STATE OF NEW YORK

4297

2017-2018 Regular Sessions

IN SENATE

February 8, 2017

Introduced by Sens. LAVALLE, LARKIN, RITCHIE -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education

AN ACT to amend the education law, the limited liability company law, the partnership law and the public health law, in relation to the practice of naturopathy; to amend the social services law, in relation to the reporting of child abuse

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Legislative intent. 1. The legislature recognizes that in spite of advances in science and technology that have resulted in the American healthcare system excelling at triage and in responding to acute emergent conditions, there is an epidemic of chronic disease and an unacceptable degree of iatrogenic disease in America. The legislature recognizes that the economics of healthcare and the pursuit of scientific advancement have led to an occupational preference among physicians for specialization, resulting in a shortage of primary care physicians. The legislature finds that licensure of the profession of naturopathic medicine favorably addresses such problems, and agrees with U.S. Senate Resolution 221 of the 113th Congress in finding that naturopathic doctors are skilled in preventing and treating chronic disease; that naturopathic medicine is a safe, effective, and affordable means of health care; and that licensure of naturopathic doctors helps address the shortage of primary care physicians in the United States, while also providing people with more choice in health care.

2. The legislature recognizes that naturopathic medicine, although encompassing primary and secondary care services, including many of the same diagnostic tools and assessment techniques as the medical profession, and having certain Hippocratic principles in common with the medical profession, is not part of the profession of medicine as contem-

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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plated by article 131 of the education law, and intends that naturopathic medicine be a distinct profession with its own state board.

3. The legislature recognizes that naturopathic medicine is a modern, evolved form of naturopathy that is practiced by naturopathic doctors; that the early form, today sometimes called traditional naturopathy, is characterized by its vitalistic philosophy, and by its foundation of hygiene and nature cure (i.e., the use of natural agents such as air, light, water, food, and herbs to stimulate the body's own natural healing powers); and that such early form is practiced in some states by traditional naturopaths without licensure, by lay persons in their own self care, and to some extent in health spas. This bill is not intended to change the legality or illegality of activities relating to such hygiene and nature cure; nor to limit the scope of naturopathic medicine to such traditional naturopathy.

4. The legislature recognizes that the naturopathic doctor has a primary mission of facilitating optimum health and wellness for patients of any age; relies on the scientific method in implementing vitalistic, functional, and evidence-based strategies for assessing and treating patients; and works with patients of good or ill health having acute and chronic conditions, including serious medical conditions.

5. The legislature intends that the authorized activities within the scope of practice of a naturopathic doctor are those activities within the meanings of naturopathic assessment, common office procedures, physical naturopathy, approved substances, approved routes of administration, and noninvasive naturopathic therapies, as per sections sixty-eight hundred fifty and sixty-eight hundred fifty-one of article 138 of the education law as proposed in this act. For naturopathic doctors having the injection therapy privilege the authorized activities further include injection therapy, as per section sixty-eight hundred fifty-four of article 138 of the education law, as proposed in this act. The scope of such practice activities however are limited by section sixty-eight hundred fifty-five of article 138 of the education law, as proposed in this act, which provides boundaries of professional competence. The legislature provides a list of broad clinical objectives included within the meaning of "facilitating optimum health and wellness," as defined in section sixty-eight hundred fifty-one of article 138 of the education law as proposed in this act, which list, while relevant to professional conduct, is not intended to expand upon the authorized activities. The legislature intends that invasive procedures other than diagnostic imaging be impermissible, and that the definitions of the terms "invasive procedures" and "noninvasive" be construed independent of each other.

6. The legislature intends that the education qualification for naturopathic medicine emphasizes the basic sciences and clinical sciences, such as has been established by the Council on Naturopathic Medical Education (CNME) and the Association of Accredited Naturopathic Medical Colleges (AANMC), and so distinguish over traditional naturopathy.

7. The legislature intends that the education qualification for naturopathic medicine insofar as including a substantial equivalent of a program of naturopathic medicine registered with the department require that such substantial equivalent, among other factors determined by the department, also require that the substantial equivalent emphasize the naturopathic principles and the therapeutic order in clinical training, such as in programs accredited by the Council on Naturopathic Medical Education (CNME) or in the naturopathic medical programs offered by the Association of Accredited Naturopathic Medical Colleges (AANMC), and so distinguish over a doctoral degree in medicine or osteopathy.

8. The legislature intends that the professional conduct of the naturopathic doctor be informed by the naturopathic principles and the therapeutic order, and so distinguish over professional conduct for the practice of the profession of medicine.

9. The legislature recognizes that in the practice of naturopathic medicine the healing power of nature principle is viewed as being an inherent property in a living organism to heal itself, and is an acknowledgment that synergy results from the coordination of the many chemical and physical reactions of the living system through varied and circuitous feedback pathways making the whole function as more than the sum of its parts. The number of reactions and the resulting complexity and synergy is viewed in the profession of naturopathic medicine as being why treatment of a given physiological process may result in unforeseen nonlocal consequences, including iatrogenic disease; and is why naturopathic doctors investigate and treat the patient as a whole living system, find and remove the cause, and prefer less invasive therapies and substances with fewer side effects. It also is why the naturopathic doctor prefers to intervene early to prevent occurrence of disease.

10. The legislature intends that licensed naturopathic doctors, while being permitted to practice in solo and among other naturopathic doctors, also be permitted to practice naturopathic medicine in many of the current patient care venue types in the healthcare system; that there be referral among naturopathic doctors, physicians, and other health care providers as based on the interests of the patient; and that integrative care settings and the advancement of public health and safety be realized through collaboration among naturopathic doctors, physicians, and other health care providers.

11. Naturopathic doctors add to the health care system by bringing their naturopathic approach to patient care; and by bringing their expertise on the determinants of health, diet and nutrient therapy, phytotherapy, therapeutic use of physical agents, and drug/herb drug/nutrient interactions. Therefore, to improve the public health, safety and welfare of its citizens, the legislature finds it is desirable to regulate the profession of naturopathic medicine, and intends that admission to practice and regulation of such practice, including professional conduct, shall be supervised by the board of regents and administered by the state education department, assisted by a state board of naturopathic medicine.

