

8153--A

2015-2016 Regular Sessions

I N   A S S E M B L Y

June 10, 2015

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Introduced by M. of A. PEOPLES-STOKES, TITONE, LUPINACCI, BENEDETTO, STECK, SEPULVEDA -- Multi-Sponsored by -- M. of A. ARROYO -- read once and referred to the Committee on Higher Education -- recommitted to the Committee on Higher Education in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the limited liability company law, the business corporation law, the partnership law, the education law and the public health law, in relation to authorizing certain licensed health services professionals to form limited liability companies

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

1     Section 1. Subdivision (a) of section 1203 of the limited liability  
2 company law, as amended by chapter 554 of the laws of 2013, is amended  
3 to read as follows:  
4     (a) Notwithstanding the education law or any other provision of law,  
5 one or more professionals each of whom is authorized by law to render a  
6 professional service within the state, or one or more professionals, at  
7 least one of whom is authorized by law to render a professional service  
8 within the state, may form, or cause to be formed, a professional  
9 service limited liability company for pecuniary profit under this arti-  
10 cle for the purpose of rendering the professional service or services as  
11 such professionals are authorized to practice. With respect to a profes-  
12 sional service limited liability company formed to provide medical  
13 services as such services are defined in article 131 of the education  
14 law, each member of such limited liability company must be licensed  
15 pursuant to article 131 of the education law to practice medicine in  
16 this state. NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, ANY  
17 PERSON LICENSED PURSUANT TO ARTICLE 131 OF THE EDUCATION LAW TO PRACTICE  
18 MEDICINE AND ANY PERSON LICENSED PURSUANT TO ARTICLES 132, 137, 140,  
19 141, 143, 144, 153, 154, 155 OR 156 OR SUBDIVISION 3 OF SECTION 6902 OF

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

LBD11509-03-6

1 ARTICLE 139 OF THE EDUCATION LAW MAY FORM, OR CAUSE TO BE FORMED, A  
2 PROFESSIONAL SERVICE LIMITED LIABILITY COMPANY TO PROVIDE MULTIDISCIPLI-  
3 NARY SERVICES WITH ONE OR MORE LICENSED PROFESSIONALS, SUBJECT TO THE  
4 FOLLOWING CONDITIONS: (I) EACH MEMBER OF SUCH LIMITED LIABILITY COMPANY  
5 MUST BE LICENSED PURSUANT TO TITLE EIGHT OF THE EDUCATION LAW TO PRAC-  
6 TICE HIS OR HER PROFESSION IN THIS STATE; (II) EACH MEMBER SHALL ONLY  
7 PRACTICE HIS OR HER PROFESSION AS SPECIFIED IN HIS OR HER RESPECTIVE  
8 PROFESSIONAL ENABLING STATUTE UNDER TITLE EIGHT OF THE EDUCATION LAW;  
9 AND (III) ANY CLINICAL INTEGRATION OF PROFESSIONAL PRACTICES UNDER THIS  
10 SECTION SHALL NOT ALTER, EXPAND OR CURTAIL THE SCOPE OF PRACTICE OF ANY  
11 OF THE MEMBERS; PROVIDED FURTHER THAT: (A) NO MEMBER SHALL, DIRECTLY OR  
12 INDIRECTLY, INTERFERE WITH THE CLINICAL JUDGMENT OR LEGITIMATE CLINICAL  
13 PRACTICE OF ANOTHER MEMBER; AND (B) NO MEMBER SHALL ORDER OR DIRECT  
14 ANOTHER MEMBER TO PRACTICE BEYOND THE SCOPE OF HIS OR HER LICENSE. With  
15 respect to a professional service limited liability company formed to  
16 provide dental services as such services are defined in article 133 of  
17 the education law, each member of such limited liability company must be  
18 licensed pursuant to article 133 of the education law to practice  
19 dentistry in this state. With respect to a professional service limited  
20 liability company formed to provide veterinary services as such services  
21 are defined in article 135 of the education law, each member of such  
22 limited liability company must be licensed pursuant to article 135 of  
23 the education law to practice veterinary medicine in this state. With  
24 respect to a professional service limited liability company formed to  
25 provide professional engineering, land surveying, architectural and/or  
26 landscape architectural services as such services are defined in article  
27 145, article 147 and article 148 of the education law, each member of  
28 such limited liability company must be licensed pursuant to article 145,  
29 article 147 and/or article 148 of the education law to practice one or  
30 more of such professions in this state. [With respect to a professional  
31 service limited liability company formed to provide licensed clinical  
32 social work services as such services are defined in article 154 of the  
33 education law, each member of such limited liability company shall be  
34 licensed pursuant to article 154 of the education law to practice  
35 licensed clinical social work in this state.] With respect to a profes-  
36 sional service limited liability company formed to provide creative arts  
37 therapy services as such services are defined in article 163 of the  
38 education law, each member of such limited liability company must be  
39 licensed pursuant to article 163 of the education law to practice crea-  
40 tive arts therapy in this state. With respect to a professional service  
41 limited liability company formed to provide marriage and family therapy  
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 marriage and  
45 family therapy in this state. With respect to a professional service  
46 limited liability company formed to provide mental health counseling  
47 services as such services are defined in article 163 of the education  
48 law, each member of such limited liability company must be licensed  
49 pursuant to article 163 of the education law to practice mental health  
50 counseling in this state. With respect to a professional service limited  
51 liability company formed to provide psychoanalysis services as such  
52 services are defined in article 163 of the education law, each member of  
53 such limited liability company must be licensed pursuant to article 163  
54 of the education law to practice psychoanalysis in this state. With  
55 respect to a professional service limited liability company formed to  
56 provide applied behavior analysis services as such services are defined

1 in article 167 of the education law, each member of such limited liability  
2 company must be licensed or certified pursuant to article 167 of the  
3 education law to practice applied behavior analysis in this state. In  
4 addition to engaging in such profession or professions, a professional  
5 service limited liability company may engage in any other business or  
6 activities as to which a limited liability company may be formed under  
7 section two hundred one of this chapter. Notwithstanding any other  
8 provision of this section, a professional service limited liability  
9 company (i) authorized to practice law may only engage in another  
10 profession or business or activities or (ii) which is engaged in a  
11 profession or other business or activities other than law may only  
12 engage in the practice of law, to the extent not prohibited by any other  
13 law of this state or any rule adopted by the appropriate appellate divi-  
14 sion of the supreme court or the court of appeals.

15 S 2. Subdivision (b) of section 1207 of the limited liability company  
16 law, as amended by chapter 554 of the laws of 2013, is amended to read  
17 as follows:

18 (b) With respect to a professional service limited liability company  
19 formed to provide medical services as such services are defined in arti-  
20 cle 131 of the education law, each member of such limited liability  
21 company must be licensed pursuant to article 131 of the education law to  
22 practice medicine in this state. NOTWITHSTANDING ANY OTHER PROVISION OF  
23 THIS SECTION, ANY PERSON LICENSED PURSUANT TO ARTICLE 131 OF THE EDUCA-  
24 TION LAW TO PRACTICE MEDICINE AND ANY PERSON LICENSED PURSUANT TO ARTI-  
25 CLES 132, 137, 140, 141, 143, 144, 153, 154, 155 OR 156 OR SUBDIVISION 3  
26 OF SECTION 6902 OF ARTICLE 139 OF THE EDUCATION LAW MAY FORM, OR CAUSE  
27 TO BE FORMED, A PROFESSIONAL SERVICE LIMITED LIABILITY COMPANY TO  
28 PROVIDE MULTIDISCIPLINARY SERVICES WITH ONE OR MORE LICENSED PROFES-  
29 SIONALS, SUBJECT TO THE FOLLOWING CONDITIONS: (I) EACH MEMBER OF SUCH  
30 LIMITED LIABILITY COMPANY MUST BE LICENSED PURSUANT TO TITLE EIGHT OF  
31 THE EDUCATION LAW TO PRACTICE HIS OR HER PROFESSION IN THIS STATE; (II)  
32 EACH MEMBER SHALL ONLY PRACTICE HIS OR HER PROFESSION AS SPECIFIED IN  
33 HIS OR HER RESPECTIVE PROFESSIONAL ENABLING STATUTE UNDER TITLE EIGHT OF  
34 THE EDUCATION LAW; AND (III) ANY CLINICAL INTEGRATION OF PROFESSIONAL  
35 PRACTICES UNDER THIS SECTION SHALL NOT ALTER, EXPAND OR CURTAIL THE  
36 SCOPE OF PRACTICE OF ANY OF THE MEMBERS; PROVIDED FURTHER THAT: (A) NO  
37 MEMBER SHALL, DIRECTLY OR INDIRECTLY, INTERFERE WITH THE CLINICAL JUDG-  
38 MENT OR LEGITIMATE CLINICAL PRACTICE OF ANOTHER MEMBER; AND (B) NO  
39 MEMBER SHALL ORDER OR DIRECT ANOTHER MEMBER TO PRACTICE BEYOND THE SCOPE  
40 OF HIS OR HER LICENSE. With respect to a professional service limited  
41 liability company formed to provide dental services as such services are  
42 defined in article 133 of the education law, each member of such limited  
43 liability company must be licensed pursuant to article 133 of the educa-  
44 tion law to practice dentistry in this state. With respect to a profes-  
45 sional service limited liability company formed to provide veterinary  
46 services as such services are defined in article 135 of the education  
47 law, each member of such limited liability company must be licensed  
48 pursuant to article 135 of the education law to practice veterinary  
49 medicine in this state. With respect to a professional service limited  
50 liability company formed to provide professional engineering, land  
51 surveying, architectural and/or landscape architectural services as such  
52 services are defined in article 145, article 147 and article 148 of the  
53 education law, each member of such limited liability company must be  
54 licensed pursuant to article 145, article 147 and/or article 148 of the  
55 education law to practice one or more of such professions in this state.  
56 [With respect to a professional service limited liability company formed

