State of New York

Executive Chamber

No. 202.86

EXECUTIVE ORDER

Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency

WHEREAS, on March 7, 2020, I issued Executive Order Number 202, declaring a State disaster emergency for the entire State of New York; and

WHEREAS, both travel-related cases and community contact transmission of COVID-19 have been documented in New York State and are expected to continue;

NOW, THEREFORE, I, ANDREW M. CUOMO, Governor of the State of New York, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to temporarily suspend or modify any statute, local law, ordinance, order, rule, or regulation, or parts thereof, of any agency during a State disaster emergency, if compliance with such statute, local law, ordinance, order, rule, or regulation would prevent, hinder, or delay action necessary to cope with the disaster emergency or if necessary to assist or aid in coping with such disaster, or to provide any directive necessary to respond to the disaster, do hereby temporarily suspend or modify the following from the date of this Executive Order through January 27, 2021:

- Sections 6502, 6524, 6905, 6906 and 6910 of the education law and Part 59.8 of Title 8 of the NYCRR 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;

- Section 12 of the Public Health Law is hereby modified for purposes of permitting the Department to assess the civil penalties established in this Executive Order;

IN ADDITION, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to issue any directive during a disaster emergency necessary to cope with the disaster, I hereby issue the following directives for the period from the date of this Executive Order through January 27, 2021:

- To ensure that the State has complete and accurate information about who is receiving the State's currently limited quantity of vaccine, and to inform the State's efforts to understand the regions and communities that are receiving the vaccine, healthcare providers shall require any person who is receiving the vaccine to provide information, including but not limited to an attestation that they are a member of a specific priority group that has been determined by the Department of Health to be eligible for the vaccine, on a form to be determined by the Department of Health. Any licensed healthcare provider who administers the vaccine to an individual who has not certified to being a member of a priority group or where such provider otherwise has knowledge that the individual is not a member of the priority group may be subject to civil penalties of up to one million dollars per dose administered and/or the revocation of any state-issued license.

- Notwithstanding any provision of law, nor concurrent resolution of both houses of the legislature to the contrary, the Comptroller shall not increase the rate of salary for any individual serving in the role of Commissioner, whose salary is set in the Executive Law, nor any individual who is holding statewide elected office, and due to be increased on January 1, 2021.

GIVEN under my hand and the Privy Seal of the State in the City of Albany this twenty-eighth day of December in the year two thousand twenty.

BY THE GOVERNOR

Secretary to the Governor