§ 2. The education law is amended by adding a new article 138 to read as follows:

ARTICLE 138
NATUROPATHIC MEDICINE

Section 6850. Introduction.
6851. Definitions.
6852. Definition of the practice of naturopathic medicine.
6853. Title and designation.
6854. Injection therapy and injection therapy privilege.
6855. Boundaries of professional competence.
6856. State board for naturopathic medicine.
6857. Qualifications for licensure.
6858. Special conditions.
6859. Exempt persons and exemptions.
6860. Limited residency permits.
6861. Limited permits.
6862. Mandatory continuing education.

§ 6850. Introduction. This article applies to the licensure and regulation of naturopathic doctors to practice naturopathic medicine in this state. The general provisions for all professions contained in article one hundred thirty, as added by chapter nine hundred eighty-seven of the laws of nineteen hundred seventy-one, of this title apply to this article.

§ 6851. Definitions. For the purposes of this article:

1. "Approved CLIA waived tests" mean laboratory tests categorized under the federal clinical laboratory improvement act (CLIA) of 1988 as being waived tests, and which are identified by the department upon the recommendation of the board, and updated as needed or upon triennial review, as being appropriate in the practice of naturopathic medicine.

2. "Approved routes of administration" means oral, sublingual, nasal, auricular, ocular, rectal, vaginal, and transdermal. For naturopathic doctors having injection therapy privilege under section sixty-eight hundred fifty-four of this article, "approved routes of administration" further include injection routes, namely, intravenous, intramuscular, subcutaneous, and intradermal.

3. "Approved substances" means over-the-counter substances; food concentrates, food extracts, and other dietary ingredients; vitamins, minerals, and other dietary supplements; botanical and homeopathic preparations; and a limited formulary of legend drugs. The limited formulary of legend drugs includes thyroid hormones, estrogen hormones, progesterone hormone, DHEA, and homeopathic preparations of homeopathic drugs listed in the official homeopathic pharmacopoeia of the United States. For naturopathic doctors having injection therapy privilege under section sixty-eight hundred fifty-four of this article, the limited formulary further includes immunizations and injectable forms of the approved substances. Legend drugs in the limited formulary may be administered and prescribed, and the other approved substances and homeopathic preparations may be administered, prescribed, and dispensed.

4. "Board" means the state board for naturopathic medicine.

5. "Common office procedures" means administering approved CLIA waived tests; administering ultrasonographic and thermographic imaging; prescribing, installing, removing, and adjusting barrier contraceptive devices; procedures for treating superficial lacerations and abrasions and for the removal of foreign bodies located in superficial structures not to include the eye, excluding by incision and suturing; administering cryotherapy, ligation, and fulguration; administering approved substances via approved routes of administration; procedures for obtaining samples of bodily fluids, bodily excretions, bodily secretions, and bodily tissues; and other procedures for assessment or therapy that are noninvasive. Common office procedures for obtaining samples are limited to: venipuncture and phlebotomy, PAP smear, scraping, and for hair cutting.

6. "Controlled substance" means controlled substances as defined in the federal controlled substances act.

7. "Diagnostic imaging" means radiography, tomography, magnetic resonance imaging, ultrasonography, and thermography, and excludes nuclear medicine, fluoroscopy, and radiological procedures for treating a medical condition.

8. "Dietary ingredient" means a dietary ingredient as defined in the Federal Dietary Supplement Health and Education Act of 1994 (DSHEA).

9. "Dietary supplement" means a dietary supplement as defined in the Federal Dietary Supplement Health and Education Act of 1994 (DSHEA).

10. "Drug" means a drug as defined in the Federal Food, Drug, and Cosmetic Act, 21 USC 321.

11. "Facilitating optimum health and wellness" means facilitating the establishment and maintenance of a healthy patient lifestyle and nutritional foundation; educating the patient about their circumstances of health and illness and steps for establishing and maintaining optimum health and wellness; facilitating and augmenting self-healing processes; supporting and modulating physiological processes; supporting and correcting integrity of anatomical structures; identifying and removing underlying causes of illness; and identifying, preventing, mitigating, monitoring, and treating illness.

12. "Food" means food as defined in the Federal Food, Drug, and Cosmetic Act, 21 USC 321.

13. "Illness" means pain, injury, deformity, syndrome, disease, or other unhealthy condition.

14. "Invasive procedure" means any medical procedure in which bone, viscera, the eyeball, the inner ear, the dorsal body cavity, or the ventral body cavity is penetrated by a physical device or by ionizing radiation above background levels.

15. "Injection therapy" means the injection of approved substances.

16. "Injection therapy privilege" means the scope of practice privilege to practice injection therapy, in accordance with regulations promulgated by the commissioner.

17. "Legend drug" means a drug for which a prescription is required under the Federal Food, Drug and Cosmetic Act.

18. "Naturopathic assessment" means the identification and evaluation of a patient's circumstances of health and illness by investigating the patient's health, history, life style, and determinants of health; by comprehensive physical examination; by common office procedures for assessment; by ordering and prescribing laboratory tests and procedures, including submitting specimens for testing to laboratories that hold permits or licenses pursuant to under title V of article five of the public health law; by ordering and prescribing diagnostic imaging; and by other assessment techniques that are noninvasive. Specimens for testing may be obtained by common office procedures as described in subdivision five of this section or by patient submission (e.g., for stool, urine, hair, saliva).

19. "Naturopathic principles" means the following principles, which are weighed by the naturopathic doctor to influence the selection of naturopathic assessment activities, common office procedures, and treatments administered, ordered or referred:

a. "the healing power of nature," which means the inherent ability of a living organism for self-healing;

b. "identify and treat the causes," which means identify and remove the underlying causes of illness so that self-healing processes may function effectively;

c. "first do no harm," which means apply the least force or intervention to identify illness and restore health, such as referenced in the therapeutic order; and whenever possible, avoid symptom suppression that interferes with the dynamics of self-healing;

d. "doctor as teacher," which means educate patients as to steps for achieving and maintaining health, and encourage self-responsibility for health;

e. "treat the whole person," which means assess and treat the patient as an integrated whole having many physical, mental, emotional, spiritual, and social aspects; and

f. "prevention," which means assess life style, determinants of health, and genetic and environmental susceptibility to illness; recommend appropriate interventions to reduce risks of disease occurrence; and facilitate the establishment and maintenance of positive emotion, thought and action.

20. "Noninvasive" means no break is created in the skin or mucosa, no infiltration of the skin or mucosa is made by ionizing radiation above background levels, no endoscopy is performed between the esophagus and colon, inclusive, and no radiography, tomography, or magnetic resonance imaging is administered.

