

RMS End of Week Update 9/5/2025



Governor Hochul Issues Executive Order 52 To Allow Access To The COVID-19 Vaccine That Has Been Limited By The Federal Government

This morning Governor Hochul issued Executive Order 52 which declares a disaster in the state of NY due to federal actions related to vaccine access. With the availability of COVID shots under imminent threat, the Governor's [Executive Order](#) will allow pharmacists to administer COVID vaccines, providing access for all New Yorkers who wish to be vaccinated. The Executive Order will be in place for at least 30 days while a long-term legislative solution is developed to address access to all vaccines.

"I promised New Yorkers that their family would be my fight. In the absence of federal leadership, we must do everything we can to ensure that New Yorkers have access to the vaccines and preventative healthcare they have come to rely on," Governor Hochul said. "By signing this executive order, we are sending a clear message that when Washington Republicans play politics with public health, New Yorkers can still get the care they need, close to home, from trusted providers in their own communities."

New York State Health Commissioner Dr. James McDonald said, "Governor Hochul's Executive Order provides access to the COVID vaccine for New Yorkers who choose to get vaccinated, sets us up for a smoother transition to the updated 2025-26 vaccine and restores pharmacies as a vital part of our vaccination network. While New York State

does not require COVID vaccines, vaccination remains one of the most effective tools we have to prevent serious illness, hospitalization, and death from COVID.”

The Trump Administration’s Federal Vaccine Restrictions

Most pharmacies in New York rely on “standing orders” — non-patient-specific prescriptions that give them authority to administer vaccines to broad groups of people. These standing orders are typically based on recommendations from the federal Advisory Committee on Immunization Practices (ACIP). Just this summer, the federal government pulled more than \$500 million in mRNA vaccine funding — undoing what had once been considered a signature achievement of the first Trump Administration — creating further uncertainty around access.

In June, U.S. Health and Human Services Secretary Robert F. Kennedy Jr. replaced a majority of ACIP members with individuals known to oppose vaccination. Since then, ACIP has not issued updated guidance for the 2025-26 COVID vaccine and is not scheduled to meet until September 18.

Without that federal guidance, many pharmacies in New York began restricting access to the COVID vaccine, particularly for:

- Children ages 3–17
- Pregnant people
- Adults under age 65 without underlying conditions

Governor Hochul’s Executive Order addresses this gap by declaring a 30-day statewide emergency and expanding who can prescribe and administer COVID vaccines. The EO allows physicians and nurse practitioners to issue patient-specific or non-patient-specific orders to pharmacists for patients as young as age three, expands pharmacists’ authority to administer vaccines to children under 18, and, for the first time, permits pharmacists to prescribe COVID vaccines themselves. Together, these actions ensure that all eligible New Yorkers — including children, pregnant people, and healthy adults under 65 — can continue to receive COVID vaccinations at their local pharmacy without delay.

The Executive Order is part of Governor Hochul's long-term strategy to protect access to vaccinations in New York. The Governor will begin working with the Legislature on a legislative solution that will ensure permanent and continuing access to vaccines, including administration of vaccines by health care professionals, school immunization schedules, and insurance coverage of vaccines.

The Executive Order Will Do The Following:

- Allow physicians and nurse practitioners to prescribe and order a patient-specific or non-patient-specific regimen for pharmacists to administer COVID vaccines to patients age three or older.

- Authorize pharmacists to administer COVID vaccines to patients age three or older pursuant to a patient-specific or non-patient-specific order.
- Allow pharmacists to prescribe and order COVID vaccines for patients age three or older — a new authority that enables them to prescribe off-label.

To support this expansion, Commissioner McDonald will also be issuing a standing order for the COVID vaccine, ensuring that pharmacists statewide can continue to provide timely and convenient access. In the coming days, Commissioner McDonald and the Department of Health will issue detailed guidance to support pharmacies, clinicians and other vaccine administrators.

New York is also working in coordination with — and helping to lead — a regional multi-state public health collaboration among Northeast states, which brings together public health leaders across the region to develop evidence-based recommendations and approaches on vaccination, disease surveillance, and emergency preparedness. The collaborative also supports state public health laboratories in sharing resources and expertise to strengthen regional readiness.

