

6925

2015-2016 Regular Sessions

I N   A S S E M B L Y

April 10, 2015

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Introduced by M. of A. WEPRIN, BUCHWALD -- Multi-Sponsored by -- M. of  
A. PAULIN, WALTER -- read once and referred to the Committee on Higher  
Education

AN ACT to amend the limited liability company law, the business corpo-  
ration law, the partnership law, the public health law and the educa-  
tion law, in relation to allowing psychologists licensed under title  
VIII, article 153 of the education law to form limited liability  
companies

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-  
BLY, DO ENACT AS FOLLOWS:

1     Section 1. Legislative intent. This bill would authorize physicians  
2 and psychologists to form limited liability companies, professional  
3 corporations and partnerships with one another. In the last two decades,  
4 practice in and among the health professions has changed. Artificial  
5 barriers in current law prohibit multidisciplinary practices, which  
6 prevents physicians and other providers, including psychologists, from  
7 co-owning a practice and collaborating and coordinating on patient care.  
8 Such restraints should not prevail, as they are no longer in keeping  
9 with best practices in modern health care which espouse the integration  
10 of behavioral and physical health.  
11     S 2. Subdivision (a) of section 1203 of the limited liability company  
12 law, as amended by chapter 554 of the laws of 2013, is amended to read  
13 as follows:  
14     (a) Notwithstanding the education law or any other provision of law,  
15 one or more professionals each of whom is authorized by law to render a  
16 professional service within the state, or one or more professionals, at  
17 least one of whom is authorized by law to render a professional service  
18 within the state, may form, or cause to be formed, a professional  
19 service limited liability company for pecuniary profit under this arti-  
20 cle for the purpose of rendering the professional service or services as  
21 such professionals are authorized to practice. With respect to a profes-

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

LBD07559-01-5

1 sional service limited liability company formed to provide medical  
2 services as such services are defined in article 131 of the education  
3 law, each member of such limited liability company must be licensed  
4 pursuant to article 131 of the education law to practice medicine in  
5 this state. With respect to a professional service limited liability  
6 company formed to provide dental services as such services are defined  
7 in article 133 of the education law, each member of such limited liabil-  
8 ity company must be licensed pursuant to article 133 of the education  
9 law to practice dentistry in this state. With respect to a professional  
10 service limited liability company formed to provide veterinary services  
11 as such services are defined in article 135 of the education law, each  
12 member of such limited liability company must be licensed pursuant to  
13 article 135 of the education law to practice veterinary medicine in this  
14 state. With respect to a professional service limited liability company  
15 formed to provide professional engineering, land surveying, architec-  
16 tural and/or landscape architectural services as such services are  
17 defined in article 145, article 147 and article 148 of the education  
18 law, each member of such limited liability company must be licensed  
19 pursuant to article 145, article 147 and/or article 148 of the education  
20 law to practice one or more of such professions in this state. With  
21 respect to a professional service limited liability company formed to  
22 provide licensed clinical social work services as such services are  
23 defined in article 154 of the education law, each member of such limited  
24 liability company shall be licensed pursuant to article 154 of the  
25 education law to practice licensed clinical social work in this state.  
26 With respect to a professional service limited liability company formed  
27 to provide creative arts therapy services as such services are defined  
28 in article 163 of the education law, each member of such limited liabil-  
29 ity company must be licensed pursuant to article 163 of the education  
30 law to practice creative arts therapy in this state. With respect to a  
31 professional service limited liability company formed to provide  
32 marriage and family therapy services as such services are defined in  
33 article 163 of the education law, each member of such limited liability  
34 company must be licensed pursuant to article 163 of the education law to  
35 practice marriage and family therapy in this state. With respect to a  
36 professional service limited liability company formed to provide mental  
37 health counseling services as such services are defined in article 163  
38 of the education law, each member of such limited liability company must  
39 be licensed pursuant to article 163 of the education law to practice  
40 mental health counseling in this state. With respect to a professional  
41 service limited liability company formed to provide psychoanalysis  
42 services as such services are defined in article 163 of the education  
43 law, each member of such limited liability company must be licensed  
44 pursuant to article 163 of the education law to practice psychoanalysis  
45 in this state. With respect to a professional service limited liability  
46 company formed to provide applied behavior analysis services as such  
47 services are defined in article 167 of the education law, each member of  
48 such limited liability company must be licensed or certified pursuant to  
49 article 167 of the education law to practice applied behavior analysis  
50 in this state. In addition to engaging in such profession or  
51 professions, a professional service limited liability company may engage  
52 in any other business or activities as to which a limited liability  
53 company may be formed under section two hundred one of this chapter.  
54 Notwithstanding any other provision of this section, a professional  
55 service limited liability company (i) authorized to practice law may  
56 only engage in another profession or business or activities or (ii)

1 which is engaged in a profession or other business or activities other  
2 than law may only engage in the practice of law, to the extent not  
3 prohibited by any other law of this state or any rule adopted by the  
4 appropriate appellate division of the supreme court or the court of  
5 appeals. NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, WITH  
6 RESPECT TO A LIMITED LIABILITY COMPANY FORMED TO PROVIDE INTEGRATED,  
7 MULTIDISCIPLINARY MEDICAL AND PSYCHOLOGICAL SERVICES, AS SUCH SERVICES  
8 ARE RESPECTIVELY DEFINED UNDER ARTICLES 131 AND 153 OF THE EDUCATION  
9 LAW, (I) EACH MEMBER OF SUCH LIMITED LIABILITY COMPANY MUST BE LICENSED  
10 PURSUANT TO ARTICLE 131 OR ARTICLE 153 OF THE EDUCATION LAW TO PRACTICE  
11 HIS OR HER PROFESSION IN THIS STATE, (II) EACH MEMBER SHALL ONLY PRAC-  
12 TICE HIS OR HER PROFESSION AS SPECIFIED IN HIS OR HER RESPECTIVE PROFES-  
13 SIONAL ENABLING STATUTE UNDER ARTICLE 131 OR ARTICLE 153 OF THE EDUCA-  
14 TION LAW, AND (III) THE CLINICAL INTEGRATION OF PROFESSIONAL PRACTICES  
15 WITHIN AN INTEGRATED, MULTIDISCIPLINARY ENTITY ORGANIZED UNDER THIS  
16 SECTION DOES NOT ALTER, EXPAND OR CURTAIL THE SCOPE OF PRACTICE OF ANY  
17 OF THE INDIVIDUALS LICENSED UNDER THE STATUTE OF HIS OR HER RESPECTIVE  
18 PROFESSIONAL ENABLING LAW, PROVIDED THAT: (A) MEMBERS LICENSED UNDER  
19 ARTICLE 153 OF THE EDUCATION LAW, SHALL NOT, DIRECTLY OR INDIRECTLY,  
20 INTERFERE WITH THE CLINICAL JUDGMENT OR LEGITIMATE CLINICAL PRACTICE OF  
21 A PROFESSIONAL LICENSED UNDER ARTICLE 131, (B) MEMBERS LICENSED UNDER  
22 ARTICLE 131 SHALL NOT, DIRECTLY OR INDIRECTLY, INTERFERE WITH THE CLIN-  
23 ICAL JUDGMENT OR LEGITIMATE CLINICAL PRACTICE OF A PROFESSIONAL LICENSED  
24 UNDER ARTICLE 153, AND (C) INDIVIDUALS LICENSED UNDER ARTICLE 131 MAY  
25 NOT ORDER OR DIRECT A PROFESSIONAL LICENSED UNDER ARTICLE 153 OF THE  
26 EDUCATION LAW TO PRACTICE BEYOND THE SCOPE OF HIS OR HER LICENSE UNDER  
27 ARTICLE 153 OF THE EDUCATION LAW, EVEN IF SUPERVISED DIRECTLY OR INDI-  
28 RECTLY BY A PROFESSIONAL LICENSED UNDER ARTICLE 131.