21. "Noninvasive naturopathic therapies" means diet and lifestyle counseling, patient education as to circumstances of health and illness, wellness counseling, biofeedback, hypnotherapy, and touch and/or tapping therapies with and without a verbal communication component. Noninvasive naturopathic therapies exclude the practice of marital and family therapy, psychoanalysis, and creative arts therapy on a continued sustained basis, and is further limited in application by a boundary of professional competence restricting psychotherapeutic intervention with patients having symptomatic, intellectually, socially or emotionally maladaptive behavior sufficient to be a mental, emotional, cognitive, addictive or behavioral disorder as per DSM criteria or per diagnosis by a qualified healthcare provider, as provided in section sixty-eight hundred fifty-five of this article.

22. "Optimum health" means a person's desired, maintainable, best degree of health, given the person's circumstances of health and illness, the therapeutic goals, and the person's degree of self-responsibility for healing.

23. "Over the counter substances" means substances that have been approved or cleared by the food and drug administration of the United States department of health and human services for sale or distribution to the public on a direct or over-the-counter basis without a prescription from a qualified health care practitioner.

24. "Physical naturopathy" means manual therapy, therapeutic exercise, hydrotherapy, colonic therapy, sauna, microwave diathermy, shortwave diathermy, ultrasonic diathermy, muscle stimulation, biofeedback, infrared light therapy, ultraviolet light therapy, visible light therapy, iontophoresis, and the therapeutic use of physical medicine therapeutic devices that are exempt or are class i or class ii devices identified under the Code of Federal Regulations, Title 21, Chapter I, Subchapter H, Part 890, Subpart f.

25. "Radiological procedures" means radiological procedures as defined in article eighty-seven hundred one of this title.

26. "Superficial" means the dermal and subcutaneous layers of the body exterior, the mucosal layer of the body orifices, and the underlying fascia and adipose.

27. "Surgery" means a medical procedure for structurally altering the human body by cutting into live human tissue for the purpose of localized alteration, transportation, or destruction of live human tissue using ionizing radiation or an instrument, such as a laser, scalpel, or probe; and does not include punctures, injections, dry needling, acupuncture, or removal of dead tissue.

28. "Therapeutic order" means the hierarchy of therapeutic intervention, as follows, ordered according to degree of intervention, and used by determining the lowest degree of intervention for which the specific patient's circumstances of health and illness can be effectively addressed to restore and facilitate optimum health, wherein ther-

apeutic intervention outside the boundaries of professional competence is intended to be referred:

a. establish the conditions for health (e.g., identify and remove disturbing factors; institute a more healthful regimen);

b. stimulate the self-healing processes;

c. address weakened or damaged systems or organs (e.g., strengthen the immune system; decrease toxicity; normalize inflammatory function; optimize metabolic function; balance regulatory systems; enhance regeneration; cultivate sensory and mindful awareness of the integration of psyche and soma);

d. correct structural integrity;

e. address pathology using specific natural substances, modalities, or interventions;

f. address pathology using specific pharmacologic or synthetic substances; and

g. suppress or surgically remove pathology.

29. "Vertebral adjustment" means a high velocity, low amplitude thrust applied to a vertebra at the end of its range of motion utilizing parts of the vertebra and contiguous structures as levers to directionally correct articulate malposition, and excludes motion that moves the vertebra to the end of its range of motion.

30. "Wellness" means a state of being able to prevent illness and prolong life.

31. "Wellness counseling" means patient doctor dialogue for facilitating positive emotion, thought, and action provided within a multimodal holistic framework of therapy informed by the naturopathic principles and the therapeutic order.

§ 6852. Definition of the practice of naturopathic medicine. The practice of naturopathic medicine is defined as facilitating optimum health and wellness for patients of any age using naturopathic assessment, common office procedures, physical naturopathy, approved substances, and noninvasive naturopathic therapies in a holistic framework informed by naturopathic principles and a therapeutic order.

§ 6853. Title and designation. Only a person licensed under this article may use the title "naturopathic doctor", "licensed naturopath" or "professional naturopath" and hold herself or himself out as practicing naturopathic medicine; provided, however, that none of such titles nor any combination of such titles shall be used to convey the idea that the individual who uses such title practices anything other than naturopathy and naturopathic medicine. A licensed naturopathic doctor may not use the title "physician" unless otherwise authorized under title VIII of the education law.

§ 6854. Injection therapy and injection therapy privilege. 1. For issuance of injection therapy privilege, the applicant shall fulfill the following requirements:

a. file an application with the department;

b. be licensed as a naturopathic doctor in the state, including a limited permit holder, or be an applicant for licensure under this article meeting the qualifications for licensure or for a limited permit;

c. have successfully completed a certification course in injection therapy from a course provider approved by the department or as part of a program of naturopathic medicine registered with the department or the substantial equivalent thereof;

d. pay a fee to the department of two hundred dollars for the issuance and initial registration of the injection therapy privilege.

2. An injection therapy privilege issued under this section shall be valid for the life of the holder, unless revoked, annulled, or suspended by the board of regents. During each triennial registration period, a naturopathic doctor having injection therapy privilege shall complete eight hours of acceptable formal continuing education as part of their mandatory continuing education requirement, in conformance with the provisions of section sixty-eight hundred sixty-two of this article, on the subject of injection therapy, including formal continuing education that contributes to the enhancement of clinical injection therapy skills, pursuant to the regulation of the commissioner. Failure to complete the required continuing education under this subsection shall result in suspension of the injection therapy privilege until such time as the required continuing education is complete. A suspension of the injection therapy privilege for lack of completion of the required continuing education that exceeds twelve months in duration shall result in a revocation of the injection therapy privilege, and require re-application, recertification or other education satisfactory to the commissioner, and the fee as per section sixty-eight hundred fifty-seven of this article for re-issuance of the injection therapy privilege. This continuing education requirement is effective as of the same effective date as section sixty-eight hundred fifty-seven of this article.

3. A student in a doctoral program of naturopathic medicine registered with the department or the substantial equivalent thereof may perform injection therapy in an internship or preceptorship setting when required as part of such program for the purpose of fulfilling such program requirement only under the immediate direct personal supervision of a physician licensed under this title or a naturopathic doctor licensed under this article having injection therapy privilege. "Immediate direct personal supervision" for the purposes of this section means supervision of a procedure for injection therapy based on instructions given directly by the supervising physician or supervising naturopathic doctor who remains physically present in the immediate area when the injection therapy procedure is performed.

