



**Erie County  
Department of  
Health**



**Public Health**  
Prevent. Promote. Protect.

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

**HEALTH ADVISORY #367**

**May 1, 2025**

**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 the week ending 2/1/2025.

Therefore, New York State Department of Health Commissioner James McDonald, MD, MPH, declares that influenza is no longer prevalent for the 2024-25 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.

This declaration shall remain in effect until the Commissioner declares influenza to be prevalent in New York State.

**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](mailto: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

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