29 S 2-a. Subdivision (a) of section 1203 of the limited liability compa-  
30 ny law, as amended by chapter 475 of the laws of 2014, is amended to  
31 read as follows:

32 (a) Notwithstanding the education law or any other provision of law,  
33 one or more professionals each of whom is authorized by law to render a  
34 professional service within the state, or one or more professionals, at  
35 least one of whom is authorized by law to render a professional service  
36 within the state, may form, or cause to be formed, a professional  
37 service limited liability company for pecuniary profit under this arti-  
38 cle for the purpose of rendering the professional service or services as  
39 such professionals are authorized to practice. With respect to a profes-  
40 sional service limited liability company formed to provide medical  
41 services as such services are defined in article 131 of the education  
42 law, each member of such limited liability company must be licensed  
43 pursuant to article 131 of the education law to practice medicine in  
44 this state. With respect to a professional service limited liability  
45 company formed to provide dental services as such services are defined  
46 in article 133 of the education law, each member of such limited liabil-  
47 ity company must be licensed pursuant to article 133 of the education  
48 law to practice dentistry in this state. With respect to a professional  
49 service limited liability company formed to provide veterinary services  
50 as such services are defined in article 135 of the education law, each  
51 member of such limited liability company must be licensed pursuant to  
52 article 135 of the education law to practice veterinary medicine in this  
53 state. With respect to a professional service limited liability company  
54 formed to provide professional engineering, land surveying, architec-  
55 tural, landscape architectural and/or geological services as such  
56 services are defined in article 145, article 147 and article 148 of the

1 education law, each member of such limited liability company must be  
2 licensed pursuant to article 145, article 147 and/or article 148 of the  
3 education law to practice one or more of such professions in this state.  
4 With respect to a professional service limited liability company formed  
5 to provide licensed clinical social work services as such services are  
6 defined in article 154 of the education law, each member of such limited  
7 liability company shall be licensed pursuant to article 154 of the  
8 education law to practice licensed clinical social work in this state.  
9 With respect to a professional service limited liability company formed  
10 to provide creative arts therapy services as such services are defined  
11 in article 163 of the education law, each member of such limited liabil-  
12 ity company must be licensed pursuant to article 163 of the education  
13 law to practice creative arts therapy in this state. With respect to a  
14 professional service limited liability company formed to provide  
15 marriage and family therapy services as such services are defined in  
16 article 163 of the education law, each member of such limited liability  
17 company must be licensed pursuant to article 163 of the education law to  
18 practice marriage and family therapy in this state. With respect to a  
19 professional service limited liability company formed to provide mental  
20 health counseling services as such services are defined in article 163  
21 of the education law, each member of such limited liability company must  
22 be licensed pursuant to article 163 of the education law to practice  
23 mental health counseling in this state. With respect to a professional  
24 service limited liability company formed to provide psychoanalysis  
25 services as such services are defined in article 163 of the education  
26 law, each member of such limited liability company must be licensed  
27 pursuant to article 163 of the education law to practice psychoanalysis  
28 in this state. With respect to a professional service limited liability  
29 company formed to provide applied behavior analysis services as such  
30 services are defined in article 167 of the education law, each member of  
31 such limited liability company must be licensed or certified pursuant to  
32 article 167 of the education law to practice applied behavior analysis  
33 in this state. In addition to engaging in such profession or  
34 professions, a professional service limited liability company may engage  
35 in any other business or activities as to which a limited liability  
36 company may be formed under section two hundred one of this chapter.  
37 Notwithstanding any other provision of this section, a professional  
38 service limited liability company (i) authorized to practice law may  
39 only engage in another profession or business or activities or (ii)  
40 which is engaged in a profession or other business or activities other  
41 than law may only engage in the practice of law, to the extent not  
42 prohibited by any other law of this state or any rule adopted by the  
43 appropriate appellate division of the supreme court or the court of  
44 appeals. NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, WITH  
45 RESPECT TO A LIMITED LIABILITY COMPANY FORMED TO PROVIDE INTEGRATED,  
46 MULTIDISCIPLINARY MEDICAL AND PSYCHOLOGICAL SERVICES, AS SUCH SERVICES  
47 ARE RESPECTIVELY DEFINED UNDER ARTICLES 131 AND 153 OF THE EDUCATION  
48 LAW, (I) EACH MEMBER OF SUCH LIMITED LIABILITY COMPANY MUST BE LICENSED  
49 PURSUANT TO ARTICLE 131 OR ARTICLE 153 OF THE EDUCATION LAW TO PRACTICE  
50 HIS OR HER PROFESSION IN THIS STATE, (II) EACH MEMBER SHALL ONLY PRAC-  
51 TICE HIS OR HER PROFESSION AS SPECIFIED IN HIS OR HER RESPECTIVE PROFES-  
52 SIONAL ENABLING STATUTE UNDER ARTICLE 131 OR ARTICLE 153 OF THE EDUCA-  
53 TION LAW, AND (III) THE CLINICAL INTEGRATION OF PROFESSIONAL PRACTICES  
54 WITHIN AN INTEGRATED, MULTIDISCIPLINARY ENTITY ORGANIZED UNDER THIS  
55 SECTION DOES NOT ALTER, EXPAND OR CURTAIL THE SCOPE OF PRACTICE OF ANY  
56 OF THE INDIVIDUALS LICENSED UNDER THE STATUTE OF HIS OR HER RESPECTIVE

1 PROFESSIONAL ENABLING LAW, PROVIDED THAT: (A) MEMBERS LICENSED UNDER  
2 ARTICLE 153 OF THE EDUCATION LAW, SHALL NOT, DIRECTLY OR INDIRECTLY,  
3 INTERFERE WITH THE CLINICAL JUDGMENT OR LEGITIMATE CLINICAL PRACTICE OF  
4 A PROFESSIONAL LICENSED UNDER ARTICLE 131, (B) MEMBERS LICENSED UNDER  
5 ARTICLE 131 SHALL NOT, DIRECTLY OR INDIRECTLY, INTERFERE WITH THE CLIN-  
6 ICAL JUDGMENT OR LEGITIMATE CLINICAL PRACTICE OF A PROFESSIONAL LICENSED  
7 UNDER ARTICLE 153, AND (C) INDIVIDUALS LICENSED UNDER ARTICLE 131 MAY  
8 NOT ORDER OR DIRECT A PROFESSIONAL LICENSED UNDER ARTICLE 153 OF THE  
9 EDUCATION LAW TO PRACTICE BEYOND THE SCOPE OF HIS OR HER LICENSE UNDER  
10 ARTICLE 153 OF THE EDUCATION LAW, EVEN IF SUPERVISED DIRECTLY OR INDI-  
11 RECTLY BY A PROFESSIONAL LICENSED UNDER ARTICLE 131.

12 S 3. Subdivision (b) of section 1207 of the limited liability company  
13 law, as amended by chapter 554 of the laws of 2013, is amended to read  
14 as follows:

15 (b) With respect to a professional service limited liability company  
16 formed to provide medical services as such services are defined in arti-  
17 cle 131 of the education law, each member of such limited liability  
18 company must be licensed pursuant to article 131 of the education law to  
19 practice medicine in this state. With respect to a professional service  
20 limited liability company formed to provide dental services as such  
21 services are defined in article 133 of the education law, each member of  
22 such limited liability company must be licensed pursuant to article 133  
23 of the education law to practice dentistry in this state. With respect  
24 to a professional service limited liability company formed to provide  
25 veterinary services as such services are defined in article 135 of the  
26 education law, each member of such limited liability company must be  
27 licensed pursuant to article 135 of the education law to practice veter-  
28 inary medicine in this state. With respect to a professional service  
29 limited liability company formed to provide professional engineering,  
30 land surveying, architectural and/or landscape architectural services as  
31 such services are defined in article 145, article 147 and article 148 of  
32 the education law, each member of such limited liability company must be  
33 licensed pursuant to article 145, article 147 and/or article 148 of the  
34 education law to practice one or more of such professions in this state.  
35 With respect to a professional service limited liability company formed  
36 to provide licensed clinical social work services as such services are  
37 defined in article 154 of the education law, each member of such limited  
38 liability company shall be licensed pursuant to article 154 of the  
39 education law to practice licensed clinical social work in this state.  
40 With respect to a professional service limited liability company formed  
41 to provide creative arts therapy services as such services are defined  
42 in article 163 of the education law, each member of such limited liabil-  
43 ity company must be licensed pursuant to article 163 of the education  
44 law to practice creative arts therapy in this state. With respect to a  
45 professional service limited liability company formed to provide  
46 marriage and family therapy services as such services are defined in  
47 article 163 of the education law, each member of such limited liability  
48 company must be licensed pursuant to article 163 of the education law to  
49 practice marriage and family therapy in this state. With respect to a  
50 professional service limited liability company formed to provide mental  
51 health counseling services as such services are defined in article 163  
52 of the education law, each member of such limited liability company must  
53 be licensed pursuant to article 163 of the education law to practice  
54 mental health counseling in this state. With respect to a professional  
55 service limited liability company formed to provide psychoanalysis  
56 services as such services are defined in article 163 of the education