§ 6855. Boundaries of professional competence. The activities encompassed within the definition of the practice of naturopathic medicine under sections sixty-eight hundred fifty-two and sixty-eight hundred fifty-four of this article are limited by the prohibitions, boundaries, and restrictions of this section.

1. The practice of the profession of naturopathic medicine does not include: administering or prescribing controlled substances; administering invasive procedures; administering electroconvulsive therapy; administering needle-type electromyography; performing surgery other than cryotherapy, ligation and fulguration; administering radiological procedures using ionizing radiation above background levels; administering general or spinal anesthetic drugs; administering obstetric services other than complementary naturopathic prenatal and postnatal wellness care; administering acupuncture; and setting fractures.

2. a. (i) It shall be deemed practicing outside the boundaries of professional competence for a naturopathic doctor to provide emergency care services for treating injuries or trauma from a serious accident or a violent crime, except as permitted by article 30 of the public health law of New York.

(ii) It shall be deemed professional misconduct for a naturopathic doctor to hold herself or himself out as providing emergency care services on a continued sustained basis; or to treat an acute emergent

condition of significant threat to life or limb without also summoning emergency medical response.

b. (i) It shall be deemed practicing outside the boundaries of professional competence for a naturopathic doctor to administer physical naturopathy on a patient on a continued sustained basis under either of the following circumstances: to assist the patient to compensate for developmental deficits affecting physical movement and mobility that cannot be reversed; and to restore, for purposes of patient reintegration back into the home, community, or work, some or all of the patient's pathomechanical deficits affecting physical movement and mobility that were lost due to injury or disease causing ongoing separation from home, community or work.

(ii) A naturopathic doctor may correct vertebral alignment using vertebral adjustment in combination with naturopathic muscle release techniques and soft tissue manipulation within a multimodal holistic treatment plan, but otherwise may not practice vertebral adjustment.

c. For patients having symptomatic, intellectually, socially or emotionally maladaptive behavior sufficient to be a mental, emotional, cognitive, addictive or behavioral disorder as per DSM (diagnostic and statistical manual of mental disorders) criteria or an equivalent thereof, or per diagnosis by a qualified healthcare provider, it shall be deemed practicing outside the boundaries of professional competence for a naturopathic doctor to facilitate changes in the patient's personality and behavior for the purpose of eliminating such symptomatic maladaptive behavior corresponding to such disorder through the use of verbal, cognitive, and emotional interpersonal communication methods of psychotherapeutic intervention on a continued sustained basis. Such restriction on psychotherapeutic intervention does not restrict a naturopathic doctor from providing dietary and lifestyle advice and instructions to the patient, nor from educating the patient about their circumstances of health and illness. Such restriction on psychotherapeutic intervention excludes hypnotherapy applied as part of a multimode holistic treatment plan (e.g., nutrient therapy and hypnotherapy) to treat tobacco addiction or obesity. Although a naturopathic doctor cannot provide a psychological diagnosis, a naturopathic doctor may apply and document such DSM or equivalent criteria, or the absence thereof to discern this boundary of professional competence, which discernment shall defer to a diagnosis by a qualified healthcare provider.

d. Although the identification of an illness is part of a naturopathic assessment, a naturopathic doctor may not equate such assessment to a medical or psychological diagnosis, nor hold himself or herself out as making a medical or psychological diagnosis. A naturopathic doctor, however, may use common diagnostic codes (e.g., ICD-10 codes; DSM-V codes) and may refer to an identified illness in discussions with the patient, in patient health records, and in communications compliant with the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA).

3. While the scope of activities included within the practice of naturopathic medicine overlaps in part with other professions licensed under this title, the naturopathic doctor shall not hold herself or himself out as practicing any such other profession or use a title of any such other profession, unless otherwise authorized under this title.

§ 6856. State board for naturopathic medicine. 1. A state board for naturopathic medicine shall be appointed by the board of regents on the recommendation of the commissioner for the purpose of assisting the board of regents and the department on matters of professional licensing

and professional conduct in accordance with section sixty-five hundred eight of this title. The board shall be composed of two public representatives who do not hold interests in the organization, financing or delivery of naturopathic services, one licensed physician who is a doctor of medicine or a doctor of osteopathy, and not less than six naturopathic doctors. A naturopathic doctor member of the board shall have been licensed under this article for at least two years prior to being appointed, which two year license requirement is waived for the initial board and replaced with a requirement that the naturopathic doctor obtain a license under this article within one year of appointment or one year of the effective date of this article, whichever comes later. The terms of the first appointed members shall be staggered so that three are appointed for three years, three are appointed for four years, and four are appointed for five years. An executive secretary of the board shall be appointed by the board of regents on the recommendation of the commissioner.

2. Examinations selected or prepared by the board pursuant to subdivision two of section sixty-five hundred eight of this title shall conform whenever possible to nationally recognized test development standards and test competencies for naturopathic medicine.

§ 6857. Qualifications for licensure. To qualify for a license to practice the profession of naturopathic medicine, an applicant shall fulfill the following requirements:

1. file an application with the department;

2. have received an education, including a doctoral degree in naturopathic medicine, granted on the basis of completion of a program of naturopathic medicine registered with the department or the substantial equivalent thereof, in accordance with the commissioner's regulations;

3. for applicants applying more than two years after the effective date of this article, have satisfactorily completed a post-graduate residency program of naturopathic medicine of at least twelve months duration approved by the department, or the substantial equivalent thereof, and in accordance with the commissioner's regulations;

4. pass an examination satisfactory to the board and in accordance with the commissioner's regulations;

5. be at least twenty-one years of age;

6. be of good moral character as determined by the department; and

7. pay a fee of three hundred fifty dollars to the department for an initial license and a fee of five hundred dollars for each triennial registration period.

§ 6858. Special conditions. 1. An applicant having received, prior to nineteen hundred eighty-eight, an education, including a doctoral degree in naturopathic medicine, granted on the basis of completion of a program of naturopathic medicine registered with the department or the substantial equivalent thereof, may substitute for the experience and examination qualifications of section sixty-eight hundred fifty-seven of this article, either of: (i) satisfactory evidence of practice of naturopathic medicine of not less than three years during the five years preceding the filing of the application; or (ii) practice under a limited permit for at least two of the three years prior to application under this article.