1 to provide licensed clinical social work services as such services are  
2 defined in article 154 of the education law, each member of such limited  
3 liability company shall be licensed pursuant to article 154 of the  
4 education law to practice licensed clinical social work in this state.]  
5 With respect to a professional service limited liability company formed  
6 to provide creative arts therapy services as such services are defined  
7 in article 163 of the education law, each member of such limited liabil-  
8 ity company must be licensed pursuant to article 163 of the education  
9 law to practice creative arts therapy in this state. With respect to a  
10 professional service limited liability company formed to provide  
11 marriage and family therapy services as such services are defined in  
12 article 163 of the education law, each member of such limited liability  
13 company must be licensed pursuant to article 163 of the education law to  
14 practice marriage and family therapy in this state. With respect to a  
15 professional service limited liability company formed to provide mental  
16 health counseling services as such services are defined in article 163  
17 of the education law, each member of such limited liability company must  
18 be licensed pursuant to article 163 of the education law to practice  
19 mental health counseling in this state. With respect to a professional  
20 service limited liability company formed to provide psychoanalysis  
21 services as such services are defined in article 163 of the education  
22 law, each member of such limited liability company must be licensed  
23 pursuant to article 163 of the education law to practice psychoanalysis  
24 in this state. With respect to a professional service limited liability  
25 company formed to provide applied behavior analysis services as such  
26 services are defined in article 167 of the education law, each member of  
27 such limited liability company must be licensed or certified pursuant to  
28 article 167 of the education law to practice applied behavior analysis  
29 in this state.

30 S 3. Subdivision (a) of section 1301 of the limited liability company  
31 law, as amended by chapter 554 of the laws of 2013, is amended to read  
32 as follows:

33 (a) "Foreign professional service limited liability company" means a  
34 professional service limited liability company, whether or not denomi-  
35 nated as such, organized under the laws of a jurisdiction other than  
36 this state, (i) each of whose members and managers, if any, is a profes-  
37 sional authorized by law to render a professional service within this  
38 state and who is or has been engaged in the practice of such profession  
39 in such professional service limited liability company or a predecessor  
40 entity, or will engage in the practice of such profession in the profes-  
41 sional service limited liability company within thirty days of the date  
42 such professional becomes a member, or each of whose members and manag-  
43 ers, if any, is a professional at least one of such members is author-  
44 ized by law to render a professional service within this state and who  
45 is or has been engaged in the practice of such profession in such  
46 professional service limited liability company or a predecessor entity,  
47 or will engage in the practice of such profession in the professional  
48 service limited liability company within thirty days of the date such  
49 professional becomes a member, or (ii) authorized by, or holding a  
50 license, certificate, registration or permit issued by the licensing  
51 authority pursuant to, the education law to render a professional  
52 service within this state; except that all members and managers, if any,  
53 of a foreign professional service limited liability company that  
54 provides health services in this state shall be licensed in this state.  
55 With respect to a foreign professional service limited liability company  
56 which provides veterinary services as such services are defined in arti-

1 cle 135 of the education law, each member of such foreign professional  
2 service limited liability company shall be licensed pursuant to article  
3 135 of the education law to practice veterinary medicine. With respect  
4 to a foreign professional service limited liability company which  
5 provides medical services as such services are defined in article 131 of  
6 the education law, each member of such foreign professional service  
7 limited liability company must be licensed pursuant to article 131 of  
8 the education law to practice medicine in this state. NOTWITHSTANDING  
9 ANY OTHER PROVISION OF THIS SECTION, ANY PERSON LICENSED PURSUANT TO  
10 ARTICLE 131 OF THE EDUCATION LAW TO PRACTICE MEDICINE AND ANY PERSON  
11 LICENSED PURSUANT TO ARTICLES 132, 137, 140, 141, 143, 144, 153, 154,  
12 155 OR 156 OR SUBDIVISION 3 OF SECTION 6902 OF ARTICLE 139 OF THE EDUCA-  
13 TION LAW MAY FORM, OR CAUSE TO BE FORMED, A FOREIGN PROFESSIONAL SERVICE  
14 LIMITED LIABILITY COMPANY TO PROVIDE MULTIDISCIPLINARY SERVICES WITH ONE  
15 OR MORE LICENSED PROFESSIONALS, SUBJECT TO THE FOLLOWING CONDITIONS: (A)  
16 EACH MEMBER OF SUCH LIMITED LIABILITY COMPANY MUST BE LICENSED PURSUANT  
17 TO TITLE EIGHT OF THE EDUCATION LAW TO PRACTICE HIS OR HER PROFESSION IN  
18 THIS STATE; (B) EACH MEMBER SHALL ONLY PRACTICE HIS OR HER PROFESSION AS  
19 SPECIFIED IN HIS OR HER RESPECTIVE PROFESSIONAL ENABLING STATUTE UNDER  
20 TITLE EIGHT OF THE EDUCATION LAW; AND (C) ANY CLINICAL INTEGRATION OF  
21 PROFESSIONAL PRACTICES UNDER THIS SECTION SHALL NOT ALTER, EXPAND OR  
22 CURTAIL THE SCOPE OF PRACTICE OF ANY OF THE MEMBERS; PROVIDED FURTHER  
23 THAT: (1) NO MEMBER SHALL, DIRECTLY OR INDIRECTLY, INTERFERE WITH THE  
24 CLINICAL JUDGMENT OR LEGITIMATE CLINICAL PRACTICE OF ANOTHER MEMBER; AND  
25 (2) NO MEMBER SHALL ORDER OR DIRECT ANOTHER MEMBER TO PRACTICE BEYOND  
26 THE SCOPE OF HIS OR HER LICENSE. With respect to a foreign professional  
27 service limited liability company which provides dental services as such  
28 services are defined in article 133 of the education law, each member of  
29 such foreign professional service limited liability company must be  
30 licensed pursuant to article 133 of the education law to practice  
31 dentistry in this state. With respect to a foreign professional service  
32 limited liability company which provides professional engineering, land  
33 surveying, architectural and/or landscape architectural services as such  
34 services are defined in article 145, article 147 and article 148 of the  
35 education law, each member of such foreign professional service limited  
36 liability company must be licensed pursuant to article 145, article 147  
37 and/or article 148 of the education law to practice one or more of such  
38 professions in this state. [With respect to a foreign professional  
39 service limited liability company which provides licensed clinical  
40 social work services as such services are defined in article 154 of the  
41 education law, each member of such foreign professional service limited  
42 liability company shall be licensed pursuant to article 154 of the  
43 education law to practice clinical social work in this state.] With  
44 respect to a foreign professional service limited liability company  
45 which provides creative arts therapy services as such services are  
46 defined in article 163 of the education law, each member of such foreign  
47 professional service limited liability company must be licensed pursuant  
48 to article 163 of the education law to practice creative arts therapy in  
49 this state. With respect to a foreign professional service limited  
50 liability company which provides marriage and family therapy services as  
51 such services are defined in article 163 of the education law, each  
52 member of such foreign professional service limited liability company  
53 must be licensed pursuant to article 163 of the education law to prac-  
54 tice marriage and family therapy in this state. With respect to a  
55 foreign professional service limited liability company which provides  
56 mental health counseling services as such services are defined in arti-

1 cle 163 of the education law, each member of such foreign professional  
2 service limited liability company must be licensed pursuant to article  
3 163 of the education law to practice mental health counseling in this  
4 state. With respect to a foreign professional service limited liability  
5 company which provides psychoanalysis services as such services are  
6 defined in article 163 of the education law, each member of such foreign  
7 professional service limited liability company must be licensed pursuant  
8 to article 163 of the education law to practice psychoanalysis in this  
9 state. With respect to a foreign professional service limited liability  
10 company which provides applied behavior analysis services as such  
11 services are defined in article 167 of the education law, each member of  
12 such foreign professional service limited liability company must be  
13 licensed or certified pursuant to article 167 of the education law to  
14 practice applied behavior analysis in this state.