1 law, each member of such limited liability company must be licensed  
2 pursuant to article 163 of the education law to practice psychoanalysis  
3 in this state. With respect to a professional service limited liability  
4 company formed to provide applied behavior analysis services as such  
5 services are defined in article 167 of the education law, each member of  
6 such limited liability company must be licensed or certified pursuant to  
7 article 167 of the education law to practice applied behavior analysis  
8 in this state. NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, WITH  
9 RESPECT TO A PROFESSIONAL SERVICE LIMITED LIABILITY COMPANY FORMED TO  
10 PROVIDE INTEGRATED, MULTIDISCIPLINARY MEDICAL AND PSYCHOLOGICAL  
11 SERVICES, AS SUCH SERVICES ARE RESPECTIVELY DEFINED UNDER ARTICLES 131  
12 AND 153 OF THE EDUCATION LAW, (I) EACH MEMBER OF SUCH LIMITED LIABILITY  
13 COMPANY MUST BE LICENSED PURSUANT TO ARTICLE 131 OR ARTICLE 153 OF THE  
14 EDUCATION LAW TO PRACTICE HIS OR HER PROFESSION IN THIS STATE, (II) EACH  
15 MEMBER SHALL ONLY PRACTICE HIS OR HER PROFESSION AS SPECIFIED IN HIS OR  
16 HER RESPECTIVE PROFESSIONAL ENABLING STATUTE UNDER ARTICLE 131 OR ARTI-  
17 CLE 153 OF THE EDUCATION LAW, AND (III) THE CLINICAL INTEGRATION OF  
18 PROFESSIONAL PRACTICES WITHIN AN INTEGRATED, MULTIDISCIPLINARY ENTITY  
19 ORGANIZED UNDER THIS SECTION DOES NOT ALTER, EXPAND OR CURTAIL THE SCOPE  
20 OF PRACTICE OF ANY OF THE INDIVIDUALS LICENSED UNDER THE STATUTE OF HIS  
21 OR HER RESPECTIVE PROFESSIONAL ENABLING LAW, PROVIDED THAT: (A) MEMBERS  
22 LICENSED UNDER ARTICLE 153 OF THE EDUCATION LAW, SHALL NOT, DIRECTLY OR  
23 INDIRECTLY, INTERFERE WITH THE CLINICAL JUDGMENT OR LEGITIMATE CLINICAL  
24 PRACTICE OF A PROFESSIONAL LICENSED UNDER ARTICLE 131, (B) MEMBERS  
25 LICENSED UNDER ARTICLE 131 SHALL NOT, DIRECTLY OR INDIRECTLY, INTERFERE  
26 WITH THE CLINICAL JUDGMENT OR LEGITIMATE CLINICAL PRACTICE OF A PROFES-  
27 SIONAL LICENSED UNDER ARTICLE 153, AND (C) INDIVIDUALS LICENSED UNDER  
28 ARTICLE 131 MAY NOT ORDER OR DIRECT A PROFESSIONAL LICENSED UNDER ARTI-  
29 CLE 153 OF THE EDUCATION LAW TO PRACTICE BEYOND THE SCOPE OF HIS OR HER  
30 LICENSE UNDER ARTICLE 153 OF THE EDUCATION LAW, EVEN IF SUPERVISED  
31 DIRECTLY OR INDIRECTLY BY A PROFESSIONAL LICENSED UNDER ARTICLE 131.

32 S 3-a. Subdivision (b) of section 1207 of the limited liability compa-  
33 ny law, as amended by chapter 475 of the laws of 2014, is amended to  
34 read as follows:

35 (b) With respect to a professional service limited liability company  
36 formed to provide medical services as such services are defined in arti-  
37 cle 131 of the education law, each member of such limited liability  
38 company must be licensed pursuant to article 131 of the education law to  
39 practice medicine in this state. With respect to a professional service  
40 limited liability company formed to provide dental services as such  
41 services are defined in article 133 of the education law, each member of  
42 such limited liability company must be licensed pursuant to article 133  
43 of the education law to practice dentistry in this state. With respect  
44 to a professional service limited liability company formed to provide  
45 veterinary services as such services are defined in article 135 of the  
46 education law, each member of such limited liability company must be  
47 licensed pursuant to article 135 of the education law to practice veter-  
48 inary medicine in this state. With respect to a professional service  
49 limited liability company formed to provide professional engineering,  
50 land surveying, architectural, landscape architectural and/or geological  
51 services as such services are defined in article 145, article 147 and  
52 article 148 of the education law, each member of such limited liability  
53 company must be licensed pursuant to article 145, article 147 and/or  
54 article 148 of the education law to practice one or more of such  
55 professions in this state. With respect to a professional service limit-  
56 ed liability company formed to provide licensed clinical social work

1 services as such services are defined in article 154 of the education  
2 law, each member of such limited liability company shall be licensed  
3 pursuant to article 154 of the education law to practice licensed clin-  
4 ical social work in this state. With respect to a professional service  
5 limited liability company formed to provide creative arts therapy  
6 services as such services are defined in article 163 of the education  
7 law, each member of such limited liability company must be licensed  
8 pursuant to article 163 of the education law to practice creative arts  
9 therapy in this state. With respect to a professional service limited  
10 liability company formed to provide marriage and family therapy services  
11 as such services are defined in article 163 of the education law, each  
12 member of such limited liability company must be licensed pursuant to  
13 article 163 of the education law to practice marriage and family therapy  
14 in this state. With respect to a professional service limited liability  
15 company formed to provide mental health counseling services as such  
16 services are defined in article 163 of the education law, each member of  
17 such limited liability company must be licensed pursuant to article 163  
18 of the education law to practice mental health counseling in this state.  
19 With respect to a professional service limited liability company formed  
20 to provide psychoanalysis services as such services are defined in arti-  
21 cle 163 of the education law, each member of such limited liability  
22 company must be licensed pursuant to article 163 of the education law to  
23 practice psychoanalysis in this state. With respect to a professional  
24 service limited liability company formed to provide applied behavior  
25 analysis services as such services are defined in article 167 of the  
26 education law, each member of such limited liability company must be  
27 licensed or certified pursuant to article 167 of the education law to  
28 practice applied behavior analysis in this state. NOTWITHSTANDING ANY  
29 OTHER PROVISION OF THIS SECTION, WITH RESPECT TO A PROFESSIONAL SERVICE  
30 LIMITED LIABILITY COMPANY FORMED TO PROVIDE INTEGRATED, MULTIDISCIPLI-  
31 NARY MEDICAL AND PSYCHOLOGICAL SERVICES, AS SUCH SERVICES ARE RESPEC-  
32 TIVELY DEFINED UNDER ARTICLES 131 AND 153 OF THE EDUCATION LAW, (I) EACH  
33 MEMBER OF SUCH LIMITED LIABILITY COMPANY MUST BE LICENSED PURSUANT TO  
34 ARTICLE 131 OR ARTICLE 153 OF THE EDUCATION LAW TO PRACTICE HIS OR HER  
35 PROFESSION IN THIS STATE, (II) EACH MEMBER SHALL ONLY PRACTICE HIS OR  
36 HER PROFESSION AS SPECIFIED IN HIS OR HER RESPECTIVE PROFESSIONAL ENABL-  
37 ING STATUTE UNDER ARTICLE 131 OR ARTICLE 153 OF THE EDUCATION LAW, AND  
38 (III) THE CLINICAL INTEGRATION OF PROFESSIONAL PRACTICES WITHIN AN INTE-  
39 GRATED, MULTIDISCIPLINARY ENTITY ORGANIZED UNDER THIS SECTION DOES NOT  
40 ALTER, EXPAND OR CURTAIL THE SCOPE OF PRACTICE OF ANY OF THE INDIVIDUALS  
41 LICENSED UNDER THE STATUTE OF HIS OR HER RESPECTIVE PROFESSIONAL ENABL-  
42 ING LAW, PROVIDED THAT: (A) MEMBERS LICENSED UNDER ARTICLE 153 OF THE  
43 EDUCATION LAW, SHALL NOT, DIRECTLY OR INDIRECTLY, INTERFERE WITH THE  
44 CLINICAL JUDGMENT OR LEGITIMATE CLINICAL PRACTICE OF A PROFESSIONAL  
45 LICENSED UNDER ARTICLE 131, (B) MEMBERS LICENSED UNDER ARTICLE 131 SHALL  
46 NOT, DIRECTLY OR INDIRECTLY, INTERFERE WITH THE CLINICAL JUDGMENT OR  
47 LEGITIMATE CLINICAL PRACTICE OF A PROFESSIONAL LICENSED UNDER ARTICLE  
48 153, AND (C) INDIVIDUALS LICENSED UNDER ARTICLE 131 MAY NOT ORDER OR  
49 DIRECT A PROFESSIONAL LICENSED UNDER ARTICLE 153 OF THE EDUCATION LAW TO  
50 PRACTICE BEYOND THE SCOPE OF HIS OR HER LICENSE UNDER ARTICLE 153 OF THE  
51 EDUCATION LAW, EVEN IF SUPERVISED DIRECTLY OR INDIRECTLY BY A PROFES-  
52 SIONAL LICENSED UNDER ARTICLE 131.