The Community Pharmacy Association of NYS, released the following statement by President of the Community Pharmacy Association of NYS, Mike Duteau RPh lauding the executive order for providing unhindered patient access to COVID-19 vaccine:

“With COVID-19 prevalent in the State and cases on the rise, we applaud the leadership of Governor Kathy Hochul for taking decisive action to ensure that New Yorkers can access the latest vaccines to prevent COVID-19 at their local pharmacies, without any delays or barriers. We are grateful to the Governor and her Administration for issuing an Executive Order so the COVID-19 vaccine can be given to children and adults aged three and older, and directly by their licensed pharmacist. This action should also make it clear that insurance companies must cover the cost of vaccines in New York State.”

“Given the recent federal changes and confusion regarding COVID-19 vaccines, there is a critical and time-sensitive need to ensure that New Yorkers have unobstructed access to the updated vaccine. We encourage all New Yorkers to talk to their local pharmacist about receiving the FDA-approved COVID-19 vaccines, so they are protected during this respiratory season through disease-preventing vaccination.”

To view the Executive Order please click [here](#).

To view the Governors full press release please click [here](#).

A PPL Vice President Admitted Pre-Contract Talks Between The PPL And NY's Health Department, After Denying It Under Oath

According to an [article](#) release by NY Focus this morning a letter was released this morning that was addressed to Senator Rivera and Senator Skoufis, which Senator

Skoufis' office shared with New York Focus, in which PPL vice president Patty Byrnes conceded that her testimony given in a recent hearing regarding the transition to PPL was not accurate.

At that hearing Senator Skoufis asked Byrnes whether there had been any contact between the company and state government before the law, which consolidated the Consumer Directed Personal Assistance Program to a single fiscal intermediary, was changed in last year's state budget.

"The CEO down to you, down to every other employee at the firm, did not have one single phone call, email, text, any conversation prior to enactment of the budget in May?" Skoufis asked her.

"Correct," Byrnes responded under oath.

In the letter released this morning Byrnes acknowledged that PPL had "general communications with DOH staff" in "late March and early April," the weeks immediately before the law was changed that allowed ppl to win the contract.

This is the first time the company has confirmed it was in communication with the Health department, but it's not exactly a surprise. Earlier drafts of the legislation overhauling the home care program would have awarded the contract to ppl without a bidding process, Senator Skoufis has noted.

"This complete reversal of PPL's testimony confirms the serious doubts I've held about the accuracy of their statements under oath," Senator Skoufis told New York Focus in a statement, adding that he plans to meet with legislative leadership to determine next steps in investigating "what the Department of Health and PPL knew and when they knew it."

Governor Hochul spokesperson Sam Spokony denied that there was any collusion between the state and PPL.

"The shift to a single fiscal intermediary went through a standard procurement process at DOH, following the law passed by the State Legislature — and no State officials knew who would be selected until the procurement process was complete," he said.

To view the full article please click [here](#).

To view the letter please click [here](#).

Governor Hochul Announces Largest Criminal Vape Enforcement Action In New York History

Earlier this week, Governor Hochul announced the largest criminal vape enforcement action in New York State history, resulting in over a dozen arrests and a total of 38

criminal charges for illegally shipping vaping products in violation of state law. The sweeping crackdown on the vape industry in New York, led by the New York State Department of Health in partnership with the New York State Police, targeted businesses and their owners that operate online vape shops and distribution networks located across the state, from Western New York to Long Island.

“These companies built their business models around breaking New York’s laws and targeting our kids — now, we’re holding them accountable,” Governor Hochul said. “With the largest criminal vape enforcement operation in state history, New York is sending a message: if you sell vapor products in violation of our laws, you will face serious consequences.”

Based on a months-long investigation by the Department of Health’s Bureau of Investigations that included undercover online buys, the New York State Police charged the vape dealers with Unlawful Shipment and Transport of Vapor Products, a class A misdemeanor. According to the Public Health Law, any second or subsequent unlawful shipment and transport of vapor products following a conviction would be a class E felony. Many of the illicit shipments included bright-colored disposable e-cigarettes and e-liquids in flavors that appeals to adolescents, such as fruit, candy, soda and dessert flavors, marketed through websites, social media and mobile apps. Some included disposable vapes that come equipped with digital display screens and other tech-savvy features similar to smart phones, handheld video games and other electronic devices popular among children, teens and young adults.

The defendants are presumed innocent unless and until proven guilty in a court of law. New York State Health Commissioner Dr. James McDonald said, “The widespread availability of e-cigarettes and vapor products poses significant public health challenges, with particularly alarming consequences for adolescents such as addiction and damage to their developing brains and lungs. These arrests are a direct result of the state's dedication to decreasing vaping, especially among young people. Thanks to the work of the Department's Bureau of Investigations and our partners at the Schenectady County District Attorney's Office and the New York State Police, we are making it clear that violating laws meant to protect the health of New Yorkers, and children in particular, will not be tolerated.”

