



Erie County
Department of
Health



Public Health
Prevent. Promote. Protect.

GALE R. BURSTEIN, MD, MPH, FAAP
COMMISSIONER OF HEALTH

HEALTH ADVISORY #359

May 13, 2024

NYS Department of Health Commissioner Declares: Influenza No Longer Prevalent in the State

Please distribute to Healthcare Providers, Hospitals, Laboratories, Family Planning Providers, Emergency Rooms, Community Health Centers, College Health Centers, Community-Based Organizations, and Internal Medicine, Family Medicine, Pediatric, Adolescent Medicine, Infectious Disease, and Primary Care Providers

SUMMARY

Influenza cases and hospitalizations recently have been at low levels compared to peak activity in late December 2023.

Therefore, New York State Department of Health (NYSDOH) Commissioner James McDonald, MD, MPH, declares that influenza is no longer prevalent for the 2023-24 influenza season, as of the date of this announcement. Accordingly, at this time, section 2.59 of the New York State Sanitary Code (10 NYCRR § 2.59) no longer requires all healthcare and residential facilities and agencies regulated pursuant to Article 28, 36, or 40 of the Public Health Law, to ensure that all personnel, as defined in the regulation, not vaccinated against influenza for the current influenza season wear a surgical or procedure mask while in areas where patients or residents may be present.

Be advised that this declaration does not supersede current guidance regarding the use of facemasks related to COVID-19. For the latest information and guidance on COVID-19, including the use of personal protective equipment (PPE), please visit the NYSDOH website at <https://coronavirus.health.ny.gov/information-healthcare-providers>.

ADDITIONAL INFORMATION

Frequently Asked Questions regarding the regulation and other resources are available at <http://health.ny.gov/FluMaskReg>.

For more information please direct questions to FluMaskReg@health.ny.gov.



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Health Category Definitions:

Health Alert FLASH: conveys the highest level of importance due to a large-scale, catastrophic public health emergency; warrants immediate action or attention

Health Alert Priority: conveys the highest level of importance; warrants immediate action or attention to a health problem or situation

Health Advisory: provides important information for a specific incident or situation; may not require immediate action

Health Update: provides updated information regarding an incident or situation; no immediate action necessary

The Erie County Department of Health does not provide medical advice. The information provided on the Erie County Department of Health website is not an attempt to practice medicine and is not intended as a substitute for professional medical advice, diagnosis, or treatment. It is for informational purposes only. Always seek the advice of your personal physician or other qualified health provider with any questions you may have regarding a medical condition or issue. Never disregard professional medical advice or delay in seeking it because of the content found on the Erie County Department of Health website or this correspondence.

The ECDOH Health Alert & Advisory System is an e-mail notification system designed to alert community partners about important health related information. You can sign up to receive alerts & advisories at <https://www3.erie.gov/health/form/health-alert-registration>.