53 S 4. Subdivision (a) of section 1301 of the limited liability company  
54 law, as amended by chapter 554 of the laws of 2013, is amended to read  
55 as follows:

1 (a) "Foreign professional service limited liability company" means a  
2 professional service limited liability company, whether or not denomi-  
3 nated as such, organized under the laws of a jurisdiction other than  
4 this state, (i) each of whose members and managers, if any, is a profes-  
5 sional authorized by law to render a professional service within this  
6 state and who is or has been engaged in the practice of such profession  
7 in such professional service limited liability company or a predecessor  
8 entity, or will engage in the practice of such profession in the profes-  
9 sional service limited liability company within thirty days of the date  
10 such professional becomes a member, or each of whose members and manag-  
11 ers, if any, is a professional at least one of such members is author-  
12 ized by law to render a professional service within this state and who  
13 is or has been engaged in the practice of such profession in such  
14 professional service limited liability company or a predecessor entity,  
15 or will engage in the practice of such profession in the professional  
16 service limited liability company within thirty days of the date such  
17 professional becomes a member, or (ii) authorized by, or holding a  
18 license, certificate, registration or permit issued by the licensing  
19 authority pursuant to, the education law to render a professional  
20 service within this state; except that all members and managers, if any,  
21 of a foreign professional service limited liability company that  
22 provides health services in this state shall be licensed in this state.  
23 With respect to a foreign professional service limited liability company  
24 which provides veterinary services as such services are defined in arti-  
25 cle 135 of the education law, each member of such foreign professional  
26 service limited liability company shall be licensed pursuant to article  
27 135 of the education law to practice veterinary medicine. With respect  
28 to a foreign professional service limited liability company which  
29 provides medical services as such services are defined in article 131 of  
30 the education law, each member of such foreign professional service  
31 limited liability company must be licensed pursuant to article 131 of  
32 the education law to practice medicine in this state. With respect to a  
33 foreign professional service limited liability company which provides  
34 dental services as such services are defined in article 133 of the  
35 education law, each member of such foreign professional service limited  
36 liability company must be licensed pursuant to article 133 of the educa-  
37 tion law to practice dentistry in this state. With respect to a foreign  
38 professional service limited liability company which provides profes-  
39 sional engineering, land surveying, architectural and/or landscape  
40 architectural services as such services are defined in article 145,  
41 article 147 and article 148 of the education law, each member of such  
42 foreign professional service limited liability company must be licensed  
43 pursuant to article 145, article 147 and/or article 148 of the education  
44 law to practice one or more of such professions in this state. With  
45 respect to a foreign professional service limited liability company  
46 which provides licensed clinical social work services as such services  
47 are defined in article 154 of the education law, each member of such  
48 foreign professional service limited liability company shall be licensed  
49 pursuant to article 154 of the education law to practice clinical social  
50 work in this state. With respect to a foreign professional service  
51 limited liability company which provides creative arts therapy services  
52 as such services are defined in article 163 of the education law, each  
53 member of such foreign professional service limited liability company  
54 must be licensed pursuant to article 163 of the education law to prac-  
55 tice creative arts therapy in this state. With respect to a foreign  
56 professional service limited liability company which provides marriage

1 and family therapy services as such services are defined in article 163  
2 of the education law, each member of such foreign professional service  
3 limited liability company must be licensed pursuant to article 163 of  
4 the education law to practice marriage and family therapy in this state.  
5 With respect to a foreign professional service limited liability company  
6 which provides mental health counseling services as such services are  
7 defined in article 163 of the education law, each member of such foreign  
8 professional service limited liability company must be licensed pursuant  
9 to article 163 of the education law to practice mental health counseling  
10 in this state. With respect to a foreign professional service limited  
11 liability company which provides psychoanalysis services as such  
12 services are defined in article 163 of the education law, each member of  
13 such foreign professional service limited liability company must be  
14 licensed pursuant to article 163 of the education law to practice  
15 psychoanalysis in this state. With respect to a foreign professional  
16 service limited liability company which provides applied behavior analy-  
17 sis services as such services are defined in article 167 of the educa-  
18 tion law, each member of such foreign professional service limited  
19 liability company must be licensed or certified pursuant to article 167  
20 of the education law to practice applied behavior analysis in this  
21 state. WITH RESPECT TO A FOREIGN PROFESSIONAL SERVICE LIMITED LIABILITY  
22 COMPANY FORMED TO PROVIDE INTEGRATED, MULTIDISCIPLINARY MEDICAL AND  
23 PSYCHOLOGICAL SERVICES, AS SUCH SERVICES ARE RESPECTIVELY DEFINED UNDER  
24 ARTICLE 131 AND ARTICLE 153 OF THE EDUCATION LAW, (I) EACH MEMBER OF  
25 SUCH LIMITED LIABILITY COMPANY MUST BE LICENSED PURSUANT TO ARTICLE 131  
26 OR ARTICLE 153 OF THE EDUCATION LAW TO PRACTICE HIS OR HER PROFESSION IN  
27 THIS STATE, (II) EACH MEMBER SHALL ONLY PRACTICE HIS OR HER PROFESSION  
28 AS SPECIFIED IN HIS OR HER RESPECTIVE PROFESSIONAL ENABLING STATUTE  
29 UNDER ARTICLE 131 OR ARTICLE 153 OF THE EDUCATION LAW, AND (III) THE  
30 CLINICAL INTEGRATION OF PROFESSIONAL PRACTICES WITHIN AN INTEGRATED,  
31 MULTIDISCIPLINARY ENTITY ORGANIZED UNDER THIS SECTION DOES NOT ALTER,  
32 EXPAND OR CURTAIL THE SCOPE OF PRACTICE OF ANY OF THE INDIVIDUALS  
33 LICENSED UNDER THE STATUTE OF HIS OR HER RESPECTIVE PROFESSIONAL ENABL-  
34 ING LAW, PROVIDED THAT: (A) MEMBERS LICENSED UNDER ARTICLE 153 OF THE  
35 EDUCATION LAW, SHALL NOT, DIRECTLY OR INDIRECTLY, INTERFERE WITH THE  
36 CLINICAL JUDGMENT OR LEGITIMATE CLINICAL PRACTICE OF A PROFESSIONAL  
37 LICENSED UNDER ARTICLE 131, (B) MEMBERS LICENSED UNDER ARTICLE 131 SHALL  
38 NOT, DIRECTLY OR INDIRECTLY, INTERFERE WITH THE CLINICAL JUDGMENT OR  
39 LEGITIMATE CLINICAL PRACTICE OF A PROFESSIONAL LICENSED UNDER ARTICLE  
40 153, AND (C) INDIVIDUALS LICENSED UNDER ARTICLE 131 MAY NOT ORDER OR  
41 DIRECT A PROFESSIONAL LICENSED UNDER ARTICLE 153 OF THE EDUCATION LAW TO  
42 PRACTICE BEYOND THE SCOPE OF HIS OR HER LICENSE UNDER ARTICLE 153 OF THE  
43 EDUCATION LAW, EVEN IF SUPERVISED DIRECTLY OR INDIRECTLY BY A PROFES-  
44 SIONAL LICENSED UNDER ARTICLE 131.