15 S 4. Paragraph (a) of section 1503 of the business corporation law, as  
16 amended by chapter 550 of the laws of 2011, is amended to read as  
17 follows:

18 (a) Notwithstanding any other provision of law, (I) one or more indi-  
19 viduals duly authorized by law to render the same professional service  
20 within the state may organize, or cause to be organized, a professional  
21 service corporation for pecuniary profit under this article for the  
22 purpose of rendering the same professional service, except that one or  
23 more individuals duly authorized by law to practice professional engi-  
24 neering, architecture, landscape architecture or land surveying within  
25 the state may organize, or cause to be organized, a professional service  
26 corporation or a design professional service corporation for pecuniary  
27 profit under this article for the purpose of rendering such professional  
28 services as such individuals are authorized to practice, AND (II) ONE OR  
29 MORE INDIVIDUALS LICENSED TO PRACTICE PURSUANT TO ARTICLE 131 AND ONE OR  
30 MORE INDIVIDUALS LICENSED PURSUANT TO ARTICLE 132, 137, 140, 141, 143,  
31 144, 153, 154, 155 OR 156 OR SUBDIVISION 3 OF SECTION 6902 OF ARTICLE  
32 139 OF TITLE EIGHT OF THE EDUCATION LAW MAY ORGANIZE, OR CAUSE TO BE  
33 ORGANIZED, FOR BUSINESS PURPOSES ONLY, A PROFESSIONAL SERVICE CORPO-  
34 RATION FORMED FOR PECUNIARY PROFIT UNDER THIS ARTICLE FOR THE PURPOSE OF  
35 RENDERING MULTIDISCIPLINARY SERVICES WITHIN SUCH A CORPORATION AS SUCH  
36 INDIVIDUALS ARE AUTHORIZED TO PRACTICE INDIVIDUALLY IN HIS OR HER  
37 RESPECTIVE PROFESSIONS, SUBJECT TO THE FOLLOWING CONDITIONS: (A) AN  
38 INDIVIDUAL WHO ORGANIZES, OR CAUSES TO ORGANIZE, SUCH CORPORATION MUST  
39 BE LICENSED PURSUANT TO TITLE EIGHT OF THE EDUCATION LAW TO PRACTICE HIS  
40 OR HER PROFESSION IN THIS STATE; (B) EACH MEMBER SHALL ONLY PRACTICE HIS  
41 OR HER PROFESSION AS SPECIFIED IN HIS OR HER RESPECTIVE PROFESSIONAL  
42 ENABLING STATUTE UNDER TITLE EIGHT OF THE EDUCATION LAW; (C) ANY CLIN-  
43 ICAL INTEGRATION OF PROFESSIONAL PRACTICES UNDER THIS SECTION SHALL NOT  
44 ALTER, EXPAND OR CURTAIL THE SCOPE OF PRACTICE OF ANY OF THE MEMBERS;  
45 (D) NO INDIVIDUAL SHALL, DIRECTLY OR INDIRECTLY, INTERFERE WITH THE  
46 CLINICAL JUDGMENT OR LEGITIMATE CLINICAL PRACTICE OF ANOTHER INDIVIDUAL;  
47 AND (E) NO INDIVIDUAL SHALL ORDER OR DIRECT ANOTHER INDIVIDUAL TO PRAC-  
48 TICE BEYOND THE SCOPE OF HIS OR HER LICENSE.

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

52 (q) Each partner of a registered limited liability partnership formed  
53 to provide medical services in this state must be licensed pursuant to  
54 article 131 of the education law to practice medicine in this state [and  
55 each]. NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, ANY PERSON  
56 LICENSED PURSUANT TO ARTICLE 131 OF THE EDUCATION LAW TO PRACTICE MEDI-

1 CINE AND ANY OTHER PERSON LICENSED PURSUANT TO ARTICLE 132, 137, 140,  
2 141, 143, 144, 153, 154, 155 OR 156 OR SUBDIVISION 3 OF SECTION 6902 OF  
3 ARTICLE 139 OF THE EDUCATION LAW MAY FORM, OR CAUSE TO BE FORMED, A  
4 REGISTERED LIMITED LIABILITY PARTNERSHIP TO PROVIDE MULTIDISCIPLINARY  
5 SERVICES WITH ONE OR MORE LICENSED PROFESSIONALS, SUBJECT TO THE FOLLOW-  
6 ING CONDITIONS: (I) EACH PARTNER OF SUCH LIMITED LIABILITY PARTNERSHIP  
7 MUST BE LICENSED PURSUANT TO TITLE EIGHT OF THE EDUCATION LAW TO PRAC-  
8 TICE HIS OR HER PROFESSION IN THIS STATE; (II) EACH PARTNER SHALL ONLY  
9 PRACTICE HIS OR HER PROFESSION AS SPECIFIED IN HIS OR HER RESPECTIVE  
10 PROFESSIONAL ENABLING STATUTE UNDER TITLE EIGHT OF THE EDUCATION LAW;  
11 AND (III) ANY CLINICAL INTEGRATION OF PROFESSIONAL PRACTICES UNDER THIS  
12 SECTION SHALL NOT ALTER, EXPAND OR CURTAIL THE SCOPE OF PRACTICE OF ANY  
13 OF THE PARTNERS; PROVIDED FURTHER THAT: (A) NO PARTNER SHALL, DIRECTLY  
14 OR INDIRECTLY, INTERFERE WITH THE CLINICAL JUDGMENT OR LEGITIMATE CLIN-  
15 ICAL PRACTICE OF ANOTHER PARTNER; AND (B) NO PARTNER SHALL ORDER OR  
16 DIRECT ANOTHER PARTNER TO PRACTICE BEYOND THE SCOPE OF HIS OR HER  
17 LICENSE. EACH partner of a registered limited liability partnership  
18 formed to provide dental services in this state must be licensed pursu-  
19 ant to article 133 of the education law to practice dentistry in this  
20 state. Each partner of a registered limited liability partnership  
21 formed to provide veterinary services in this state must be licensed  
22 pursuant to article 135 of the education law to practice veterinary  
23 medicine in this state. Each partner of a registered limited liability  
24 partnership formed to provide professional engineering, land surveying,  
25 architectural and/or landscape architectural services in this state must  
26 be licensed pursuant to article 145, article 147 and/or article 148 of  
27 the education law to practice one or more of such professions in this  
28 state. [Each partner of a registered limited liability partnership  
29 formed to provide licensed clinical social work services in this state  
30 must be licensed pursuant to article 154 of the education law to prac-  
31 tice clinical social work in this state.] Each partner of a registered  
32 limited liability partnership formed to provide creative arts therapy  
33 services in this state must be licensed pursuant to article 163 of the  
34 education law to practice creative arts therapy in this state. Each  
35 partner of a registered limited liability partnership formed to provide  
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 registered limited  
39 liability partnership formed to provide mental health counseling  
40 services in this state must be licensed pursuant to article 163 of the  
41 education law to practice mental health counseling in this state. Each  
42 partner of a registered limited liability partnership formed to provide  
43 psychoanalysis services in this state must be licensed pursuant to arti-  
44 cle 163 of the education law to practice psychoanalysis in this state.  
45 Each partner of a registered limited liability partnership formed to  
46 provide applied behavior analysis service in this state must be licensed  
47 or certified pursuant to article 167 of the education law to practice  
48 applied behavior analysis in this state.

49 S 6. Subdivision (q) of section 121-1502 of the partnership law, as  
50 amended by chapter 554 of the laws of 2013, is amended to read as  
51 follows:

52 (q) Each partner of a foreign limited liability partnership which  
53 provides medical services in this state must be licensed pursuant to  
54 article 131 of the education law to practice medicine in the state [and  
55 each]. NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, ANY PERSON  
56 LICENSED PURSUANT TO ARTICLE 131 OF THE EDUCATION LAW TO PRACTICE MEDI-

