



LINDA B. ROSENTHAL  
Assemblymember 67<sup>th</sup> District

THE ASSEMBLY  
STATE OF NEW YORK  
ALBANY

CHAIR  
Committee on Housing

COMMITTEES  
Agriculture  
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Health

MEMBER  
Task Force on Women's Issues  
Legislative Women's Caucus

September 3, 2025

The Honorable Kathy Hochul  
Governor of New York State  
NYS State Capitol Building  
Albany, NY 12224

Dear Governor Hochul:

I am writing to urge the New York State Department of Health to issue a non-patient specific standing order allowing pharmacists to administer the 2025-2026 formulation of the Pfizer-BioNTech, Moderna and Novavax COVID-19 vaccines.

As we all saw, the U.S Secretary of Health and Human Services, Robert F. Kennedy, Jr., made the dangerous decision to restrict access to the COVID-19 vaccine to people aged 65 years and older, as well as to those with underlying medical conditions, undermining longstanding public health initiatives here in New York and across the country. Medical professionals, public health experts and pharmacists have decried the move.

My office is being inundated with calls from concerned constituents who are desperate to be protected against the coronavirus. Both Walgreens and CVS have said that they will administer this year's COVID-19 vaccine only if New Yorkers have a medical prescription. In 2024 and in years past, the state has issued non-specific standing orders allowing the administration of various COVID-19 vaccinations. While guidance for standing orders can be issued by the federal Advisory Committee on Immunization Practices, the New York State Constitution empowers the state to protect the public health of its residents, which was done in 2014 when the Department of Health issued a non-patient specific standing order for the administration of naloxone in the absence of federal guidance.

Secretary Kennedy's actions are doing untold harm to the public health and his diatribes against vaccines is deadly. It would be beneficial for the state to not only approve non-patient specific standing orders for the COVID-19 vaccine, but for other vaccines that will eventually be on the federal chopping block. It is also imperative that New York State direct insurance companies to continue covering the cost of COVID-19 vaccines.

We cannot afford to play a partisan game when it comes to New York's public health, which is why I urge you to do everything possible to uphold our commitment to modern science and public health.

Sincerely,

Linda B. Rosenthal  
Member of Assembly – 67<sup>th</sup> District