

ADVISORY

FROM THE COMMISSIONER OF HEALTH & MENTAL HYGIENE OF THE CITY OF NEW YORK

WHEREAS, on March 25, 2020, the New York City Commissioner of Health and Mental Hygiene declared the existence of a public health emergency within the City to address the continuing threat posed by COVID-19 to the health and welfare of City residents, and such declaration and public health emergency continue to be in effect; and

WHEREAS, three COVID-19 vaccines have been authorized for use in the United States by the U.S. Food and Drug Administration: 1) Pfizer-BioNTech, 2) Moderna and 3) Johnson & Johnson/Janssen, and these vaccines have been shown to be highly safe and effective in protecting people from severe COVID-19 illness, hospitalization and death, and millions of doses of vaccine have been and continue to be administered in the City and across the U.S.; and

WHEREAS, vaccination is the single most important public health intervention available for COVID-19 disease and COVID-19 vaccine information and doses have become more readily available for administration and all medically-eligible City residents age 12 and above are able to be vaccinated; and

WHEREAS, the greater the number of people vaccinated, the greater the likelihood of reduced transmission, hospitalization and deaths; and

WHEREAS, health care providers are uniquely positioned to offer information and guidance to their patients; and

WHEREAS, informing and encouraging patients to get vaccinated against COVID-19 can serve as an important and effective tool to achieve greater levels of vaccination throughout the City, and thereby protect public health; and

WHEREAS, health care providers, such as inpatient or outpatient providers in a general hospital or diagnostic and treatment center, and physicians, physician assistants and nurse practitioners providing primary care, are required to offer certain diagnostic and screening tests to patients in the treatment of certain diseases¹; and

THEREFORE, YOU ARE HEREBY PROVIDED NOTICE THAT:

Covered health care providers (as defined below) serving patients in New York City are advised to offer their unvaccinated patients information on the efficacy, availability and administration of COVID-19 vaccination on each patient visit. The covered health care provider may offer such information personally or through a designee. If a patient or the patient's parent or legal guardian agrees to receive a COVID-19 vaccination, the covered health care provider or designee shall offer to administer the vaccine to the patient, if authorized and able to do so, or refer the patient to a health care provider who can administer the vaccine to the patient.

¹ See, NYS Public Health Law Sections 2171 and 2781-a requiring designated providers to offer diagnostic and screening tests to their patients for the treatment of hepatitis-C and HIV diseases.

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For purposes of this Advisory, “covered health care providers” include physicians, physician assistants, nurse practitioners and midwives serving patients ages 12 and over in inpatient hospitals, emergency departments, outpatient clinics and primary care offices in accordance with guidance from the Department of Health and Mental Hygiene (“Department”).

Covered health care providers shall document providing such vaccination information, and the offer or referral, in the patient’s medical record for each patient visit. If the patient is being treated as an inpatient and has multiple treating providers, then the primary provider shall provide such vaccine information and ensure documentation of such vaccination information and offer or referral is entered into the patient’s medical record. Additional guidance and provider resources are available at the Department’s website (<https://www1.nyc.gov/site/doh/covid/covid-19-providers.page>).