1 CINE AND ANY PERSON LICENSED PURSUANT TO ARTICLES 132, 137, 140, 141,  
2 143, 144, 153, 154, 155 OR 156 OR SUBDIVISION 3 OF SECTION 6902 OF ARTI-  
3 CLE 139 OF THE EDUCATION LAW MAY FORM, OR CAUSE TO BE FORMED, A FOREIGN  
4 LIMITED LIABILITY PARTNERSHIP TO PROVIDE MULTIDISCIPLINARY SERVICES WITH  
5 ONE OR MORE LICENSED PROFESSIONALS, SUBJECT TO THE FOLLOWING CONDITIONS:  
6 (I) EACH PARTNER OF SUCH FOREIGN LIMITED LIABILITY PARTNERSHIP MUST BE  
7 LICENSED PURSUANT TO TITLE EIGHT OF THE EDUCATION LAW TO PRACTICE HIS  
8 OR HER PROFESSION IN THIS STATE; (II) EACH PARTNER SHALL ONLY PRACTICE  
9 HIS OR HER PROFESSION AS SPECIFIED IN HIS OR HER RESPECTIVE PROFESSIONAL  
10 ENABLING STATUE UNDER TITLE EIGHT OF THE EDUCATION LAW; AND (III) ANY  
11 CLINICAL INTEGRATION OF PROFESSIONAL PRACTICES UNDER THIS SECTION SHALL  
12 NOT ALTER, EXPAND OR CURTAIL THE SCOPE OF PRACTICE OF ANY OF THE PART-  
13 NERS; PROVIDED FURTHER THAT: (A) NO PARTNER SHALL, DIRECTLY OR INDIRECT-  
14 LY, INTERFERE WITH THE CLINICAL JUDGMENT OR LEGITIMATE CLINICAL PRACTICE  
15 OF ANOTHER PARTNER; AND (B) NO PARTNER SHALL ORDER OR DIRECT ANOTHER  
16 PARTNER TO PRACTICE BEYOND THE SCOPE OF HIS OR HER LICENSE. EACH partner  
17 of a foreign limited liability partnership which provides dental  
18 services in the state must be licensed pursuant to article 133 of the  
19 education law to practice dentistry in this state. Each partner of a  
20 foreign limited liability partnership which provides veterinary service  
21 in the state shall be licensed pursuant to article 135 of the education  
22 law to practice veterinary medicine in this state. Each partner of a  
23 foreign limited liability partnership which provides professional engi-  
24 neering, land surveying, architectural and/or landscape architectural  
25 services in this state must be licensed pursuant to article 145, article  
26 147 and/or article 148 of the education law to practice one or more of  
27 such professions. [Each partner of a foreign limited liability partner-  
28 ship which provides licensed clinical social work services in this state  
29 must be licensed pursuant to article 154 of the education law to prac-  
30 tice licensed clinical social work in this state.] Each partner of a  
31 foreign limited liability partnership which provides creative arts ther-  
32 apy services in this state must be licensed pursuant to article 163 of  
33 the education law to practice creative arts therapy in this state. Each  
34 partner of a foreign limited liability partnership which provides  
35 marriage and family therapy services in this state must be licensed  
36 pursuant to article 163 of the education law to practice marriage and  
37 family therapy in this state. Each partner of a foreign limited liabil-  
38 ity partnership which provides mental health counseling services in this  
39 state must be licensed pursuant to article 163 of the education law to  
40 practice mental health counseling in this state. Each partner of a  
41 foreign limited liability partnership which provides psychoanalysis  
42 services in this state must be licensed pursuant to article 163 of the  
43 education law to practice psychoanalysis in this state. Each partner of  
44 a foreign limited liability partnership which provides applied behavior  
45 analysis services in this state must be licensed or certified pursuant  
46 to article 167 of the education law to practice applied behavior analy-  
47 sis in this state.

48 S 7. Subdivision (a) of section 1203 of the limited liability company  
49 law, as amended by chapter 475 of the laws of 2014, is amended to read  
50 as follows:

51 (a) Notwithstanding the education law or any other provision of law,  
52 one or more professionals each of whom is authorized by law to render a  
53 professional service within the state, or one or more professionals, at  
54 least one of whom is authorized by law to render a professional service  
55 within the state, may form, or cause to be formed, a professional  
56 service limited liability company for pecuniary profit under this arti-



1 cle for the purpose of rendering the professional service or services as  
2 such professionals are authorized to practice. With respect to a profes-  
3 sional service limited liability company formed to provide medical  
4 services as such services are defined in article 131 of the education  
5 law, each member of such limited liability company must be licensed  
6 pursuant to article 131 of the education law to practice medicine in  
7 this state. NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, ANY  
8 PERSON LICENSED PURSUANT TO ARTICLE 131 OF THE EDUCATION LAW TO PRACTICE  
9 MEDICINE AND ANY PERSON LICENSED PURSUANT TO ARTICLES 132, 137, 140,  
10 141, 143, 144, 153, 154, 155 OR 156 OR SUBDIVISION 3 OF SECTION 6902 OF  
11 ARTICLE 139 OF THE EDUCATION LAW MAY FORM, OR CAUSE TO BE FORMED, A  
12 PROFESSIONAL SERVICE LIMITED LIABILITY COMPANY TO PROVIDE MULTIDISCIPLI-  
13 NARY SERVICES WITH ONE OR MORE LICENSED PROFESSIONALS, SUBJECT TO THE  
14 FOLLOWING CONDITIONS: (I) EACH MEMBER OF SUCH LIMITED LIABILITY COMPANY  
15 MUST BE LICENSED PURSUANT TO TITLE EIGHT OF THE EDUCATION LAW TO PRAC-  
16 TICE HIS OR HER PROFESSION IN THIS STATE; (II) EACH MEMBER SHALL ONLY  
17 PRACTICE HIS OR HER PROFESSION AS SPECIFIED IN HIS OR HER RESPECTIVE  
18 PROFESSIONAL ENABLING STATUE UNDER TITLE EIGHT OF THE EDUCATION LAW; AND  
19 (III) ANY CLINICAL INTEGRATION OF PROFESSIONAL PRACTICES UNDER THIS  
20 SECTION SHALL NOT ALTER, EXPAND OR CURTAIL THE SCOPE OF PRACTICE OF ANY  
21 OF THE MEMBERS; PROVIDED FURTHER THAT: (A) NO MEMBER SHALL, DIRECTLY OR  
22 INDIRECTLY, INTERFERE WITH THE CLINICAL JUDGMENT OR LEGITIMATE CLINICAL  
23 PRACTICE OF ANOTHER MEMBER; AND (B) NO MEMBER SHALL ORDER OR DIRECT  
24 ANOTHER MEMBER TO PRACTICE BEYOND THE SCOPE OF HIS OR HER LICENSE. With  
25 respect to a professional service limited liability company formed to  
26 provide dental services as such services are defined in article 133 of  
27 the education law, each member of such limited liability company must be  
28 licensed pursuant to article 133 of the education law to practice  
29 dentistry in this state. With respect to a professional service limited  
30 liability company formed to provide veterinary services as such services  
31 are defined in article 135 of the education law, each member of such  
32 limited liability company must be licensed pursuant to article 135 of  
33 the education law to practice veterinary medicine in this state. With  
34 respect to a professional service limited liability company formed to  
35 provide professional engineering, land surveying, architectural, land-  
36 scape architectural and/or geological services as such services are  
37 defined in article 145, article 147 and article 148 of the education  
38 law, each member of such limited liability company must be licensed  
39 pursuant to article 145, article 147 and/or article 148 of the education  
40 law to practice one or more of such professions in this state. [With  
41 respect to a professional service limited liability company formed to  
42 provide licensed clinical social work services as such services are  
43 defined in article 154 of the education law, each member of such limited  
44 liability company shall be licensed pursuant to article 154 of the  
45 education law to practice licensed clinical social work in this state.]  
46 With respect to a professional service limited liability company formed  
47 to provide creative arts therapy services as such services are defined  
48 in article 163 of the education law, each member of such limited liabil-  
49 ity company must be licensed pursuant to article 163 of the education  
50 law to practice creative arts therapy in this state. With respect to a  
51 professional service limited liability company formed to provide  
52 marriage and family therapy services as such services are defined in  
53 article 163 of the education law, each member of such limited liability  
54 company must be licensed pursuant to article 163 of the education law to  
55 practice marriage and family therapy in this state. With respect to a  
56 professional service limited liability company formed to provide mental

1 health counseling services as such services are defined in article 163  
2 of the education law, each member of such limited liability company must  
3 be licensed pursuant to article 163 of the education law to practice  
4 mental health counseling in this state. With respect to a professional  
5 service limited liability company formed to provide psychoanalysis  
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 psychoanalysis  
9 in this state. With respect to a professional service limited liability  
10 company formed to provide applied behavior analysis services as such  
11 services are defined in article 167 of the education law, each member of  
12 such limited liability company must be licensed or certified pursuant to  
13 article 167 of the education law to practice applied behavior analysis  
14 in this state. In addition to engaging in such profession or  
15 professions, a professional service limited liability company may engage  
16 in any other business or activities as to which a limited liability  
17 company may be formed under section two hundred one of this chapter.  
18 Notwithstanding any other provision of this section, a professional  
19 service limited liability company (i) authorized to practice law may  
20 only engage in another profession or business or activities or (ii)  
21 which is engaged in a profession or other business or activities other  
22 than law may only engage in the practice of law, to the extent not  
23 prohibited by any other law of this state or any rule adopted by the  
24 appropriate appellate division of the supreme court or the court of  
25 appeals.