45 S 4-a. Subdivision (a) of section 1301 of the limited liability compa-  
46 ny law, as amended by chapter 475 of the laws of 2014, is amended to  
47 read as follows:

48 (a) "Foreign professional service limited liability company" means a  
49 professional service limited liability company, whether or not denomi-  
50 nated as such, organized under the laws of a jurisdiction other than  
51 this state, (i) each of whose members and managers, if any, is a profes-  
52 sional authorized by law to render a professional service within this  
53 state and who is or has been engaged in the practice of such profession  
54 in such professional service limited liability company or a predecessor  
55 entity, or will engage in the practice of such profession in the profes-  
56 sional service limited liability company within thirty days of the date

1 such professional becomes a member, or each of whose members and manag-  
2 ers, if any, is a professional at least one of such members is author-  
3 ized by law to render a professional service within this state and who  
4 is or has been engaged in the practice of such profession in such  
5 professional service limited liability company or a predecessor entity,  
6 or will engage in the practice of such profession in the professional  
7 service limited liability company within thirty days of the date such  
8 professional becomes a member, or (ii) authorized by, or holding a  
9 license, certificate, registration or permit issued by the licensing  
10 authority pursuant to, the education law to render a professional  
11 service within this state; except that all members and managers, if any,  
12 of a foreign professional service limited liability company that  
13 provides health services in this state shall be licensed in this state.  
14 With respect to a foreign professional service limited liability company  
15 which provides veterinary services as such services are defined in arti-  
16 cle 135 of the education law, each member of such foreign professional  
17 service limited liability company shall be licensed pursuant to article  
18 135 of the education law to practice veterinary medicine. With respect  
19 to a foreign professional service limited liability company which  
20 provides medical services as such services are defined in article 131 of  
21 the education law, each member of such foreign professional service  
22 limited liability company must be licensed pursuant to article 131 of  
23 the education law to practice medicine in this state. With respect to a  
24 foreign professional service limited liability company which provides  
25 dental services as such services are defined in article 133 of the  
26 education law, each member of such foreign professional service limited  
27 liability company must be licensed pursuant to article 133 of the educa-  
28 tion law to practice dentistry in this state. With respect to a foreign  
29 professional service limited liability company which provides profes-  
30 sional engineering, land surveying, geologic, architectural and/or land-  
31 scape architectural services as such services are defined in article  
32 145, article 147 and article 148 of the education law, each member of  
33 such foreign professional service limited liability company must be  
34 licensed pursuant to article 145, article 147 and/or article 148 of the  
35 education law to practice one or more of such professions in this state.  
36 With respect to a foreign professional service limited liability company  
37 which provides licensed clinical social work services as such services  
38 are defined in article 154 of the education law, each member of such  
39 foreign professional service limited liability company shall be licensed  
40 pursuant to article 154 of the education law to practice clinical social  
41 work in this state. With respect to a foreign professional service  
42 limited liability company which provides creative arts therapy services  
43 as such services are defined in article 163 of the education law, each  
44 member of such foreign professional service limited liability company  
45 must be licensed pursuant to article 163 of the education law to prac-  
46 tice creative arts therapy in this state. With respect to a foreign  
47 professional service limited liability company which provides marriage  
48 and family therapy services as such services are defined in article 163  
49 of the education law, each member of such foreign professional service  
50 limited liability company must be licensed pursuant to article 163 of  
51 the education law to practice marriage and family therapy in this state.  
52 With respect to a foreign professional service limited liability company  
53 which provides mental health counseling services as such services are  
54 defined in article 163 of the education law, each member of such foreign  
55 professional service limited liability company must be licensed pursuant  
56 to article 163 of the education law to practice mental health counseling

1 in this state. With respect to a foreign professional service limited  
2 liability company which provides psychoanalysis services as such  
3 services are defined in article 163 of the education law, each member of  
4 such foreign professional service limited liability company must be  
5 licensed pursuant to article 163 of the education law to practice  
6 psychoanalysis in this state. With respect to a foreign professional  
7 service limited liability company which provides applied behavior analy-  
8 sis services as such services are defined in article 167 of the educa-  
9 tion law, each member of such foreign professional service limited  
10 liability company must be licensed or certified pursuant to article 167  
11 of the education law to practice applied behavior analysis in this  
12 state. WITH RESPECT TO A FOREIGN PROFESSIONAL SERVICE LIMITED LIABILITY  
13 COMPANY FORMED TO PROVIDE INTEGRATED, MULTIDISCIPLINARY MEDICAL AND  
14 PSYCHOLOGICAL SERVICES, AS SUCH SERVICES ARE RESPECTIVELY DEFINED UNDER  
15 ARTICLE 131 AND ARTICLE 153 OF THE EDUCATION LAW, (I) EACH MEMBER OF  
16 SUCH LIMITED LIABILITY COMPANY MUST BE LICENSED PURSUANT TO ARTICLE 131  
17 OR ARTICLE 153 OF THE EDUCATION LAW TO PRACTICE HIS OR HER PROFESSION IN  
18 THIS STATE, (II) EACH MEMBER SHALL ONLY PRACTICE HIS OR HER PROFESSION  
19 AS SPECIFIED IN HIS OR HER RESPECTIVE PROFESSIONAL ENABLING STATUTE  
20 UNDER ARTICLE 131 OR ARTICLE 153 OF THE EDUCATION LAW, AND (III) THE  
21 CLINICAL INTEGRATION OF PROFESSIONAL PRACTICES WITHIN AN INTEGRATED,  
22 MULTIDISCIPLINARY ENTITY ORGANIZED UNDER THIS SECTION DOES NOT ALTER,  
23 EXPAND OR CURTAIL THE SCOPE OF PRACTICE OF ANY OF THE INDIVIDUALS  
24 LICENSED UNDER THE STATUTE OF HIS OR HER RESPECTIVE PROFESSIONAL ENABL-  
25 ING LAW, PROVIDED THAT: (A) MEMBERS LICENSED UNDER ARTICLE 153 OF THE  
26 EDUCATION LAW, SHALL NOT, DIRECTLY OR INDIRECTLY, INTERFERE WITH THE  
27 CLINICAL JUDGMENT OR LEGITIMATE CLINICAL PRACTICE OF A PROFESSIONAL  
28 LICENSED UNDER ARTICLE 131, (B) MEMBERS LICENSED UNDER ARTICLE 131 SHALL  
29 NOT, DIRECTLY OR INDIRECTLY, INTERFERE WITH THE CLINICAL JUDGMENT OR  
30 LEGITIMATE CLINICAL PRACTICE OF A PROFESSIONAL LICENSED UNDER ARTICLE  
31 153, AND (C) INDIVIDUALS LICENSED UNDER ARTICLE 131 MAY NOT ORDER OR  
32 DIRECT A PROFESSIONAL LICENSED UNDER ARTICLE 153 OF THE EDUCATION LAW TO  
33 PRACTICE BEYOND THE SCOPE OF HIS OR HER LICENSE UNDER ARTICLE 153 OF THE  
34 EDUCATION LAW, EVEN IF SUPERVISED DIRECTLY OR INDIRECTLY BY A PROFES-  
35 SIONAL LICENSED UNDER ARTICLE 131.

36 S 5. Paragraph (a) of section 1503 of the business corporation law, as  
37 amended by chapter 550 of the laws of 2011, is amended to read as  
38 follows:

39 (a) Notwithstanding any other provision of law, (I) one or more indi-  
40 viduals duly authorized by law to render the same professional service  
41 within the state may organize, or cause to be organized, a professional  
42 service corporation for pecuniary profit under this article for the  
43 purpose of rendering the same professional service, except that one or  
44 more individuals duly authorized by law to practice professional engi-  
45 neering, architecture, landscape architecture or land surveying within  
46 the state may organize, or cause to be organized, a professional service  
47 corporation or a design professional service corporation for pecuniary  
48 profit under this article for the purpose of rendering such professional  
49 services as such individuals are authorized to practice, AND, (II) ONE  
50 OR MORE INDIVIDUALS DULY LICENSED TO PRACTICE MEDICINE AND ONE OR MORE  
51 PSYCHOLOGISTS LICENSED UNDER ARTICLE ONE HUNDRED FIFTY-THREE OF THE  
52 EDUCATION LAW, WHO MAY BE BOARD CERTIFIED OR QUALIFIED BY HIS OR HER  
53 RESPECTIVE PROFESSIONAL SPECIALTY BOARDS, MAY ORGANIZE, OR CAUSE TO BE  
54 ORGANIZED, FOR BUSINESS PURPOSES ONLY, A MULTIDISCIPLINARY PROFESSIONAL  
55 SERVICE CORPORATION FORMED FOR PECUNIARY PROFIT UNDER THIS ARTICLE FOR  
56 THE PURPOSE OF RENDERING INTEGRATED AND NON-INTEGRATED PROFESSIONAL