2. An applicant having received, prior to two years after the effective date of this article, an education, including a doctoral degree in naturopathic medicine, granted on the basis of completion of a program of naturopathic medicine registered with the department or the substantial equivalent thereof, may substitute for the experience qualification

of section sixty-eight hundred fifty-seven of this article, either of: (i) satisfactory evidence of practice of naturopathic medicine of not less than three years during the five years preceding the filing of the application; or (ii) practice under a limited permit for at least two of the three years prior to application under this article.

3. The "practice of naturopathic medicine" as used in this section includes the practice of naturopathy or naturopathic medicine in a state or territory of the United States, including New York state, or a Canadian province, while maintaining a professional license in naturopathy or naturopathic medicine issued by the same or another state or territory or a Canadian province; and includes practice performed before and after the effective date of this article.

4. Practice demonstrated by satisfactory evidence of practice or by a limited permit, as provided in subdivisions one and two of this section, must be complete within eighteen years after the effective date of this article. Applicants having completed the practice requirements of a special condition under this section must submit an application for license by nineteen years after the effective date of this article and must cure defects, if any, in the application as identified by the department within a time period indicated by the department.

§ 6859. Exempt persons and exemptions. Nothing contained in this article shall be construed to affect or prevent the following:

1. a. A licensed physician from practicing his or her profession as defined in articles one hundred thirty-one, as added by chapter nine hundred eighty-seven of the laws of nineteen seventy-one, and one hundred thirty-one-b of this title; a registered professional nurse or a certified nurse practitioner practicing his or her profession as defined under article one hundred thirty-nine of this title; or

b. Qualified members of other professions licensed under this title from performing the practice of their professions; except that such persons may not hold themselves out under the title naturopath or naturopathic doctor, or as performing naturopathy or naturopathic medicine.

2. A student from engaging in clinical practice under supervision of a licensed naturopathic doctor as part of a program of naturopathic medicine registered by the department or the substantial equivalent thereof.

3. The practice of naturopathic medicine by a salaried employee of the government of the United States while the individual is engaged in the performance of duties prescribed by the laws and regulations of the United States.

4. The domestic care of the sick, disabled or injured by any family member, household member or friend, or person employed primarily in a domestic capacity who does not hold himself or herself out, or accept employment as a person licensed to practice naturopathic medicine under the provisions of this article.

5. The care of the sick when done in connection with the practice of the religious tenets of any church.

6. The marketing, sale or use of substances or devices governed by the Federal Food, Drug, and Cosmetic Act that do not require a prescription from a qualified healthcare provider.

7. The conduct, activities, or services of individuals, churches, schools, teachers, organizations, or not-for-profit businesses in providing instruction, advice, support, encouragement, or information to individuals, families, and relational groups.

§ 6860. Limited residency permits. 1. For issuance of a limited residency permit, the applicant shall fulfill the following requirements:

a. file an application with the department;

b. have received an education, including a doctoral degree in naturopathic medicine, granted on the basis of completion of a program of naturopathic medicine registered with the department or the substantial equivalent thereof;

c. have been accepted into a post-graduate residency program of naturopathic medicine approved by the department;

d. be of good moral character as determined by the department;

e. be at least twenty-one years of age; and

f. pay a fee to the department of one hundred dollars, or for a renewal a fee of fifty dollars.

2. Such permit shall allow the permit holder to perform such activities that are required for successful completion of the residency program under the administrative supervision of a licensed naturopathic doctor serving as the residency director. Practice activities under a limited residency permit shall be limited to facilities encompassed by the post-graduate residency program of the permit holder, such as a hospital, an incorporated hospital or clinic, a licensed proprietary hospital, a licensed nursing home, a public health agency, a recognized public or non-public school setting, the office of a licensed naturopathic doctor, or in the civil service of the state or political subdivision thereof. Practice supervision of a permit holder's practice activities shall be on-site supervision by a licensed naturopathic doctor, except for injection therapy procedures, which shall be direct personal supervision by a licensed physician or a licensed naturopathic doctor having injection therapy privilege. "Direct personal supervision" for the purposes of this section means supervision of a procedure for injection therapy based on instructions given directly by the supervising physician or supervising naturopathic doctor who remains on site when and where the procedure is being performed, but shall not be construed as necessarily requiring the physical presence of the supervising physician or supervising naturopathic doctor in the immediate area at the time when the injection therapy procedure is performed.

3. Such permit shall be issued for one year and may be renewed at the discretion of the department for one or two additional years when necessary to permit the completion of an approved post-graduate residency in naturopathic medicine.

§ 6861. Limited permits. 1. For issuance of a limited permit, the applicant shall fulfill the following requirements:

a. file an application with the department;

b. have received an education, including a doctoral degree in naturopathic medicine, granted on the basis of completion of a program of naturopathic medicine registered with the department or the substantial equivalent thereof;

c. indicate exercising option to attain qualifications for licensure using a limited permit special condition under section sixty-eight hundred fifty-eight of this article;

d. be of good moral character as determined by the department;

e. be at least twenty-one years of age; and

f. pay a fee of two hundred dollars to the department.

2. Such limited permit shall authorize the practice of naturopathic medicine only under the supervision of a licensed naturopathic doctor. Supervision of the limited permit holder's practice activities shall be on-site supervision by a licensed naturopathic doctor.

3. A limited permit shall be issued for a period of two years, and may be renewed under circumstances and for a time period and fee in accordance with the commissioner's regulations.

4. The last day for applying for a limited permit under this section is fifteen years after the effective date of this section.

§ 6862. Mandatory continuing education. 1. a. Each naturopathic doctor licensed pursuant to this article, required to register triennially with the department to practice in this state shall comply with the provisions of the mandatory continuing education requirements prescribed in subdivision two of this section, except as provided in paragraphs b and c of this subdivision. Naturopathic doctors who do not satisfy the mandatory continuing education requirements shall not practice until they have met such requirements, and they have been issued a registration certificate, except that a naturopathic doctor may practice without having met such requirements if he or she is issued a conditional registration pursuant to subdivision three of this section.

b. Naturopathic doctors shall be exempt from the mandatory continuing education requirement for the triennial registration period during which they are first licensed. In accord with the intent of this section, adjustments to the mandatory continuing education requirements may be granted by the department for reasons of health certified by an appropriate health care professional, for extended active duty with the armed forces of the United States, or for other good cause acceptable to the department, which may prevent compliance.

c. A licensed naturopathic doctor not engaged in professional practice, as determined by the department, shall be exempt from the mandatory continuing education requirement upon the filing of a statement with the department declaring such status. Any licensee who returns to the practice of naturopathic medicine during the triennial registration period shall notify the department prior to reentering the profession and shall meet such mandatory education requirements as shall be prescribed by regulations of the commissioner.