26 S 8. Subdivision (b) of section 1207 of the limited liability company  
27 law, as amended by chapter 475 of the laws of 2014, is amended to read  
28 as follows:

29 (b) With respect to a professional service limited liability company  
30 formed to provide medical services as such services are defined in arti-  
31 cle 131 of the education law, each member of such limited liability  
32 company must be licensed pursuant to article 131 of the education law to  
33 practice medicine in this state. NOTWITHSTANDING ANY OTHER PROVISION OF  
34 THIS SECTION, ANY PERSON LICENSED PURSUANT TO ARTICLE 131 OF THE EDUCA-  
35 TION LAW TO PRACTICE MEDICINE AND ANY PERSON LICENSED PURSUANT TO ARTI-  
36 CLES 132, 137, 140, 141, 143, 144, 153, 154, 155 OR 156 OR SUBDIVISION 3  
37 OF SECTION 6902 OF ARTICLE 139 OF THE EDUCATION LAW MAY FORM, OR CAUSE  
38 TO BE FORMED, A PROFESSIONAL SERVICE LIMITED LIABILITY COMPANY TO  
39 PROVIDE MULTIDISCIPLINARY SERVICES WITH ONE OR MORE LICENSED PROFES-  
40 SIONALS, SUBJECT TO THE FOLLOWING CONDITIONS: (I) EACH MEMBER OF SUCH  
41 LIMITED LIABILITY COMPANY MUST BE LICENSED PURSUANT TO TITLE EIGHT OF  
42 THE EDUCATION LAW TO PRACTICE HIS OR HER PROFESSION IN THIS STATE; (II)  
43 EACH MEMBER SHALL ONLY PRACTICE HIS OR HER PROFESSION AS SPECIFIED IN  
44 HIS OR HER RESPECTIVE PROFESSIONAL ENABLING STATUTE UNDER TITLE EIGHT OR  
45 THE EDUCATION LAW; AND (III) ANY CLINICAL INTEGRATION OF PROFESSIONAL  
46 PRACTICES UNDER THIS SECTION SHALL NOT ALTER, EXPAND OR CURTAIL THE  
47 SCOPE OF PRACTICE OF ANY OF THE MEMBERS; PROVIDED FURTHER THAT: (A) NO  
48 MEMBER SHALL, DIRECTLY OR INDIRECTLY, INTERFERE WITH THE CLINICAL JUDGE-  
49 MENT OR LEGITIMATE CLINICAL PRACTICE OF ANOTHER MEMBER; AND (B) NO  
50 MEMBER SHALL ORDER OR DIRECT ANOTHER MEMBER TO PRACTICE BEYOND THE SCOPE  
51 OF HIS OR HER LICENSE. With respect to a professional service limited  
52 liability company formed to provide dental services as such services are  
53 defined in article 133 of the education law, each member of such limited  
54 liability company must be licensed pursuant to article 133 of the educa-  
55 tion law to practice dentistry in this state. With respect to a profes-  
56 sional service limited liability company formed to provide veterinary

1 services as such services are defined in article 135 of the education  
2 law, each member of such limited liability company must be licensed  
3 pursuant to article 135 of the education law to practice veterinary  
4 medicine in this state. With respect to a professional service limited  
5 liability company formed to provide professional engineering, land  
6 surveying, architectural, landscape architectural and/or geological  
7 services as such services are defined in article 145, article 147 and  
8 article 148 of the education law, each member of such limited liability  
9 company must be licensed pursuant to article 145, article 147 and/or  
10 article 148 of the education law to practice one or more of such  
11 professions in this state. [With respect to a professional service  
12 limited liability company formed to provide licensed clinical social  
13 work services as such services are defined in article 154 of the educa-  
14 tion law, each member of such limited liability company shall be  
15 licensed pursuant to article 154 of the education law to practice  
16 licensed clinical social work in this state.] With respect to a profes-  
17 sional service limited liability company formed to provide creative arts  
18 therapy services as such services are defined in article 163 of the  
19 education law, each member of such limited liability company must be  
20 licensed pursuant to article 163 of the education law to practice crea-  
21 tive arts therapy in this state. With respect to a professional service  
22 limited liability company formed to provide marriage and family therapy  
23 services as such services are defined in article 163 of the education  
24 law, each member of such limited liability company must be licensed  
25 pursuant to article 163 of the education law to practice marriage and  
26 family therapy in this state. With respect to a professional service  
27 limited liability company formed to provide mental health counseling  
28 services as such services are defined in article 163 of the education  
29 law, each member of such limited liability company must be licensed  
30 pursuant to article 163 of the education law to practice mental health  
31 counseling in this state. With respect to a professional service limited  
32 liability company formed to provide psychoanalysis services as such  
33 services are defined in article 163 of the education law, each member of  
34 such limited liability company must be licensed pursuant to article 163  
35 of the education law to practice psychoanalysis in this state. With  
36 respect to a professional service limited liability company formed to  
37 provide applied behavior analysis services as such services are defined  
38 in article 167 of the education law, each member of such limited liabil-  
39 ity company must be licensed or certified pursuant to article 167 of the  
40 education law to practice applied behavior analysis in this state.

41 S 9. Subdivision (a) of section 1301 of the limited liability company  
42 law, as amended by chapter 475 of the laws of 2014, is amended to read  
43 as follows:

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

1 professional service limited liability company or a predecessor entity,  
2 or will engage in the practice of such profession in the professional  
3 service limited liability company within thirty days of the date such  
4 professional becomes a member, or (ii) authorized by, or holding a  
5 license, certificate, registration or permit issued by the licensing  
6 authority pursuant to, the education law to render a professional  
7 service within this state; except that all members and managers, if any,  
8 of a foreign professional service limited liability company that  
9 provides health services in this state shall be licensed in this state.  
10 With respect to a foreign professional service limited liability company  
11 which provides veterinary services as such services are defined in arti-  
12 cle 135 of the education law, each member of such foreign professional  
13 service limited liability company shall be licensed pursuant to article  
14 135 of the education law to practice veterinary medicine. With respect  
15 to a foreign professional service limited liability company which  
16 provides medical services as such services are defined in article 131 of  
17 the education law, each member of such foreign professional service  
18 limited liability company must be licensed pursuant to article 131 of  
19 the education law to practice medicine in this state. NOTWITHSTANDING  
20 ANY OTHER PROVISION OF THIS SECTION, ANY PERSON LICENSED PURSUANT TO  
21 ARTICLE 131 OF THE EDUCATION LAW TO PRACTICE MEDICINE AND ANY PERSON  
22 LICENSED PURSUANT TO ARTICLES 132, 137, 140, 141, 143, 144, 153, 154,  
23 155 OR 156 OR SUBDIVISION 3 OF SECTION 6902 OF ARTICLE 139 OF THE EDUCA-  
24 TION LAW MAY FORM, OR CAUSE TO BE FORMED, A FOREIGN PROFESSIONAL SERVICE  
25 LIMITED LIABILITY COMPANY TO PROVIDE MULTIDISCIPLINARY SERVICES WITH ONE  
26 OR MORE LICENSED PROFESSIONALS, SUBJECT TO THE FOLLOWING CONDITIONS: (I)  
27 EACH MEMBER OF SUCH LIMITED LIABILITY COMPANY MUST BE LICENSED PURSUANT  
28 TO TITLE EIGHT OF THE EDUCATION LAW TO PRACTICE HIS OR HER PROFESSION IN  
29 THIS STATE; (II) EACH MEMBER SHALL ONLY PRACTICE HIS OR HER PROFESSION  
30 AS SPECIFIED IN HIS OR HER RESPECTIVE PROFESSIONAL ENABLING STATUTE  
31 UNDER TITLE EIGHT OF THE EDUCATION LAW; AND (III) ANY CLINICAL INTE-  
32 GRATION OF PROFESSIONAL PRACTICES UNDER THIS SECTION SHALL NOT ALTER,  
33 EXPAND OR CURTAIL THE SCOPE OF PRACTICE OF ANY OF THE MEMBERS; PROVIDED  
34 FURTHER THAT: (A) NO MEMBER SHALL, DIRECTLY OR INDIRECTLY, INTERFERE  
35 WITH THE CLINICAL JUDGMENT OR LEGITIMATE CLINICAL PRACTICE OF ANOTHER  
36 MEMBER; AND (B) NO MEMBER SHALL ORDER OR DIRECT ANOTHER MEMBER TO PRAC-  
37 TICE BEYOND THE SCOPE OF HIS OR HER LICENSE. With respect to a foreign  
38 professional service limited liability company which provides dental  
39 services as such services are defined in article 133 of the education  
40 law, each member of such foreign professional service limited liability  
41 company must be licensed pursuant to article 133 of the education law to  
42 practice dentistry in this state. With respect to a foreign professional  
43 service limited liability company which provides professional engineer-  
44 ing, land surveying, geologic, architectural and/or landscape architec-  
45 tural services as such services are defined in article 145, article 147  
46 and article 148 of the education law, each member of such foreign  
47 professional service limited liability company must be licensed pursuant  
48 to article 145, article 147 and/or article 148 of the education law to  
49 practice one or more of such professions in this state. [With respect to  
50 a foreign professional service limited liability company which provides  
51 licensed clinical social work services as such services are defined in  
52 article 154 of the education law, each member of such foreign profes-  
53 sional service limited liability company shall be licensed pursuant to  
54 article 154 of the education law to practice clinical social work in  
55 this state.] With respect to a foreign professional service limited  
56 liability company which provides creative arts therapy services as such

