

2015-2016 Regular Sessions

I N A S S E M B L Y

January 8, 2015

Introduced by M. of A. CAHILL -- Multi-Sponsored by -- M. of A. LUPARDO,
STEC, STIRPE -- 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 authorizing ophthalmologists and ophthalmic
dispensing practices 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. 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. With respect to a professional service limited liability
17 company formed to provide dental services as such services are defined
18 in article 133 of the education law, each member of such limited liabil-
19 ity company must be licensed pursuant to article 133 of the education
20 law to practice dentistry in this state. With respect to a professional
21 service limited liability company formed to provide veterinary services
22 as such services are defined in article 135 of the education law, each

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

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1 member of such limited liability company must be licensed pursuant to
2 article 135 of the education law to practice veterinary medicine in this
3 state. With respect to a professional service limited liability company
4 formed to provide professional engineering, land surveying, architec-
5 tural and/or landscape architectural services as such services are
6 defined in article 145, article 147 and article 148 of the education
7 law, each member of such limited liability company must be licensed
8 pursuant to article 145, article 147 and/or article 148 of the education
9 law to practice one or more of such professions in this state. With
10 respect to a professional service limited liability company formed to
11 provide licensed clinical social work services as such services are
12 defined in article 154 of the education law, each member of such limited
13 liability company shall be licensed pursuant to article 154 of the
14 education law to practice licensed clinical social work in this state.
15 With respect to a professional service limited liability company formed
16 to provide creative arts therapy services as such services are defined
17 in article 163 of the education law, each member of such limited liabil-
18 ity company must be licensed pursuant to article 163 of the education
19 law to practice creative arts therapy in this state. With respect to a
20 professional service limited liability company formed to provide
21 marriage and family therapy services as such services are defined in
22 article 163 of the education law, each member of such limited liability
23 company must be licensed pursuant to article 163 of the education law to
24 practice marriage and family therapy in this state. With respect to a
25 professional service limited liability company formed to provide mental
26 health counseling services as such services are defined in article 163
27 of the education law, each member of such limited liability company must
28 be licensed pursuant to article 163 of the education law to practice
29 mental health counseling in this state. With respect to a professional
30 service limited liability company formed to provide psychoanalysis
31 services as such services are defined in article 163 of the education
32 law, each member of such limited liability company must be licensed
33 pursuant to article 163 of the education law to practice psychoanalysis
34 in this state. With respect to a professional service limited liability
35 company formed to provide applied behavior analysis services as such
36 services are defined in article 167 of the education law, each member of
37 such limited liability company must be licensed or certified pursuant to
38 article 167 of the education law to practice applied behavior analysis
39 in this state. In addition to engaging in such profession or
40 professions, a professional service limited liability company may engage
41 in any other business or activities as to which a limited liability
42 company may be formed under section two hundred one of this chapter.
43 Notwithstanding any other provision of this section, a professional
44 service limited liability company (i) authorized to practice law may
45 only engage in another profession or business or activities or (ii)
46 which is engaged in a profession or other business or activities other
47 than law may only engage in the practice of law, to the extent not
48 prohibited by any other law of this state or any rule adopted by the
49 appropriate appellate division of the supreme court or the court of
50 appeals. NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, WITH
51 RESPECT TO A LIMITED LIABILITY COMPANY FORMED TO PROVIDE INTEGRATED,
52 MULTIDISCIPLINARY MEDICAL SERVICES DEFINED IN ARTICLE 131 OF THE EDUCA-
53 TION LAW WITH OPTOMETRY AND/OR OPHTHALMIC DISPENSING SERVICES DEFINED IN
54 ARTICLE 143 AND/OR ARTICLE 144 OF THE EDUCATION LAW, (I) EACH MEMBER OF
55 SUCH LIMITED LIABILITY COMPANY MUST BE LICENSED PURSUANT TO ARTICLE 131
56 AND CERTIFIED BY THE AMERICAN BOARD OF OPHTHALMOLOGY, AND/OR LICENSED

1 PURSUANT TO ARTICLE 143 AND/OR 144 OF THE EDUCATION LAW TO PRACTICE ONE
2 OR MORE OF SUCH PROFESSIONS IN THIS STATE, (II) EACH MEMBER SHALL ONLY
3 PRACTICE HIS OR HER PROFESSION AS SPECIFIED IN HIS OR HER RESPECTIVE
4 PROFESSIONAL ENABLING STATUTE UNDER ARTICLE 131 OF THE EDUCATION LAW,
5 AND (III) THE CLINICAL INTEGRATION OF PROFESSIONAL PRACTICES WITHIN AN
6 INTEGRATED, MULTIDISCIPLINARY ENTITY ORGANIZED UNDER THIS SECTION DOES
7 NOT ALTER, EXPAND OR CURTAIL THE SCOPE OF PRACTICE OF ANY OF THE INDI-
8 VIDUALS LICENSED UNDER THE STATUTE OF HIS OR HER RESPECTIVE PROFESSIONAL
9 ENABLING LAW, PROVIDED THAT: (A) THE CLINICAL JUDGMENT, MANAGEMENT AND
10 CLINICAL DECISION-MAKING OF ONE OR MORE ARTICLE 131 PROVIDERS IN AN
11 INTEGRATED, MULTIDISCIPLINARY PROFESSIONAL SERVICE LIMITED LIABILITY
12 COMPANY SHALL BE CONTROLLING, (B) MEMBERS LICENSED UNDER ARTICLE 143
13 AND/OR ARTICLE 144 OF THE EDUCATION LAW, SHALL NOT, DIRECTLY OR INDI-
14 RECTLY, INTERFERE WITH THE CLINICAL JUDGMENT OR LEGITIMATE CLINICAL
15 PRACTICE OF A PROFESSIONAL LICENSED UNDER ARTICLE 131, AND (C) INDIVID-
16 UALS LICENSED UNDER ARTICLE 131 MAY NOT ORDER OR DIRECT A PROFESSIONAL
17 LICENSED UNDER ARTICLE 143 AND/OR ARTICLE 144 OF THE EDUCATION LAW TO
18 PRACTICE BEYOND THE SCOPE OF HIS OR HER LICENSE UNDER ARTICLE 143 AND/OR
19 ARTICLE 144 OF THE EDUCATION LAW, EVEN IF SUPERVISED DIRECTLY OR INDI-
20 RECTLY BY A PROFESSIONAL LICENSED UNDER ARTICLE 131.