2. During each triennial registration period an applicant for registration shall complete sixty hours of acceptable formal continuing education. Any licensed naturopathic doctor whose first registration date following the effective date of this section occurs less than three years from such effective date, shall complete continuing education hours on a prorated basis at the rate of one and one-half hours per month for the number of months between the effective date and the first registration date. Thereafter, a licensee who has not satisfied the mandatory continuing education requirements shall not be issued a triennial registration certificate by the department and shall not practice unless and until a conditional registration certificate is issued as provided in subdivision three of this section. The individual licensee shall determine the selection of courses or programs of study pursuant to subdivision four of this section. Continuing education hours taken during one triennium may not be carried over or otherwise credited or transferred to a subsequent triennium.

3. The department, in its discretion, may issue a conditional registration to a licensee who fails to meet the continuing education requirements established in subdivision two of this section but who agrees to make up any deficiencies and take any additional education which the department may require. The fee for such a conditional registration shall be the same as, and in addition to, the fee for the triennial registration. The duration of such conditional registration shall be determined by the department but shall not exceed one year. Any licensee who is notified of the denial of registration for failure to complete the required continued education and who continues to practice naturopathic medicine without such registration, shall be subject to

disciplinary proceedings pursuant to section sixty-five hundred ten of this title.

4. As used in this section, "acceptable formal continuing education" shall mean formal programs of learning which contain subject matter which meet the following requirements: contributes to the enhancement of professional and clinical skills of the naturopathic doctor; meets the standards prescribed by regulations of the commissioner in consultation with the board to fulfill the mandatory continuing education requirement; and is sponsored or presented by a state or a Canadian province naturopathic medicine professional organization acceptable to the department, a United States or Canadian national naturopathic medicine professional organization acceptable to the department, an institution of higher learning having an accreditation acceptable to the department, or another sponsor approved by the department, pursuant to the regulation of the commissioner. Continuing education courses must be taken from a provider who has been approved by the department, based upon an application and fee, pursuant to the regulations of the commissioner. The department may, in its discretion and as needed to contribute to the health and welfare of the public, require the completion of continuing education activities in specific subjects to fulfill this mandatory continuing education requirement.

5. Licensed naturopathic doctors shall maintain adequate documentation of completion of acceptable formal continuing education and shall provide such documentation to the department upon request. Failure to provide such documentation upon request of the department shall be an act of misconduct subject to disciplinary proceedings pursuant to section sixty-five hundred ten of this title.

6. The mandatory continuing education fee shall be fifty dollars, shall be payable on or before the first day of each triennial registration period, and shall be in addition to the triennial registration fee required by section sixty-eight hundred fifty-seven of this article.

§ 3. Subdivision (a) of section 1203 of the limited liability company law, as amended by chapter 475 of the laws of 2014, is amended to read as follows:

(a) Notwithstanding the education law or any other provision of law, one or more professionals each of whom is authorized by law to render a professional service within the state, or one or more professionals, at least one of whom is authorized by law to render a professional service within the state, may form, or cause to be formed, a professional service limited liability company for pecuniary profit under this article for the purpose of rendering the professional service or services as such professionals are authorized to practice. With respect to a professional service limited liability company formed to provide medical services as such services are defined in article 131 of the education law, each member of such limited liability company must be licensed pursuant to article 131 of the education law to practice medicine in this state. With respect to a professional service limited liability company formed to provide naturopathic services as such services are defined in article 138 of the education law, each member of such limited liability company must be licensed pursuant to article 138 of the education law to practice naturopathy in this state. With respect to a professional service limited liability company formed to provide dental services as such services are defined in article 133 of the education law, each member of such limited liability company must be licensed pursuant to article 133 of the education law to practice dentistry in this state. With respect to a professional service limited liability

company formed to provide veterinary services as such services are defined in article 135 of the education law, each member of such limited liability company must be licensed pursuant to article 135 of the education law to practice veterinary medicine in this state. With respect to a professional service limited liability company formed to provide professional engineering, land surveying, architectural, landscape architectural and/or geological services as such services are defined in article 145, article 147 and article 148 of the education law, each member of such limited liability company must be licensed pursuant to article 145, article 147 and/or article 148 of the education law to practice one or more of such professions in this state. With respect to a professional service limited liability company formed to provide licensed clinical social work services as such services are defined in article 154 of the education law, each member of such limited liability company shall be licensed pursuant to article 154 of the education law to practice licensed clinical social work in this state. With respect to a professional service limited liability company formed to provide creative arts therapy services as such services are defined in article 163 of the education law, each member of such limited liability company must be licensed pursuant to article 163 of the education law to practice creative arts therapy in this state. With respect to a professional service limited liability company formed to provide marriage and family therapy services as such services are defined in article 163 of the education law, each member of such limited liability company must be licensed pursuant to article 163 of the education law to practice marriage and family therapy in this state. With respect to a professional service limited liability company formed to provide mental health counseling services as such services are defined in article 163 of the education law, each member of such limited liability company must be licensed pursuant to article 163 of the education law to practice mental health counseling in this state. With respect to a professional service limited liability company formed to provide psychoanalysis services as such services are defined in article 163 of the education law, each member of such limited liability company must be licensed pursuant to article 163 of the education law to practice psychoanalysis in this state. With respect to a professional service limited liability company formed to provide applied behavior analysis services as such services are defined in article 167 of the education law, each member of such limited liability company must be licensed or certified pursuant to article 167 of the education law to practice applied behavior analysis in this state. In addition to engaging in such profession or professions, a professional service limited liability company may engage in any other business or activities as to which a limited liability company may be formed under section two hundred one of this chapter. Notwithstanding any other provision of this section, a professional service limited liability company (i) authorized to practice law may only engage in another profession or business or activities or (ii) which is engaged in a profession or other business or activities other than law may only engage in the practice of law, to the extent not prohibited by any other law of this state or any rule adopted by the appropriate appellate division of the supreme court or the court of appeals.