1 SERVICES WITHIN SUCH A CORPORATION AS SUCH INDIVIDUALS ARE AUTHORIZED TO  
2 PRACTICE INDIVIDUALLY IN HIS OR HER RESPECTIVE PROFESSIONS, PROVIDED  
3 THAT THE CLINICAL INTEGRATION OF PROFESSIONAL PRACTICES WITHIN AN ENTITY  
4 ORGANIZED UNDER THIS SECTION DOES NOT ALTER, EXPAND OR CURTAIL THE SCOPE  
5 OF PRACTICE OF ANY OF THE INDIVIDUALS LICENSED UNDER THE STATUTE OF HIS  
6 OR HER RESPECTIVE PROFESSIONAL ENABLING LAW; THAT THE CLINICAL JUDGMENT,  
7 MANAGEMENT AND CLINICAL DECISION-MAKING OF ONE OR MORE ARTICLE ONE  
8 HUNDRED THIRTY-ONE PROVIDERS IN AN INTEGRATED, MULTIDISCIPLINARY PRACTICE SHALL BE CONTROLLING; THAT MEMBERS LICENSED UNDER ARTICLE ONE  
9 HUNDRED FIFTY-THREE OF THE EDUCATION LAW, SHALL NOT, DIRECTLY OR INDIRECTLY, INTERFERE WITH THE CLINICAL JUDGMENT OR LEGITIMATE CLINICAL  
10 PRACTICE OF A PROFESSIONAL LICENSED UNDER ARTICLE ONE HUNDRED  
11 THIRTY-ONE; AND THAT INDIVIDUALS LICENSED UNDER ARTICLE ONE HUNDRED  
12 THIRTY-ONE MAY NOT ORDER OR DIRECT A PROFESSIONAL LICENSED UNDER ARTICLE  
13 ONE HUNDRED FIFTY-THREE OF THE EDUCATION LAW TO PRACTICE BEYOND THE  
14 SCOPE OF HIS OR HER LICENSE UNDER ARTICLE ONE HUNDRED FIFTY-THREE OF THE  
15 EDUCATION LAW IN A PROFESSIONAL SERVICE LIMITED LIABILITY COMPANY, EVEN  
16 IF SUPERVISED DIRECTLY OR INDIRECTLY BY A PROFESSIONAL LICENSED UNDER  
17 ARTICLE ONE HUNDRED THIRTY-ONE.  
18

19  
20 S 5-a. Paragraph (a) of section 1503 of the business corporation law,  
21 as amended by chapter 475 of the laws of 2014, is amended to read as  
22 follows:

23 (a) Notwithstanding any other provision of law, (I) one or more individuals duly authorized by law to render the same professional service  
24 within the state may organize, or cause to be organized, a professional  
25 service corporation for pecuniary profit under this article for the  
26 purpose of rendering the same professional service, except that one or  
27 more individuals duly authorized by law to practice professional engineering, architecture, landscape architecture, land surveying or geology  
28 within the state may organize, or cause to be organized, a professional  
29 service corporation or a design professional service corporation for  
30 pecuniary profit under this article for the purpose of rendering such  
31 professional services as such individuals are authorized to practice,  
32 AND, (II) ONE OR MORE INDIVIDUALS DULY LICENSED TO PRACTICE MEDICINE AND  
33 ONE OR MORE PSYCHOLOGISTS LICENSED UNDER ARTICLE ONE HUNDRED FIFTY-THREE  
34 OF THE EDUCATION LAW, WHO MAY BE BOARD CERTIFIED OR QUALIFIED BY HIS OR  
35 HER RESPECTIVE PROFESSIONAL SPECIALTY BOARDS, MAY ORGANIZE, OR CAUSE TO  
36 BE ORGANIZED, FOR BUSINESS PURPOSES ONLY, A MULTIDISCIPLINARY PROFESSIONAL SERVICE CORPORATION FORMED FOR PECUNIARY PROFIT UNDER THIS ARTICLE FOR THE PURPOSE OF RENDERING INTEGRATED AND NON-INTEGRATED PROFESSIONAL SERVICES WITHIN SUCH A CORPORATION AS SUCH INDIVIDUALS ARE  
37 AUTHORIZED TO PRACTICE INDIVIDUALLY IN HIS OR HER RESPECTIVE  
38 PROFESSIONS, PROVIDED THAT THE CLINICAL INTEGRATION OF PROFESSIONAL  
39 PRACTICES WITHIN AN ENTITY ORGANIZED UNDER THIS SECTION DOES NOT ALTER,  
40 EXPAND OR CURTAIL THE SCOPE OF PRACTICE OF ANY OF THE INDIVIDUALS  
41 LICENSED UNDER THE STATUTE OF HIS OR HER RESPECTIVE PROFESSIONAL ENABLING LAW; THAT THE CLINICAL JUDGMENT, MANAGEMENT AND CLINICAL  
42 DECISION-MAKING OF ONE OR MORE ARTICLE ONE HUNDRED THIRTY-ONE PROVIDERS  
43 IN AN INTEGRATED, MULTIDISCIPLINARY PRACTICE SHALL BE CONTROLLING; THAT  
44 MEMBERS LICENSED UNDER ARTICLE ONE HUNDRED FIFTY-THREE OF THE EDUCATION  
45 LAW, SHALL NOT, DIRECTLY OR INDIRECTLY, INTERFERE WITH THE CLINICAL  
46 JUDGMENT OR LEGITIMATE CLINICAL PRACTICE OF A PROFESSIONAL LICENSED  
47 UNDER ARTICLE ONE HUNDRED THIRTY-ONE; AND THAT INDIVIDUALS LICENSED  
48 UNDER ARTICLE ONE HUNDRED THIRTY-ONE MAY NOT ORDER OR DIRECT A PROFESSIONAL LICENSED UNDER ARTICLE ONE HUNDRED FIFTY-THREE OF THE EDUCATION  
49 LAW TO PRACTICE BEYOND THE SCOPE OF HIS OR HER LICENSE UNDER ARTICLE ONE  
50  
51  
52  
53  
54  
55  
56

1 HUNDRED FIFTY-THREE OF THE EDUCATION LAW IN A PROFESSIONAL SERVICE  
2 LIMITED LIABILITY COMPANY, EVEN IF SUPERVISED DIRECTLY OR INDIRECTLY BY  
3 A PROFESSIONAL LICENSED UNDER ARTICLE ONE HUNDRED THIRTY-ONE.

4 S 6. Subdivision (q) of section 121-1500 of the partnership law, as  
5 amended by chapter 554 of the laws of 2013, is amended to read as  
6 follows:

7 (q) Each partner of a registered limited liability partnership formed  
8 to provide medical services in this state must be licensed pursuant to  
9 article 131 of the education law to practice medicine in this state and  
10 each partner of a registered limited liability partnership formed to  
11 provide dental services in this state must be licensed pursuant to arti-  
12 cle 133 of the education law to practice dentistry in this state. Each  
13 partner of a registered limited liability partnership formed to provide  
14 veterinary services in this state must be licensed pursuant to article  
15 135 of the education law to practice veterinary medicine in this state.  
16 Each partner of a registered limited liability partnership formed to  
17 provide professional engineering, land surveying, architectural and/or  
18 landscape architectural services in this state must be licensed pursuant  
19 to article 145, article 147 and/or article 148 of the education law to  
20 practice one or more of such professions in this state. Each partner of  
21 a registered limited liability partnership formed to provide licensed  
22 clinical social work services in this state must be licensed pursuant to  
23 article 154 of the education law to practice clinical social work in  
24 this state. Each partner of a registered limited liability partnership  
25 formed to provide creative arts therapy services in this state must be  
26 licensed pursuant to article 163 of the education law to practice crea-  
27 tive arts therapy in this state. Each partner of a registered limited  
28 liability partnership formed to provide marriage and family therapy  
29 services in this state must be licensed pursuant to article 163 of the  
30 education law to practice marriage and family therapy in this state.  
31 Each partner of a registered limited liability partnership formed to  
32 provide mental health counseling services in this state must be licensed  
33 pursuant to article 163 of the education law to practice mental health  
34 counseling in this state. Each partner of a registered limited liability  
35 partnership formed to provide psychoanalysis services in this state must  
36 be licensed pursuant to article 163 of the education law to practice  
37 psychoanalysis in this state. Each partner of a registered limited  
38 liability partnership formed to provide applied behavior analysis  
39 service in this state must be licensed or certified pursuant to article  
40 167 of the education law to practice applied behavior analysis in this  
41 state. EACH PARTNER OF A REGISTERED LIMITED LIABILITY PARTNERSHIP  
42 FORMED TO PROVIDE INTEGRATED, MULTIDISCIPLINARY MEDICAL AND PSYCHOLOG-  
43 ICAL SERVICES, AS SUCH SERVICES ARE RESPECTIVELY DEFINED UNDER ARTICLE  
44 131 AND ARTICLE 153 OF THE EDUCATION LAW, (I) MUST BE LICENSED PURSUANT  
45 TO ARTICLE 131 OR ARTICLE 153 OF THE EDUCATION LAW TO PRACTICE HIS OR  
46 HER PROFESSION IN THIS STATE, (II) SHALL ONLY PRACTICE HIS OR HER  
47 PROFESSION AS SPECIFIED IN HIS OR HER RESPECTIVE PROFESSIONAL ENABLING  
48 STATUTE UNDER ARTICLE 131 OR ARTICLE 153 OF THE EDUCATION LAW, AND (III)  
49 THE CLINICAL INTEGRATION OF PROFESSIONAL PRACTICES WITHIN AN INTEGRATED,  
50 MULTI-DISCIPLINARY ENTITY ORGANIZED UNDER THIS SECTION DOES NOT ALTER,  
51 EXPAND OR CURTAIL THE SCOPE OF PRACTICE OF ANY OF THE INDIVIDUALS  
52 LICENSED UNDER THE STATUTE OF HIS OR HER RESPECTIVE PROFESSIONAL ENABL-  
53 ING LAW, PROVIDED THAT: (A) MEMBERS LICENSED UNDER ARTICLE 153 OF THE  
54 EDUCATION LAW, SHALL NOT, DIRECTLY OR INDIRECTLY, INTERFERE WITH THE  
55 CLINICAL JUDGMENT OR LEGITIMATE CLINICAL PRACTICE OF A PROFESSIONAL  
56 LICENSED UNDER ARTICLE 131, (B) MEMBERS LICENSED UNDER ARTICLE 131 SHALL

