

6925

2015-2016 Regular Sessions

I N A S S E M B L Y

April 10, 2015

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.

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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
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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.