Enforcement Highlights:

- 12 businesses targeted for unlawfully shipping vapor products in New York in connection with online sales.
- 28 criminal charges filed to date; 10 further charges pending.
- Additional arrests and arrest warrants planned this week.

The impacted businesses, some with brick-and-mortar stores open to the public, are located throughout Western New York, Central New York, Mohawk Valley, the Capital Region, New York City and Long Island.

In New York State, it is illegal to sell flavored vapor products at retail, sell vapor products to anyone under 21 years old, and to ship, or cause to be shipped, vapor products to consumers and unlicensed businesses. Public Health Law prescribes various civil and criminal penalties for violations.

Despite the law, bad actors have continued to exploit online platforms to deliver products directly to New York homes, often bypassing age verification and targeting minors. As students across New York prepare to return to the classroom, Governor Hochul emphasized this historic enforcement action is part of a broader strategy to protect health and safety this school year. At the state level multiple measures have been put in place to strengthen prevention and enforcement, including:

- Raising the legal age to 21 for the sale of tobacco and vaping products statewide, cutting off access for high school students.
- Increasing the state cigarette tax by \$1 per pack, effective September 1, 2023, to make smoking and vaping less affordable and less attractive to youth.
- Directing settlement funds from JUUL Labs toward education, prevention and enforcement initiatives across New York, with millions of dollars supporting schools and local health agencies.

In addition to law enforcement actions, the New York State Department of Health continues to lead prevention and cessation efforts to reduce youth vaping and support New Yorkers who want to quit. These initiatives include school-based education, public awareness campaigns and tailored quit resources for both adults and teens. New Yorkers seeking help quitting can access the following free resources:

- NYS Quitline: Call 1-866-NY-QUITS (1-866-697-8487) or visit nysmokefree.com
- Text Support for Teens and Young Adults to Quit Vaping: Visit DropTheVape.com to get free, 24/7 confidential support and advice.
- OASAS HOPEline: Call 1-877-8-HOPENY (467369) or text HOPENY (467369) for support with nicotine or other substance use challenges

To view the full press release please click [here](#).

Governor Hochul Celebrates Universal School Meals Program in Effect During First Week of 2025-26 Academic School Year

Earlier today, Governor Hochul visited Manorhaven Elementary School on Long Island to celebrate the launch of New York's Universal School Meals Program during the first week of the 2025-26 school year. A cornerstone of the Governor's affordability agenda,

the Universal School Meals Program ensures every single one of New York's 2.7 million students receive free breakfast and lunch at school, addressing food insecurity in the classroom and driving down costs for families by an average of \$165 per kid per month.

“At the center of my affordability agenda, the Universal School Meals Program puts money back in New Yorkers’ pockets by providing every child with free breakfast and lunch in school, no questions asked,” Governor Hochul said. “No kid should go hungry in the classroom, and no parent should have to stretch their budget to pack a lunch. I'm proud that starting this school year, New York is taking that burden off of our families.”

Offering free school meals is a proven and effective way to help keep kids in school and able to focus in the classroom. Additionally, free school meals are estimated to save families \$165 per child in grocery spending each month and have been shown to support learning, boost test scores, and improve attendance and classroom behavior.

The FY26 Enacted Budget included \$340 million for school meals, a \$160 million year-to-year increase, and requires all school districts, charter schools, and nonpublic schools that participate in the national school lunch and breakfast program to provide free breakfast and lunch meals to all students regardless of their families’ income. The Governor’s 2025 State of the State initiative thereby reduces costs for families and ensures no student goes hungry at school. Under this initiative, the State will pay the student’s share of costs for all meals served to students not already receiving free meals, expanding eligibility for free meals to roughly 280,000 additional students.

To view the full press release please click [here](#).

NYS Department Of Environmental Conservation Announces Leadership Appointments

New York State Department of Environmental Conservation (DEC) Commissioner Amanda Lefton this week announced four key appointments to leadership positions.

“I am pleased to announce three key promotions and an exceptional addition to DEC’s leadership team that will ensure our continued success protecting the environment and serving New Yorkers with compassion and integrity,” Commissioner Lefton said. “DEC is proud to welcome Sanjay Seth and to elevate Patrick Foster, Logan Hardy, and Emily Lenney to build on their valuable contributions at a time when our team is working harder than ever to safeguard New York’s air, land, and water.”