NOT, DIRECTLY OR INDIRECTLY, INTERFERE WITH THE CLINICAL JUDGMENT OR LEGITIMATE CLINICAL PRACTICE OF A PROFESSIONAL LICENSED UNDER ARTICLE 153, AND (C) INDIVIDUALS LICENSED UNDER ARTICLE 131 MAY NOT ORDER OR DIRECT A PROFESSIONAL LICENSED UNDER ARTICLE 153 OF THE EDUCATION LAW TO PRACTICE BEYOND THE SCOPE OF HIS OR HER LICENSE UNDER ARTICLE 153 OF THE EDUCATION LAW, EVEN IF SUPERVISED DIRECTLY OR INDIRECTLY BY A PROFESSIONAL LICENSED UNDER ARTICLE 131.

S 6-a. 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 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. EACH PARTNER OF A REGISTERED LIMITED LIABILITY PARTNERSHIP FORMED TO PROVIDE INTEGRATED, MULTIDISCIPLINARY MEDICAL AND PSYCHOLOGICAL SERVICES, AS SUCH SERVICES ARE RESPECTIVELY DEFINED UNDER ARTICLE 131 AND ARTICLE 153 OF THE EDUCATION LAW, (I) MUST BE LICENSED PURSUANT TO ARTICLE 131 OR ARTICLE 153 OF THE EDUCATION LAW TO PRACTICE HIS OR HER PROFESSION IN THIS STATE, (II) SHALL ONLY PRACTICE HIS OR HER PROFESSION AS SPECIFIED IN HIS OR HER RESPECTIVE PROFESSIONAL ENABLING STATUTE UNDER ARTICLE 131 OR ARTICLE 153 OF THE EDUCATION LAW, AND (III) THE CLINICAL INTEGRATION OF PROFESSIONAL PRACTICES WITHIN AN INTEGRATED, MULTI-DISCIPLINARY ENTITY ORGANIZED UNDER THIS SECTION DOES NOT ALTER, EXPAND OR CURTAIL THE SCOPE OF PRACTICE OF ANY OF THE INDIVIDUALS LICENSED UNDER THE STATUTE OF HIS OR HER RESPECTIVE PROFESSIONAL ENABL-

1 ING LAW, PROVIDED THAT: (A) MEMBERS LICENSED UNDER ARTICLE 153 OF THE  
2 EDUCATION LAW, SHALL NOT, DIRECTLY OR INDIRECTLY, INTERFERE WITH THE  
3 CLINICAL JUDGMENT OR LEGITIMATE CLINICAL PRACTICE OF A PROFESSIONAL  
4 LICENSED UNDER ARTICLE 131, (B) MEMBERS LICENSED UNDER ARTICLE 131 SHALL  
5 NOT, DIRECTLY OR INDIRECTLY, INTERFERE WITH THE CLINICAL JUDGMENT OR  
6 LEGITIMATE CLINICAL PRACTICE OF A PROFESSIONAL LICENSED UNDER ARTICLE  
7 153, AND (C) INDIVIDUALS LICENSED UNDER ARTICLE 131 MAY NOT ORDER OR  
8 DIRECT A PROFESSIONAL LICENSED UNDER ARTICLE 153 OF THE EDUCATION LAW TO  
9 PRACTICE BEYOND THE SCOPE OF HIS OR HER LICENSE UNDER ARTICLE 153 OF THE  
10 EDUCATION LAW, EVEN IF SUPERVISED DIRECTLY OR INDIRECTLY BY A PROFES-  
11 SIONAL LICENSED UNDER ARTICLE 131.

12 S 7. Subdivision (q) of section 121-1502 of the partnership law, as  
13 amended by chapter 554 of the laws of 2013, is amended to read as  
14 follows:

15 (q) Each partner of a foreign limited liability partnership which  
16 provides medical services in this state must be licensed pursuant to  
17 article 131 of the education law to practice medicine in the state and  
18 each partner of a foreign limited liability partnership which provides  
19 dental services in the state must be licensed pursuant to article 133 of  
20 the education law to practice dentistry in this state. Each partner of a  
21 foreign limited liability partnership which provides veterinary service  
22 in the state shall be licensed pursuant to article 135 of the education  
23 law to practice veterinary medicine in this state. Each partner of a  
24 foreign limited liability partnership which provides professional engi-  
25 neering, land surveying, architectural and/or landscape architectural  
26 services in this state must be licensed pursuant to article 145, article  
27 147 and/or article 148 of the education law to practice one or more of  
28 such professions. Each partner of a foreign limited liability partner-  
29 ship which provides licensed clinical social work services in this state  
30 must be licensed pursuant to article 154 of the education law to prac-  
31 tice licensed clinical social work in this state. Each partner of a  
32 foreign limited liability partnership which provides creative arts ther-  
33 apy services in this state must be licensed pursuant to article 163 of  
34 the education law to practice creative arts therapy in this state. Each  
35 partner of a foreign limited liability partnership which provides  
36 marriage and family therapy services in this state must be licensed  
37 pursuant to article 163 of the education law to practice marriage and  
38 family therapy in this state. Each partner of a foreign limited liabil-  
39 ity partnership which provides mental health counseling services in this  
40 state must be licensed pursuant to article 163 of the education law to  
41 practice mental health counseling in this state. Each partner of a  
42 foreign limited liability partnership which provides psychoanalysis  
43 services in this state must be licensed pursuant to article 163 of the  
44 education law to practice psychoanalysis in this state. Each partner of  
45 a foreign limited liability partnership which provides applied behavior  
46 analysis services in this state must be licensed or certified pursuant  
47 to article 167 of the education law to practice applied behavior analy-  
48 sis in this state. EACH PARTNER OF A FOREIGN LIMITED LIABILITY PARTNER-  
49 SHIP FORMED TO PROVIDE INTEGRATED, MULTIDISCIPLINARY MEDICAL AND PSYCHO-  
50 LOGICAL SERVICES, AS SUCH SERVICES ARE DEFINED UNDER ARTICLE 131 OR  
51 ARTICLE 153 OF THE EDUCATION LAW, (I) MUST BE LICENSED PURSUANT TO ARTI-  
52 CLE 131 OR ARTICLE 153 OF THE EDUCATION LAW TO PRACTICE HIS OR HER  
53 PROFESSION IN THIS STATE, (II) SHALL ONLY PRACTICE HIS OR HER PROFESSION  
54 AS SPECIFIED IN HIS OR HER RESPECTIVE PROFESSIONAL ENABLING STATUTE  
55 UNDER ARTICLE 131 OR ARTICLE 153 OF THE EDUCATION LAW, AND (III) THE  
56 CLINICAL INTEGRATION OF PROFESSIONAL PRACTICES WITHIN AN INTEGRATED,

1 MULTIDISCIPLINARY ENTITY ORGANIZED UNDER THIS SECTION DOES NOT ALTER,  
2 EXPAND OR CURTAIL THE SCOPE OF PRACTICE OF ANY OF THE INDIVIDUALS  
3 LICENSED UNDER THE STATUTE OF HIS OR HER RESPECTIVE PROFESSIONAL ENABL-  
4 ING LAW, PROVIDED THAT: (A) MEMBERS NOT LICENSED UNDER ARTICLE 131 OF  
5 THE EDUCATION LAW, SHALL NOT, DIRECTLY OR INDIRECTLY, INTERFERE WITH THE  
6 CLINICAL JUDGMENT OR LEGITIMATE CLINICAL PRACTICE OF A PROFESSIONAL  
7 LICENSED UNDER ARTICLE 131, (B) MEMBERS LICENSED UNDER ARTICLE 131 SHALL  
8 NOT, DIRECTLY OR INDIRECTLY, INTERFERE WITH THE CLINICAL JUDGMENT OR  
9 LEGITIMATE CLINICAL PRACTICE OF A PROFESSIONAL LICENSED UNDER ARTICLE  
10 153, AND (C) INDIVIDUALS LICENSED UNDER ARTICLE 131 MAY NOT ORDER OR  
11 DIRECT A PROFESSIONAL LICENSED UNDER ARTICLE 153 OF THE EDUCATION LAW TO  
12 PRACTICE BEYOND THE SCOPE OF HIS OR HER LICENSE UNDER ARTICLE 153 OF THE  
13 EDUCATION LAW, EVEN IF SUPERVISED DIRECTLY OR INDIRECTLY BY A PROFES-  
14 SIONAL LICENSED UNDER ARTICLE 131.

