

EXECUTIVE ORDERS

Executive Order No. 29.5: Further Continuing the Temporary Suspension and Modification of Statutory and Regulatory Provisions Regarding the Administration of Vaccinations Against 2009 H1N1 Influenza and Seasonal Influenza.

WHEREAS, on October 28, 2009, I issued Executive Order No. 29 declaring a disaster emergency in the State of New York;

WHEREAS, section 29-a of the Executive Law authorizes the suspension, alteration and modification of specific provisions of statutes, local laws, ordinances, orders, rules or regulations, or parts thereof, if compliance with such provisions would prevent, hinder or delay action necessary to cope with a disaster emergency;

WHEREAS, Executive Order No. 29 authorized the suspension and modification of specified laws and regulations for the purpose of facilitating the timely distribution and administration of 2009 H1N1 influenza and seasonal influenza vaccinations to the people of the State of New York, and to protect and preserve health and prevent illness and death;

WHEREAS, Executive Order No. 29 expressly stated that it did not authorize any person to be vaccinated without his or her consent or the consent of another person legally authorized to consent on his or her behalf, did not authorize any minor to be vaccinated without the consent of a person in parental relation to the minor, and did not authorize the vaccination of any person under six months of age or for whom the 2009 H1N1 influenza or seasonal influenza is medically contraindicated, and set forth other terms and conditions associated with the suspension and modification of statutory and regulatory provisions;

WHEREAS, section 29-a of the Executive Law provides that no suspension shall be made for a period in excess of thirty days, provided, however, that upon reconsideration of all the relevant facts and circumstances, the suspension may be extended for additional periods not to exceed thirty days each;

WHEREAS, pursuant to section 29-a of the Executive Law, by Executive Order No. 29.1 issued on November 25, 2009, I extended the suspension and modification of statutory provisions ordered by Executive Order No. 29 through December 25, 2009;

WHEREAS, pursuant to section 29-a of the Executive Law, by Executive Order No. 29.2 issued on December 24, 2009, I extended through January 23, 2010, the suspension and modification of statutory provisions ordered by Executive Order No. 29 and extended by Executive Order No. 29.1;

WHEREAS, pursuant to section 29-a of the Executive Law, by Executive Order No. 29.3 issued on January 22, 2010, I extended through February 21, 2010, the suspension and modification of statutory provisions ordered by Executive Order No. 29 and extended by Executive Order Nos. 29.1 and 29.2; and

WHEREAS, pursuant to section 29-a of the Executive Law, by Executive Order No. 29.4 issued on February 18, 2010, I extended through March 20, 2010, the suspension and modification of statutory provisions ordered by Executive Order No. 29 and extended by Executive Order Nos. 29.1, 29.2 and 29.3;

NOW, THEREFORE, I, David A. Paterson, Governor of the State of New York, by virtue of the authority vested in me by the Constitutional and Laws of the State of New York, and after having reconsidered all the relevant facts and circumstances, do hereby order that the suspension and modification of statutory and regulatory provisions

ordered by Executive Order No. 29, as extended by Executive Order Nos. 29.1, 29.2, 29.3 and 29.4, shall continue through April 17, 2010, upon the same terms and conditions set forth in such Executive Order No. 29, including those enumerated above.

(L.S.)

GIVEN under my hand and the Privy Seal of the State in the City of Albany, this eighteenth day of March in the year two thousand ten.

BY THE GOVERNOR

/S/ David A. Paterson

/s/ Lawrence Schwartz

Secretary to the Governor