1 services are defined in article 163 of the education law, each member of  
2 such foreign professional service limited liability company must be  
3 licensed pursuant to article 163 of the education law to practice crea-  
4 tive arts therapy in this state. With respect to a foreign professional  
5 service limited liability company which provides marriage and family  
6 therapy services as such services are defined in article 163 of the  
7 education law, each member of such foreign professional service limited  
8 liability company must be licensed pursuant to article 163 of the educa-  
9 tion law to practice marriage and family therapy in this state. With  
10 respect to a foreign professional service limited liability company  
11 which provides mental health counseling services as such services are  
12 defined in article 163 of the education law, each member of such foreign  
13 professional service limited liability company must be licensed pursuant  
14 to article 163 of the education law to practice mental health counseling  
15 in this state. With respect to a foreign professional service limited  
16 liability company which provides psychoanalysis services as such  
17 services are defined in article 163 of the education law, each member of  
18 such foreign professional service limited liability company must be  
19 licensed pursuant to article 163 of the education law to practice  
20 psychoanalysis in this state. With respect to a foreign professional  
21 service limited liability company which provides applied behavior analy-  
22 sis services as such services are defined in article 167 of the educa-  
23 tion law, each member of such foreign professional service limited  
24 liability company must be licensed or certified pursuant to article 167  
25 of the education law to practice applied behavior analysis in this  
26 state.

27 S 10. Paragraph (a) of section 1503 of the business corporation law,  
28 as amended by chapter 475 of the laws of 2014, is amended to read as  
29 follows:

30 (a) Notwithstanding any other provision of law, (I) one or more indi-  
31 viduals duly authorized by law to render the same professional service  
32 within the state may organize, or cause to be organized, a professional  
33 service corporation for pecuniary profit under this article for the  
34 purpose of rendering the same professional service, except that one or  
35 more individuals duly authorized by law to practice professional engi-  
36 neering, architecture, landscape architecture, land surveying or geology  
37 within the state may organize, or cause to be organized, a professional  
38 service corporation or a design professional service corporation for  
39 pecuniary profit under this article for the purpose of rendering such  
40 professional services as such individuals are authorized to practice,  
41 AND (II) ONE OR MORE INDIVIDUALS LICENSED TO PRACTICE PURSUANT TO ARTI-  
42 CLE 131 AND ONE OR MORE INDIVIDUALS LICENSED PURSUANT TO ARTICLES 132,  
43 137, 140, 141, 143, 144, 153, 154, 155 OR 156 OR SUBDIVISION 3 OF  
44 SECTION 6902 OF ARTICLE 139 OF TITLE EIGHT OF THE EDUCATION LAW MAY  
45 ORGANIZE, OR CAUSE TO BE ORGANIZED, FOR BUSINESS PURPOSES ONLY, A  
46 PROFESSIONAL SERVICE CORPORATION FORMED FOR PECUNIARY PROFIT UNDER THIS  
47 ARTICLE FOR THE PURPOSE OF RENDERING MULTIDISCIPLINARY SERVICES WITHIN  
48 SUCH A CORPORATION AS SUCH INDIVIDUALS ARE AUTHORIZED TO PRACTICE INDI-  
49 VIDUALLY IN HIS OR HER RESPECTIVE PROFESSIONS, SUBJECT TO THE FOLLOWING  
50 CONDITIONS: (A) INDIVIDUAL WHO ORGANIZES, OR CAUSES TO ORGANIZE, SUCH  
51 CORPORATION MUST BE LICENSED PURSUANT TO TITLE EIGHT OF THE EDUCATION  
52 LAW TO PRACTICE HIS OR HER PROFESSION IN THIS STATE; (B) EACH MEMBER  
53 SHALL ONLY PRACTICE HIS OR HER PROFESSION AS SPECIFIED IN HIS OR HER  
54 RESPECTIVE PROFESSIONAL ENABLING STATUTE UNDER TITLE EIGHT OF THE EDUCA-  
55 TION LAW; AND (C) ANY CLINICAL INTEGRATION OF PROFESSIONAL PRACTICES  
56 UNDER THIS SECTION SHALL NOT ALTER, EXPAND OR CURTAIL THE SCOPE OF PRAC-

1 TICE OF ANY OF THE MEMBERS; (D) NO INDIVIDUAL SHALL, DIRECTLY OR INDI-  
2 RECTLY, INTERFERE WITH THE CLINICAL JUDGMENT OR LEGITIMATE CLINICAL  
3 PRACTICE OF ANOTHER INDIVIDUAL; AND (E) NO INDIVIDUAL SHALL ORDER OR  
4 DIRECT ANOTHER INDIVIDUAL TO PRACTICE BEYOND THE SCOPE OF HIS OR HER  
5 LICENSE.

6 S 11. Subdivision (q) of section 121-1500 of the partnership law, as  
7 amended by chapter 475 of the laws of 2014, is amended to read as  
8 follows:

9 (q) Each partner of a registered limited liability partnership formed  
10 to provide medical services in this state must be licensed pursuant to  
11 article 131 of the education law to practice medicine in this state [and  
12 each]. NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, ANY PERSON  
13 LICENSED PURSUANT TO ARTICLE 131 OF THE EDUCATION LAW TO PRACTICE MEDI-  
14 CINE AND ANY PERSON LICENSED PURSUANT TO ARTICLES 132, 137, 140, 141,  
15 143, 144, 153, 154, 155 OR 156 SUBDIVISION 3 OF SECTION 6902 OF ARTICLE  
16 139 OF THE EDUCATION LAW MAY FORM, OR CAUSE TO BE FORMED, A REGISTERED  
17 LIMITED LIABILITY PARTNERSHIP TO PROVIDE MULTIDISCIPLINARY SERVICES WITH  
18 ONE OR MORE LICENSED PROFESSIONALS, SUBJECT TO THE FOLLOWING CONDITIONS:

19 (I) EACH PARTNER OF SUCH LIMITED LIABILITY PARTNERSHIP MUST BE LICENSED  
20 PURSUANT TO TITLE EIGHT OF THE EDUCATION LAW TO PRACTICE HIS OR HER  
21 PROFESSION IN THIS STATE; (II) EACH PARTNER SHALL ONLY PRACTICE HIS OR  
22 HER PROFESSION AS SPECIFIED IN HIS OR HER RESPECTIVE PROFESSIONAL ENABL-  
23 ING STATUTE UNDER TITLE EIGHT OF THE EDUCATION LAW; AND (III) ANY CLIN-  
24 ICAL INTEGRATION OF THE PROFESSIONAL PRACTICES UNDER THIS SECTION SHALL  
25 NOT ALTER, EXPAND OR CURTAIL THE SCOPE OF PRACTICE OF ANY OF THE PART-  
26 NERS; PROVIDED FURTHER THAT: (A) NO PARTNER SHALL, DIRECTLY OR INDIRECT-  
27 LY, INTERFERE WITH THE CLINICAL JUDGMENT OR LEGITIMATE CLINICAL PRACTICE  
28 OF ANOTHER PARTNER; AND (B) NO PARTNER SHALL ORDER OR DIRECT ANOTHER  
29 PARTNER TO PRACTICE BEYOND THE SCOPE OF HIS OR HER LICENSE. EACH part-  
30 ner of a registered limited liability partnership formed to provide  
31 dental services in this state must be licensed pursuant to article 133  
32 of the education law to practice dentistry in this state. Each partner  
33 of a registered limited liability partnership formed to provide veteri-  
34 nary services in this state must be licensed pursuant to article 135 of  
35 the education law to practice veterinary medicine in this state. Each  
36 partner of a registered limited liability partnership formed to provide  
37 professional engineering, land surveying, geological services, architec-  
38 tural and/or landscape architectural services in this state must be  
39 licensed pursuant to article 145, article 147 and/or article 148 of the  
40 education law to practice one or more of such professions in this state.  
41 [Each partner of a registered limited liability partnership formed to  
42 provide licensed clinical social work services in this state must be  
43 licensed pursuant to article 154 of the education law to practice clin-  
44 ical social work in this state.] Each partner of a registered limited  
45 liability partnership formed to provide creative arts therapy services  
46 in this state must be licensed pursuant to article 163 of the education  
47 law to practice creative arts therapy in this state. Each partner of a  
48 registered limited liability partnership formed to provide marriage and  
49 family therapy services in this state must be licensed pursuant to arti-  
50 cle 163 of the education law to practice marriage and family therapy in  
51 this state. Each partner of a registered limited liability partnership  
52 formed to provide mental health counseling services in this state must  
53 be licensed pursuant to article 163 of the education law to practice  
54 mental health counseling in this state. Each partner of a registered  
55 limited liability partnership formed to provide psychoanalysis services  
56 in this state must be licensed pursuant to article 163 of the education

1 law to practice psychoanalysis in this state. Each partner of a regis-  
2 tered limited liability partnership formed to provide applied behavior  
3 analysis service in this state must be licensed or certified pursuant to  
4 article 167 of the education law to practice applied behavior analysis  
5 in this state.