§ 4. Subdivision (b) of section 1207 of the limited liability company law, as amended by chapter 475 of the laws of 2014, is amended to read as follows:

(b) With respect to a professional service limited liability company formed to provide medical services as such services are defined in article 131 of the education law, each member of such limited liability company must be licensed pursuant to article 131 of the education law to practice medicine in this state. **With respect to a professional service limited liability company formed to provide naturopathic services as such services are defined in article 138 of the education law, each member of such limited liability company must be licensed pursuant to article 138 of the education law to practice naturopathy in this state.** With respect to a professional service limited liability company formed to provide dental services as such services are defined in article 133 of the education law, each member of such limited liability company must be licensed pursuant to article 133 of the education law to practice dentistry in this state. With respect to a professional service limited liability company formed to provide veterinary services as such services are defined in article 135 of the education law, each member of such limited liability company must be licensed pursuant to article 135 of the education law to practice veterinary medicine in this state. With respect to a professional service limited liability company formed to provide professional engineering, land surveying, architectural, landscape architectural and/or geological services as such services are defined in article 145, article 147 and article 148 of the education law, each member of such limited liability company must be licensed pursuant to article 145, article 147 and/or article 148 of the education law to practice one or more of such professions in this state. With respect to a professional service limited liability company formed to provide licensed clinical social work services as such services are defined in article 154 of the education law, each member of such limited liability company shall be licensed pursuant to article 154 of the education law to practice licensed clinical social work in this state. With respect to a professional service limited liability company formed to provide creative arts therapy services as such services are defined in article 163 of the education law, each member of such limited liability company must be licensed pursuant to article 163 of the education law to practice creative arts therapy in this state. With respect to a professional service limited liability company formed to provide marriage and family therapy services as such services are defined in article 163 of the education law, each member of such limited liability company must be licensed pursuant to article 163 of the education law to practice marriage and family therapy in this state. With respect to a professional service limited liability company formed to provide mental health counseling services as such services are defined in article 163 of the education law, each member of such limited liability company must be licensed pursuant to article 163 of the education law to practice mental health counseling in this state. With respect to a professional service limited liability company formed to provide psychoanalysis services as such services are defined in article 163 of the education law, each member of such limited liability company must be licensed pursuant to article 163 of the education law to practice psychoanalysis in this state. With respect to a professional service limited liability company formed to provide applied behavior analysis services as such services are defined in article 167 of the education law, each member of such limited liability company must be licensed or certified pursuant to article 167 of the education law to practice applied behavior analysis in this state.

§ 5. Subdivision (a) of section 1301 of the limited liability company law, as amended by chapter 475 of the laws of 2014, is amended to read as follows:

(a) "Foreign professional service limited liability company" means a professional service limited liability company, whether or not denominated as such, organized under the laws of a jurisdiction other than this state, (i) each of whose members and managers, if any, is a professional authorized by law to render a professional service within this state and who is or has been engaged in the practice of such profession in such professional service limited liability company or a predecessor entity, or will engage in the practice of such profession in the professional service limited liability company within thirty days of the date such professional becomes a member, or each of whose members and managers, if any, is a professional at least one of such members is authorized by law to render a professional service within this state and who is or has been engaged in the practice of such profession in such professional service limited liability company or a predecessor entity, or will engage in the practice of such profession in the professional service limited liability company within thirty days of the date such professional becomes a member, or (ii) authorized by, or holding a license, certificate, registration or permit issued by the licensing authority pursuant to, the education law to render a professional service within this state; except that all members and managers, if any, of a foreign professional service limited liability company that provides health services in this state shall be licensed in this state. **With respect to a professional service limited liability company formed to provide naturopathic services as such services are defined in article 138 of the education law, each member of such limited liability company must be licensed pursuant to article 138 of the education law to practice naturopathy in this state.** With respect to a foreign professional service limited liability company which provides veterinary services as such services are defined in article 135 of the education law, each member of such foreign professional service limited liability company shall be licensed pursuant to article 135 of the education law to practice veterinary medicine. With respect to a foreign professional service limited liability company which provides medical services as such services are defined in article 131 of the education law, each member of such foreign professional service limited liability company must be licensed pursuant to article 131 of the education law to practice medicine in this state. With respect to a foreign professional service limited liability company which provides dental services as such services are defined in article 133 of the education law, each member of such foreign professional service limited liability company must be licensed pursuant to article 133 of the education law to practice dentistry in this state. With respect to a foreign professional service limited liability company which provides professional engineering, land surveying, geologic, architectural and/or landscape architectural services as such services are defined in article 145, article 147 and article 148 of the education law, each member of such foreign professional service limited liability company must be licensed pursuant to article 145, article 147 and/or article 148 of the education law to practice one or more of such professions in this state. With respect to a foreign professional service limited liability company which provides licensed clinical social work services as such services are defined in article 154 of the education law, each member of such foreign professional service limited liability company shall be licensed pursuant to

article 154 of the education law to practice clinical social work in this state. With respect to a foreign professional service limited liability company which provides creative arts therapy services as such services are defined in article 163 of the education law, each member of such foreign professional service limited liability company must be licensed pursuant to article 163 of the education law to practice creative arts therapy in this state. With respect to a foreign professional service limited liability company which provides marriage and family therapy services as such services are defined in article 163 of the education law, each member of such foreign professional service limited liability company must be licensed pursuant to article 163 of the education law to practice marriage and family therapy in this state. With respect to a foreign professional service limited liability company which provides mental health counseling services as such services are defined in article 163 of the education law, each member of such foreign professional service limited liability company must be licensed pursuant to article 163 of the education law to practice mental health counseling in this state. With respect to a foreign professional service limited liability company which provides psychoanalysis services as such services are defined in article 163 of the education law, each member of such foreign professional service limited liability company must be licensed pursuant to article 163 of the education law to practice psychoanalysis in this state. With respect to a foreign professional service limited liability company which provides applied behavior analysis services as such services are defined in article 167 of the education law, each member of such foreign professional service limited liability company must be licensed or certified pursuant to article 167 of the education law to practice applied behavior analysis in this state.