The appointments are:

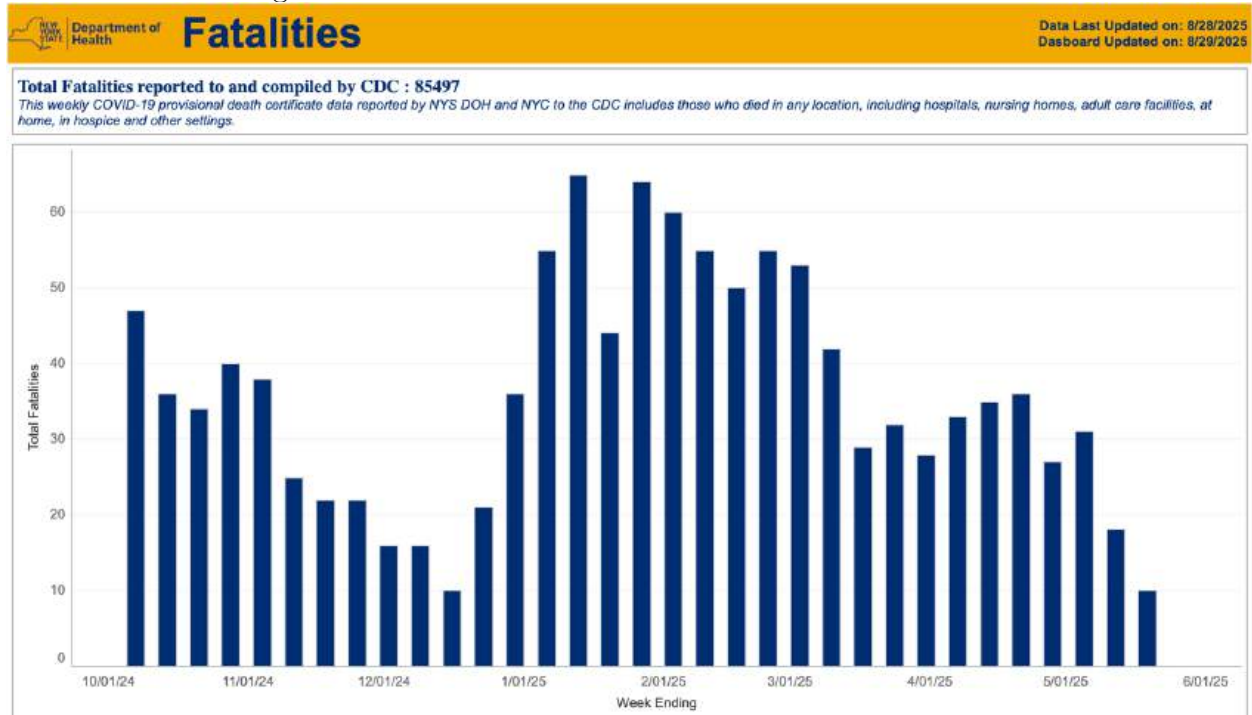
- Sanjay Seth, Deputy Commissioner for Climate, Air, and Energy
- Patrick Foster, Deputy Commissioner for Sustainable Development
- Logan Hardy, Director of Office of State Legislative Affairs
- Emily Lenney, Deputy Director of Office of State Legislative Affairs

NYS COVID-19 Monitoring Dashboard

Use this link to view the State's updated [COVID-19 Hub](#).

NYS COVID-19 Fatalities Tracker

Below we have included the Fatalities Tracker with the webpage where updated numbers can be found throughout the week linked [here](#).



Helpful Links and Resources

[Empire State Development Tariff Resource Guide](#)

[Eliminating Distractions In Schools Resource](#)

[RMS Final Budget Tax/Revenue Table](#)

[RMS SFY 2025-26 Final Budget H/MH Summary](#)

[Center for Disease Control and Prevention](#)

[Department of Financial Services information and resources](#)

[New York COVID-19 Vaccine Information Page](#)

Department of Health

<https://coronavirus.health.ny.gov/home>

[COVID-19 Guidance for Medicaid Providers](#)

Office of Mental Health

<https://omh.ny.gov/omhweb/covid-19-resources.html>

OPWDD

<https://opwdd.ny.gov/coronavirus-guidance>

State Education Department

<http://www.op.nysed.gov/COVID-19.html>

NYS Department of Labor

<https://dol.ny.gov/>