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

18 (q) Each partner of a foreign limited liability partnership which  
19 provides medical services in this state must be licensed pursuant to  
20 article 131 of the education law to practice medicine in the state and  
21 each partner of a foreign limited liability partnership which provides  
22 dental services in the state must be licensed pursuant to article 133 of  
23 the education law to practice dentistry in this state. Each partner of a  
24 foreign limited liability partnership which provides veterinary service  
25 in the state shall be licensed pursuant to article 135 of the education  
26 law to practice veterinary medicine in this state. Each partner of a  
27 foreign limited liability partnership which provides professional engi-  
28 neering, land surveying, geological services, architectural and/or land-  
29 scape architectural services in this state must be licensed pursuant to  
30 article 145, article 147 and/or article 148 of the education law to  
31 practice one or more of such professions. Each partner of a foreign  
32 limited liability partnership which provides licensed clinical social  
33 work services in this state must be licensed pursuant to article 154 of  
34 the education law to practice licensed clinical social work in this  
35 state. Each partner of a foreign limited liability partnership which  
36 provides creative arts therapy services in this state must be licensed  
37 pursuant to article 163 of the education law to practice creative arts  
38 therapy in this state. Each partner of a foreign limited liability part-  
39 nership which provides marriage and family therapy services in this  
40 state must be licensed pursuant to article 163 of the education law to  
41 practice marriage and family therapy in this state. Each partner of a  
42 foreign limited liability partnership which provides mental health coun-  
43 seling services in this state must be licensed pursuant to article 163  
44 of the education law to practice mental health counseling in this state.  
45 Each partner of a foreign limited liability partnership which provides  
46 psychoanalysis services in this state must be licensed pursuant to arti-  
47 cle 163 of the education law to practice psychoanalysis in this state.  
48 Each partner of a foreign limited liability partnership which provides  
49 applied behavior analysis services in this state must be licensed or  
50 certified pursuant to article 167 of the education law to practice  
51 applied behavior analysis in this state. EACH PARTNER OF A FOREIGN  
52 LIMITED LIABILITY PARTNERSHIP FORMED TO PROVIDE INTEGRATED, MULTIDISCI-  
53 PLINARY MEDICAL AND PSYCHOLOGICAL SERVICES, AS SUCH SERVICES ARE DEFINED  
54 UNDER ARTICLE 131 OR ARTICLE 153 OF THE EDUCATION LAW, (I) MUST BE  
55 LICENSED PURSUANT TO ARTICLE 131 OR ARTICLE 153 OF THE EDUCATION LAW TO  
56 PRACTICE HIS OR HER PROFESSION IN THIS STATE, (II) SHALL ONLY PRACTICE

1 HIS OR HER PROFESSION AS SPECIFIED IN HIS OR HER RESPECTIVE PROFESSIONAL  
2 ENABLING STATUTE UNDER ARTICLE 131 OR ARTICLE 153 OF THE EDUCATION LAW,  
3 AND (III) THE CLINICAL INTEGRATION OF PROFESSIONAL PRACTICES WITHIN AN  
4 INTEGRATED, MULTIDISCIPLINARY ENTITY ORGANIZED UNDER THIS SECTION DOES  
5 NOT ALTER, EXPAND OR CURTAIL THE SCOPE OF PRACTICE OF ANY OF THE INDI-  
6 VIDUALS LICENSED UNDER THE STATUTE OF HIS OR HER RESPECTIVE PROFESSIONAL  
7 ENABLING LAW, PROVIDED THAT: (A) MEMBERS NOT LICENSED UNDER ARTICLE 131  
8 OF THE EDUCATION LAW, SHALL NOT, DIRECTLY OR INDIRECTLY, INTERFERE WITH  
9 THE CLINICAL JUDGMENT OR LEGITIMATE CLINICAL PRACTICE OF A PROFESSIONAL  
10 LICENSED UNDER ARTICLE 131, (B) MEMBERS LICENSED UNDER ARTICLE 131 SHALL  
11 NOT, DIRECTLY OR INDIRECTLY, INTERFERE WITH THE CLINICAL JUDGMENT OR  
12 LEGITIMATE CLINICAL PRACTICE OF A PROFESSIONAL LICENSED UNDER ARTICLE  
13 153, AND (C) INDIVIDUALS LICENSED UNDER ARTICLE 131 MAY NOT ORDER OR  
14 DIRECT A PROFESSIONAL LICENSED UNDER ARTICLE 153 OF THE EDUCATION LAW TO  
15 PRACTICE BEYOND THE SCOPE OF HIS OR HER LICENSE UNDER ARTICLE 153 OF THE  
16 EDUCATION LAW, EVEN IF SUPERVISED DIRECTLY OR INDIRECTLY BY A PROFES-  
17 SIONAL LICENSED UNDER ARTICLE 131.

18 S 8. Subdivision 1 of section 2801 of the public health law, as sepa-  
19 rately amended by chapters 297 and 416 of the laws of 1983, is amended  
20 to read as follows:

21 1. "Hospital" means a facility or institution engaged principally in  
22 providing services by or under the supervision of a physician or, in the  
23 case of a dental clinic or dental dispensary, of a dentist, for the  
24 prevention, diagnosis or treatment of human disease, pain, injury,  
25 deformity or physical condition, including, but not limited to, a gener-  
26 al hospital, public health center, diagnostic center, treatment center,  
27 dental clinic, dental dispensary, rehabilitation center other than a  
28 facility used solely for vocational rehabilitation, nursing home, tuber-  
29 culosis hospital, chronic disease hospital, maternity hospital, lying-  
30 in-asylum, out-patient department, out-patient lodge, dispensary and a  
31 laboratory or central service facility serving one or more such insti-  
32 tutions, but the term hospital shall not include an institution, sani-  
33 tarium or other facility engaged principally in providing services for  
34 the prevention, diagnosis or treatment of mental disability and which is  
35 subject to the powers of visitation, examination, inspection and inves-  
36 tigation of the department of mental hygiene except for those distinct  
37 parts of such a facility which provide hospital service. The provisions  
38 of this article shall not apply to a facility or institution engaged  
39 principally in providing services by or under the supervision of the  
40 bona fide members and adherents of a recognized religious organization  
41 whose teachings include reliance on spiritual means through prayer alone  
42 for healing in the practice of the religion of such organization and  
43 where services are provided in accordance with those teachings OR TO A  
44 BUSINESS CORPORATION, LIMITED LIABILITY CORPORATION OR PARTNERSHIP  
45 BETWEEN A MEDICAL DOCTOR AND A DULY LICENSED HEALTHCARE PROFESSIONAL  
46 UNDER TITLE VIII OF THE EDUCATION LAW.

47 S 9. Subdivision 19 of section 6530 of the education law, as added by  
48 chapter 606 of the laws of 1991, is amended to read as follows:

49 19. Permitting any person to share in the fees for professional  
50 services, other than: a partner, employee, associate in a professional  
51 firm or corporation, professional subcontractor or consultant authorized  
52 to practice medicine, or a legally authorized trainee practicing under  
53 the supervision of a licensee OR A PSYCHOLOGIST PROVIDING PROFESSIONAL  
54 SERVICES IN THE SAME PRACTICE. This prohibition shall include any  
55 arrangement or agreement whereby the amount received in payment for  
56 furnishing space, facilities, equipment or personnel services used by a

1 licensee constitutes a percentage of, or is otherwise dependent upon,  
2 the income or receipts of the licensee from such practice, except as  
3 otherwise provided by law with respect to a facility licensed pursuant  
4 to article twenty-eight of the public health law or article thirteen of  
5 the mental hygiene law;

6 S 10. This act shall take effect immediately; provided, however, that  
7 sections two-a, three-a, four-a, five-a, six-a and seven-a of this act  
8 shall take effect on the same date and in the same manner as chapter 475  
9 of the laws of 2014 takes effect.