§ 6. Subdivision (q) of section 121-1500 of the partnership law, as amended by chapter 475 of the laws of 2014, is amended to read as follows:

(q) Each partner of a registered limited liability partnership formed to provide medical services in this state must be licensed pursuant to article 131 of the education law to practice medicine in this state and each partner of a registered limited liability partnership formed to provide dental services in this state must be licensed pursuant to article 133 of the education law to practice dentistry in this state. **Each partner of a registered limited liability partnership formed to provide naturopathic services in this state must be licensed pursuant to article 138 of the education law to practice naturopathy in this state.** Each partner of a registered limited liability partnership formed to provide veterinary services in this state must be licensed pursuant to article 135 of the education law to practice veterinary medicine in this state. Each partner of a registered limited liability partnership formed to provide professional engineering, land surveying, geological services, architectural and/or landscape architectural services in this state must be licensed pursuant to article 145, article 147 and/or article 148 of the education law to practice one or more of such professions in this state. Each partner of a registered limited liability partnership formed to provide licensed clinical social work services in this state must be licensed pursuant to article 154 of the education law to practice clinical social work in this state. Each partner of a registered limited liability partnership formed to provide creative arts therapy services in this state must be licensed pursuant to article 163 of the education law to practice creative arts therapy in this state. Each partner of a

registered limited liability partnership formed to provide marriage and family therapy services in this state must be licensed pursuant to article 163 of the education law to practice marriage and family therapy in this state. Each partner of a registered limited liability partnership formed to provide mental health counseling services in this state must be licensed pursuant to article 163 of the education law to practice mental health counseling in this state. Each partner of a registered limited liability partnership formed to provide psychoanalysis services in this state must be licensed pursuant to article 163 of the education law to practice psychoanalysis in this state. Each partner of a registered limited liability partnership formed to provide applied behavior analysis service in this state must be licensed or certified pursuant to article 167 of the education law to practice applied behavior analysis in this state.

§ 7. Subdivision (q) of section 121-1502 of the partnership law, as amended by chapter 475 of the laws of 2014, is amended to read as follows:

(q) Each partner of a foreign limited liability partnership which provides medical services in this state must be licensed pursuant to article 131 of the education law to practice medicine in the state and each partner of a foreign limited liability partnership which provides dental services in the state must be licensed pursuant to article 133 of the education law to practice dentistry in this state. **Each partner of a foreign limited liability partnership which provides naturopathic services in this state must be licensed pursuant to article 138 of the education law to practice naturopathy in this state.** Each partner of a foreign limited liability partnership which provides veterinary service in the state shall be licensed pursuant to article 135 of the education law to practice veterinary medicine in this state. Each partner of a foreign limited liability partnership which provides professional engineering, land surveying, geological services, architectural and/or landscape architectural services in this state must be licensed pursuant to article 145, article 147 and/or article 148 of the education law to practice one or more of such professions. Each partner of a foreign limited liability partnership which provides licensed clinical social work services in this state must be licensed pursuant to article 154 of the education law to practice licensed clinical social work in this state. Each partner of a foreign limited liability partnership which provides creative arts therapy services in this state must be licensed pursuant to article 163 of the education law to practice creative arts therapy in this state. Each partner of a foreign limited liability partnership which provides marriage and family therapy services in this state must be licensed pursuant to article 163 of the education law to practice marriage and family therapy in this state. Each partner of a foreign limited liability partnership which provides mental health counseling services in this state must be licensed pursuant to article 163 of the education law to practice mental health counseling in this state. Each partner of a foreign limited liability partnership which provides psychoanalysis services in this state must be licensed pursuant to article 163 of the education law to practice psychoanalysis in this state. Each partner of a foreign limited liability partnership which provides applied behavior analysis services in this state must be licensed or certified pursuant to article 167 of the education law to practice applied behavior analysis in this state.

§ 8. Paragraph (a) of subdivision 1 of section 413 of the social services law, as separately amended by chapters 126 and 205 of the laws of 2014, is amended to read as follows:

(a) The following persons and officials are required to report or cause a report to be made in accordance with this title when they have reasonable cause to suspect that a child coming before them in their professional or official capacity is an abused or maltreated child, or when they have reasonable cause to suspect that a child is an abused or maltreated child where the parent, guardian, custodian or other person legally responsible for such child comes before them in their professional or official capacity and states from personal knowledge facts, conditions or circumstances which, if correct, would render the child an abused or maltreated child: any physician; registered physician assistant; surgeon; medical examiner; coroner; dentist; dental hygienist; osteopath; optometrist; chiropractor; podiatrist; **naturopathic doctor;** resident; intern; psychologist; registered nurse; social worker; emergency medical technician; licensed creative arts therapist; licensed marriage and family therapist; licensed mental health counselor; licensed psychoanalyst; licensed behavior analyst; certified behavior analyst assistant; hospital personnel engaged in the admission, examination, care or treatment of persons; a Christian Science practitioner; school official, which includes but is not limited to school teacher, school guidance counselor, school psychologist, school social worker, school nurse, school administrator or other school personnel required to hold a teaching or administrative license or certificate; full or part-time compensated school employee required to hold a temporary coaching license or professional coaching certificate; social services worker; director of a children's overnight camp, summer day camp or traveling summer day camp, as such camps are defined in section thirteen hundred ninety-two of the public health law; day care center worker; school-age child care worker; provider of family or group family day care; employee or volunteer in a residential care facility for children that is licensed, certified or operated by the office of children and family services; or any other child care or foster care worker; mental health professional; substance abuse counselor; alcoholism counselor; all persons credentialed by the office of alcoholism and substance abuse services; peace officer; police officer; district attorney or assistant district attorney; investigator employed in the office of a district attorney; or other law enforcement official.

§ 9. Subdivision 6 of section 571 of the public health law, as amended by chapter 444 of the laws of 2013, is amended to read as follows:

6. "Qualified health care professional" means a physician, dentist, podiatrist, **naturopathic doctor,** optometrist performing a clinical laboratory test that does not use an invasive modality as defined in section seventy-one hundred one of the education law, physician assistant, specialist assistant, nurse practitioner, or midwife, who is licensed and registered with the state education department.

§ 10. Subdivision 1 of section 585 of the public health law, as added by chapter 803 of the laws of 1992, is amended to read as follows:

1. "Health services purveyor" means any person, firm, partnership, group, association, corporation or professional corporation, or any agent, employee, fiduciary, employer or representative thereof, including but not limited to a physician, dentist, podiatrist**, naturopathic doctor** or chiropractor, either in individual practice, group practice or employed in a facility owned by any person, group, association, firm,

partnership or corporation hiring any of the aforementioned practitioners, who provide health or health related services.

§ 11. This act shall take effect immediately; provided that:

a. sections one, two, three, four, five, six, seven, nine and ten of this act shall take effect on the five hundred fortieth day after it shall have become a law; and

b. effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed by the commissioner of education and the board of regents on or before such effective date.