6 S 12. Subdivision (q) of section 121-1502 of the partnership law, as  
7 amended by chapter 475 of the laws of 2014, is amended to read as  
8 follows:

9 (q) Each partner of a foreign limited liability partnership which  
10 provides medical services in this state must be licensed pursuant to  
11 article 131 of the education law to practice medicine in the state [and  
12 each]. NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, ANY PERSON  
13 LICENSED PURSUANT TO ARTICLE 131 OF THE EDUCATION LAW TO PRACTICE MEDI-  
14 CINE AND ANY PERSON LICENSED PURSUANT TO ARTICLES 132, 137, 140, 141,  
15 143, 144, 153, 154, 155 OR 156 OR SUBDIVISION 3 OF SECTION 6902 OF ARTI-  
16 CLE 139 OF THE EDUCATION LAW MAY FORM, OR CAUSE TO BE FORMED, A FOREIGN  
17 LIMITED LIABILITY PARTNERSHIP TO PROVIDE MULTIDISCIPLINARY SERVICES WITH  
18 ONE OR MORE LICENSED PROFESSIONALS, SUBJECT TO THE FOLLOWING CONDITIONS:  
19 (I) EACH PARTNER OF SUCH FOREIGN LIMITED LIABILITY PARTNERSHIP MUST BE  
20 LICENSED PURSUANT TO TITLE EIGHT OF THE EDUCATION LAW TO PRACTICE HIS OR  
21 HER PROFESSION IN THIS STATE; (II) EACH PARTNER SHALL ONLY PRACTICE HIS  
22 OR HER PROFESSION AS SPECIFIED IN HIS OR HER RESPECTIVE PROFESSIONAL  
23 ENABLING STATUTE UNDER TITLE EIGHT OF THE EDUCATION LAW; AND (III) ANY  
24 CLINICAL INTEGRATION OF PROFESSIONAL PRACTICES UNDER THIS SECTION SHALL  
25 NOT ALTER, EXPAND OR CURTAIL THE SCOPE OF PRACTICE OF ANY OF THE PART-  
26 NERS; PROVIDED FURTHER THAT: (A) NO PARTNER SHALL, DIRECTLY OR INDIRECT-  
27 LY, INTERFERE WITH THE CLINICAL JUDGMENT OR LEGITIMATE CLINICAL PRACTICE  
28 OF ANOTHER PARTNER; AND (B) NO PARTNER SHALL ORDER OR DIRECT ANOTHER  
29 PARTNER TO PRACTICE BEYOND THE SCOPE OF HIS OR HER LICENSE. Each partner  
30 of a foreign limited liability partnership which provides dental  
31 services in the state must be licensed pursuant to article 133 of the  
32 education law to practice dentistry in this state. Each partner of a  
33 foreign limited liability partnership which provides veterinary service  
34 in the state shall be licensed pursuant to article 135 of the education  
35 law to practice veterinary medicine in this state. Each partner of a  
36 foreign limited liability partnership which provides professional engi-  
37 neering, land surveying, geological services, architectural and/or land-  
38 scape architectural services in this state must be licensed pursuant to  
39 article 145, article 147 and/or article 148 of the education law to  
40 practice one or more of such professions. [Each partner of a foreign  
41 limited liability partnership which provides licensed clinical social  
42 work services in this state must be licensed pursuant to article 154 of  
43 the education law to practice licensed clinical social work in this  
44 state.] Each partner of a foreign limited liability partnership which  
45 provides creative arts therapy services in this state must be licensed  
46 pursuant to article 163 of the education law to practice creative arts  
47 therapy in this state. Each partner of a foreign limited liability part-  
48 nership which provides marriage and family therapy services in this  
49 state must be licensed pursuant to article 163 of the education law to  
50 practice marriage and family therapy in this state. Each partner of a  
51 foreign limited liability partnership which provides mental health coun-  
52 seling services in this state must be licensed pursuant to article 163  
53 of the education law to practice mental health counseling in this state.  
54 Each partner of a foreign limited liability partnership which provides  
55 psychoanalysis services in this state must be licensed pursuant to arti-  
56 cle 163 of the education law to practice psychoanalysis in this state.

1 Each partner of a foreign limited liability partnership which provides  
2 applied behavior analysis services in this state must be licensed or  
3 certified pursuant to article 167 of the education law to practice  
4 applied behavior analysis in this state.

5 S 13. Section 6509-a of the education law, as amended by chapter 555  
6 of the laws of 1993, is amended to read as follows:

7 S 6509-a. Additional definition of professional misconduct; limited  
8 application. Notwithstanding any inconsistent provision of this article  
9 or of any other provision of law to the contrary, the license or regis-  
10 tration of a person subject to the provisions of articles one hundred  
11 thirty-two, one hundred thirty-three, one hundred thirty-six, one  
12 hundred thirty-seven, one hundred thirty-nine, one hundred forty-one,  
13 one hundred forty-three, one hundred forty-four, one hundred fifty-six,  
14 one hundred fifty-nine and one hundred sixty-four of this chapter may be  
15 revoked, suspended or annulled or such person may be subject to any  
16 other penalty provided in section sixty-five hundred eleven of this  
17 article in accordance with the provisions and procedure of this article  
18 for the following:

19 That any person subject to the above enumerated articles, has directly  
20 or indirectly requested, received or participated in the division,  
21 transference, assignment, rebate, splitting or refunding of a fee for,  
22 or has directly requested, received or profited by means of a credit or  
23 other valuable consideration as a commission, discount or gratuity in  
24 connection with the furnishing of professional care, or service, includ-  
25 ing x-ray examination and treatment, or for or in connection with the  
26 sale, rental, supplying or furnishing of clinical laboratory services or  
27 supplies, x-ray laboratory services or supplies, inhalation therapy  
28 service or equipment, ambulance service, hospital or medical supplies,  
29 physiotherapy or other therapeutic service or equipment, artificial  
30 limbs, teeth or eyes, orthopedic or surgical appliances or supplies,  
31 optical appliances, supplies or equipment, devices for aid of hearing,  
32 drugs, medication or medical supplies or any other goods, services or  
33 supplies prescribed for medical diagnosis, care or treatment under this  
34 chapter, except payment, not to exceed thirty-three and one-third per  
35 centum of any fee received for x-ray examination, diagnosis or treat-  
36 ment, to any hospital furnishing facilities for such examination, diag-  
37 nosis or treatment. Nothing contained in this section shall prohibit  
38 such persons from practicing as partners, in groups or as a professional  
39 corporation or as a university faculty practice corporation nor from  
40 pooling fees and moneys received, either by the partnerships, profes-  
41 sional corporations, university faculty practice corporations or groups  
42 by the individual members thereof, for professional services furnished  
43 by any individual professional member, or employee of such partnership,  
44 corporation or group, nor shall the professionals constituting the part-  
45 nerships, corporations or groups be prohibited from sharing, dividing or  
46 apportioning the fees and moneys received by them or by the partnership,  
47 corporation or group in accordance with a partnership or other agree-  
48 ment; provided that no such practice as partners, corporations or in  
49 groups or pooling of fees or moneys received or shared, division or  
50 apportionment of fees shall be permitted with respect to care and treat-  
51 ment under the workers' compensation law except as expressly authorized  
52 by the workers' compensation law. NOTHING CONTAINED IN THIS SECTION  
53 SHALL PROHIBIT A MULTIDISCIPLINARY SERVICES PRACTICE FORMED PURSUANT TO  
54 SUBDIVISION (A) OF SECTION TWELVE HUNDRED THREE OF THE LIMITED LIABILITY  
55 COMPANY LAW, SUBDIVISION (B) OF SECTION TWELVE HUNDRED SEVEN OF THE  
56 LIMITED LIABILITY COMPANY LAW, SUBDIVISION (A) OF SECTION THIRTEEN



1 HUNDRED ONE OF THE LIMITED LIABILITY COMPANY LAW, PARAGRAPH (A) OF  
2 SECTION FIFTEEN HUNDRED THREE OF THE BUSINESS CORPORATION LAW, SUBDIVI-  
3 SION (Q) OF SECTION 121-1500 OF THE PARTNERSHIP LAW, OR SUBDIVISION (Q)  
4 OF SECTION 121-1502 OF THE PARTNERSHIP LAW FROM POOLING FEES OR MONIES  
5 RECEIVED. Nothing contained in this chapter shall prohibit a medical or  
6 dental expense indemnity corporation pursuant to its contract with the  
7 subscriber from prorationing a medical or dental expense indemnity  
8 allowance among two or more professionals in proportion to the services  
9 rendered by each such professional at the request of the subscriber,  
10 provided that prior to payment thereof such professionals shall submit  
11 both to the medical or dental expense indemnity corporation and to the  
12 subscriber statements itemizing the services rendered by each such  
13 professional and the charges therefor.

