations to permit **individuals who meet the federal requirements for high complexity testing** to perform testing for the detection of SARS-CoV-2 in specimens collected from individuals suspected of suffering from a COVID-19 infection.
- **MODIFIED AND EXTENDED BY EO #202.82 (See above)** - Temporary Suspension and Modification of Education law and Regulations 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 executive order to collect throat or nasopharyngeal swab specimens from individuals suspected of suffering from a COVID-19 infection, for purposes of testing, or to perform such other tasks as may be necessary to provide care for individuals diagnosed or suspected of suffering from a COVID-19 infection.