

**NEW YORK**  
state department of  
**HEALTH**

Nirav R. Shah, M.D., M.P.H.  
Commissioner

Sue Kelly  
Executive Deputy Commissioner

August 15, 2013

Dear Administrator:

The purpose of this letter is to inform you of the reporting requirements of New York Codes, Rules and Regulations, Title 10, Section 2.59 (10 NYCRR Section 2.59). 10 NYCRR Section 2.59 requires any healthcare facility, residential facility or agency licensed under Article 28 or Article 36 of the Public Health Law and any hospice established pursuant to Article 40 of the Public Health Law to document the number and percentage of personnel vaccinated against influenza for the current season and report these data to the New York State Department of Health (the Department). These entities will be required to complete and submit to the Department the Healthcare Personnel Influenza Vaccination Report. The report must be completed electronically on the Health Electronic Response Data System (HERDS) on the Health Commerce System (HCS) at <https://commerce.health.state.ny.us/>.

This year, there will be at least two Healthcare Personnel Influenza Vaccination Reports due to the Department. The first report will open on **November 1, 2013** and be due by **November 15, 2013**. A subsequent report will likely be due at the end of the influenza season. **Please ensure that a member of your staff has an HCS role prior to November 1, 2013.** Please contact your facility's HCS Coordinator to assign a staff member to an HCS role.

To assist your facility in data collection and in planning for the first report, a sample Healthcare Personnel Influenza Vaccination Report is attached. **Please note** that the report is not due at this time and will not open on the HCS until November 1, 2013. The Department will contact you with further information on accessing and completing the Healthcare Personnel Influenza Vaccination Report in the weeks before each report is due.

Questions about the Healthcare Personnel Influenza Vaccination Report should be directed to the New York State Department of Health Bureau of Immunization at either (518) 473-4437 or [immunize@health.state.ny.us](mailto:immunize@health.state.ny.us). Questions about the HCS should be directed to (518) 473-1809 or [hcsoutreach@health.state.ny.us](mailto:hcsoutreach@health.state.ny.us). Questions about 10 NYCRR Section 2.59 should be directed to [flumaskreg@health.state.ny.us](mailto:flumaskreg@health.state.ny.us). Further information regarding 10 NYCRR Section 2.59 is available on the Department website at [www.health.ny.gov/FluMaskReg](http://www.health.ny.gov/FluMaskReg).

Sincerely,

Lynn C. Berger, M.D., M.P.H.  
Director  
Bureau of Immunization

Enclosure