14 S 14. Subdivision 19 of section 6530 of the education law, as added by  
15 chapter 606 of the laws of 1991, is amended to read as follows:

16 19. Permitting any person to share in the fees for professional  
17 services, other than: a partner, employee, associate in a professional  
18 firm or corporation, professional subcontractor or consultant authorized  
19 to practice medicine, [or] a legally authorized trainee practicing under  
20 the supervision of a licensee, OR AN AUTHORIZED PROFESSIONAL LICENSED  
21 PURSUANT TO ARTICLE ONE HUNDRED THIRTY-ONE, ONE HUNDRED THIRTY-TWO, ONE  
22 HUNDRED THIRTY-SEVEN, ONE HUNDRED FORTY, ONE HUNDRED FORTY-ONE, ONE  
23 HUNDRED FORTY-THREE, ONE HUNDRED FORTY-FOUR, ONE HUNDRED FIFTY-THREE,  
24 ONE HUNDRED FIFTY-FOUR, ONE HUNDRED FIFTY-FIVE, ONE HUNDRED FIFTY-SIX OR  
25 ONE HUNDRED FIFTY-NINE OR SUBDIVISION THREE OF SECTION SIXTY NINE  
26 HUNDRED TWO OF ARTICLE ONE HUNDRED THIRTY-NINE OF THIS CHAPTER PROVIDING  
27 PROFESSIONAL SERVICES IN THE SAME PRACTICE. This prohibition shall  
28 include any arrangement or agreement whereby the amount received in  
29 payment for furnishing space, facilities, equipment or personnel  
30 services used by a licensee constitutes a percentage of, or is otherwise  
31 dependent upon, the income or receipts of the licensee from such prac-  
32 tice, except as otherwise provided by law with respect to a facility  
33 licensed pursuant to article twenty-eight of the public health law or  
34 article thirteen of the mental hygiene law;

35 S 15. Section 6531 of the education law, as amended by chapter 555 of  
36 the laws of 1993, is amended to read as follows:

37 S 6531. Additional definition of professional misconduct, limited  
38 application. Notwithstanding any inconsistent provision of this article  
39 or any other provisions of law to the contrary, the license or registra-  
40 tion of a person subject to the provisions of this article and article  
41 one hundred thirty-one-B of this chapter may be revoked, suspended, or  
42 annulled or such person may be subject to any other penalty provided in  
43 section two hundred thirty-a of the public health law in accordance with  
44 the provisions and procedures of this article for the following:

45 That any person subject to the above-enumerated articles has directly  
46 or indirectly requested, received or participated in the division,  
47 transference, assignment, rebate, splitting, or refunding of a fee for,  
48 or has directly requested, received or profited by means of a credit or  
49 other valuable consideration as a commission, discount or gratuity, in  
50 connection with the furnishing of professional care or service, includ-  
51 ing x-ray examination and treatment, or for or in connection with the  
52 sale, rental, supplying, or furnishing of clinical laboratory services  
53 or supplies, x-ray laboratory services or supplies, inhalation therapy  
54 service or equipment, ambulance service, hospital or medical supplies,  
55 physiotherapy or other therapeutic service or equipment, artificial  
56 limbs, teeth or eyes, orthopedic or surgical appliances or supplies,

1 optical appliances, supplies, or equipment, devices for aid of hearing,  
2 drugs, medication, or medical supplies, or any other goods, services, or  
3 supplies prescribed for medical diagnosis, care, or treatment under this  
4 chapter, except payment, not to exceed thirty-three and one-third  
5 percent of any fee received for x-ray examination, diagnosis, or treat-  
6 ment, to any hospital furnishing facilities for such examination, diag-  
7 nosis, or treatment. Nothing contained in this section shall prohibit  
8 such persons from practicing as partners, in groups or as a professional  
9 corporation or as a university faculty practice corporation, nor from  
10 pooling fees and moneys received, either by the partnerships, profes-  
11 sional corporations, or university faculty practice corporations or  
12 groups by the individual members thereof, for professional services  
13 furnished by an individual professional member, or employee of such  
14 partnership, corporation, or group, nor shall the professionals consti-  
15 tuting the partnerships, corporations or groups be prohibited from shar-  
16 ing, dividing, or apportioning the fees and moneys received by them or  
17 by the partnership, corporation, or group in accordance with a partner-  
18 ship or other agreement; provided that no such practice as partners,  
19 corporations, or groups, or pooling of fees or moneys received or  
20 shared, division or apportionment of fees shall be permitted with  
21 respect to and treatment under the workers' compensation law. NOTHING  
22 CONTAINED IN THIS SECTION SHALL PROHIBIT A MULTIDISCIPLINARY SERVICES  
23 PRACTICE FORMED PURSUANT TO SUBDIVISION (A) OF SECTION TWELVE HUNDRED  
24 THREE OF THE LIMITED LIABILITY COMPANY LAW, SUBDIVISION (B) OF SECTION  
25 TWELVE HUNDRED SEVEN OF THE LIMITED LIABILITY COMPANY LAW, SUBDIVISION  
26 (A) OF SECTION THIRTEEN HUNDRED ONE OF THE LIMITED LIABILITY COMPANY  
27 LAW, PARAGRAPH (A) OF SECTION FIFTEEN HUNDRED THREE OF THE BUSINESS  
28 CORPORATION LAW, SUBDIVISION (Q) OF SECTION 121-1500 OF THE PARTNERSHIP  
29 LAW, OR SUBDIVISION (Q) OF SECTION 121-1502 OF THE PARTNERSHIP LAW FROM  
30 POOLING FEES OR MONIES RECEIVED. Nothing contained in this chapter shall  
31 prohibit a corporation licensed pursuant to article forty-three of the  
32 insurance law pursuant to its contract with the subscriber from prora-  
33 tioning a medical or dental expenses indemnity allowance among two or  
34 more professionals in proportion to the services rendered by each such  
35 professional at the request of the subscriber, provided that prior to  
36 payment thereof such professionals shall submit both to the corporation  
37 licensed pursuant to article forty-three of the insurance law and to the  
38 subscriber statements itemizing the services rendered by each such  
39 professional and the charges therefor.

40 S 16. Subdivision 1 of section 2801 of the public health law, as sepa-  
41 rately amended by chapters 297 and 416 of the laws of 1983, is amended  
42 to read as follows:

43 1. "Hospital" means a facility or institution engaged principally in  
44 providing services by or under the supervision of a physician or, in the  
45 case of a dental clinic or dental dispensary, of a dentist, for the  
46 prevention, diagnosis or treatment of human disease, pain, injury,  
47 deformity or physical condition, including, but not limited to, a gener-  
48 al hospital, public health center, diagnostic center, treatment center,  
49 dental clinic, dental dispensary, rehabilitation center other than a  
50 facility used solely for vocational rehabilitation, nursing home, tuber-  
51 culosis hospital, chronic disease hospital, maternity hospital, lying-  
52 in-asylum, out-patient department, out-patient lodge, dispensary and a  
53 laboratory or central service facility serving one or more such insti-  
54 tutions, but the term hospital shall not include an institution, sani-  
55 tarium or other facility engaged principally in providing services for  
56 the prevention, diagnosis or treatment of mental disability and which is

1 subject to the powers of visitation, examination, inspection and inves-  
2 tigation of the department of mental hygiene except for those distinct  
3 parts of such a facility which provide hospital service. The provisions  
4 of this article shall not apply to a facility or institution engaged  
5 principally in providing services by or under the supervision of the  
6 bona fide members and adherents of a recognized religious organization  
7 whose teachings include reliance on spiritual means through prayer alone  
8 for healing in the practice of the religion of such organization and  
9 where services are provided in accordance with those teachings OR TO A  
10 MULTIDISCIPLINARY SERVICES PRACTICE FORMED PURSUANT TO SUBDIVISION (A)  
11 OF SECTION TWELVE HUNDRED THREE OF THE LIMITED LIABILITY COMPANY LAW,  
12 SUBDIVISION (B) OF SECTION TWELVE HUNDRED SEVEN OF THE LIMITED LIABILITY  
13 COMPANY LAW, SUBDIVISION (A) OF SECTION THIRTEEN HUNDRED ONE OF THE  
14 LIMITED LIABILITY COMPANY LAW, PARAGRAPH (A) OF SECTION FIFTEEN HUNDRED  
15 THREE OF THE BUSINESS CORPORATION LAW, SUBDIVISION (Q) OF SECTION  
16 121-1500 OF THE PARTNERSHIP LAW, OR SUBDIVISION (Q) OF SECTION 121-1502  
17 OF THE PARTNERSHIP LAW.

18 S 17. This act shall take effect on the thirtieth day after it shall  
19 have become a law; provided, however that sections seven, eight, nine,  
20 ten, eleven and twelve of this act shall take effect on the same date  
21 and in the same manner as chapter 475 of the laws of 2014, takes effect.