21 S 2. Subdivision (a) of section 1203 of the limited liability company
22 law, as amended by chapter 475 of the laws of 2014, is amended to read
23 as follows:

24 (a) Notwithstanding the education law or any other provision of law,
25 one or more professionals each of whom is authorized by law to render a
26 professional service within the state, or one or more professionals, at
27 least one of whom is authorized by law to render a professional service
28 within the state, may form, or cause to be formed, a professional
29 service limited liability company for pecuniary profit under this arti-
30 cle for the purpose of rendering the professional service or services as
31 such professionals are authorized to practice. With respect to a profes-
32 sional service limited liability company formed to provide medical
33 services as such services are defined in article 131 of the education
34 law, each member of such limited liability company must be licensed
35 pursuant to article 131 of the education law to practice medicine in
36 this state. With respect to a professional service limited liability
37 company formed to provide dental services as such services are defined
38 in article 133 of the education law, each member of such limited liabil-
39 ity company must be licensed pursuant to article 133 of the education
40 law to practice dentistry in this state. With respect to a professional
41 service limited liability company formed to provide veterinary services
42 as such services are defined in article 135 of the education law, each
43 member of such limited liability company must be licensed pursuant to
44 article 135 of the education law to practice veterinary medicine in this
45 state. With respect to a professional service limited liability company
46 formed to provide professional engineering, land surveying, architec-
47 tural, landscape architectural and/or geological services as such
48 services are defined in article 145, article 147 and article 148 of the
49 education law, each member of such limited liability company must be
50 licensed pursuant to article 145, article 147 and/or article 148 of the
51 education law to practice one or more of such professions in this state.
52 With respect to a professional service limited liability company formed
53 to provide licensed clinical social work services as such services are
54 defined in article 154 of the education law, each member of such limited
55 liability company shall be licensed pursuant to article 154 of the
56 education law to practice licensed clinical social work in this state.

1 With respect to a professional service limited liability company formed
2 to provide creative arts therapy services as such services are defined
3 in article 163 of the education law, each member of such limited liability
4 company must be licensed pursuant to article 163 of the education
5 law to practice creative arts therapy in this state. With respect to a
6 professional service limited liability company formed to provide
7 marriage and family therapy services as such services are defined in
8 article 163 of the education law, each member of such limited liability
9 company must be licensed pursuant to article 163 of the education law to
10 practice marriage and family therapy in this state. With respect to a
11 professional service limited liability company formed to provide mental
12 health counseling services as such services are defined in article 163
13 of the education law, each member of such limited liability company must
14 be licensed pursuant to article 163 of the education law to practice
15 mental health counseling in this state. With respect to a professional
16 service limited liability company formed to provide psychoanalysis
17 services as such services are defined in article 163 of the education
18 law, each member of such limited liability company must be licensed
19 pursuant to article 163 of the education law to practice psychoanalysis
20 in this state. With respect to a professional service limited liability
21 company formed to provide applied behavior analysis services as such
22 services are defined in article 167 of the education law, each member of
23 such limited liability company must be licensed or certified pursuant to
24 article 167 of the education law to practice applied behavior analysis
25 in this state. In addition to engaging in such profession or
26 professions, a professional service limited liability company may engage
27 in any other business or activities as to which a limited liability
28 company may be formed under section two hundred one of this chapter.
29 Notwithstanding any other provision of this section, a professional
30 service limited liability company (i) authorized to practice law may
31 only engage in another profession or business or activities or (ii)
32 which is engaged in a profession or other business or activities other
33 than law may only engage in the practice of law, to the extent not
34 prohibited by any other law of this state or any rule adopted by the
35 appropriate appellate division of the supreme court or the court of
36 appeals. NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, WITH
37 RESPECT TO A LIMITED LIABILITY COMPANY FORMED TO PROVIDE INTEGRATED,
38 MULTIDISCIPLINARY MEDICAL SERVICES DEFINED IN ARTICLE 131 OF THE EDUCA-
39 TION LAW WITH OPTOMETRY AND/OR OPHTHALMIC DISPENSING SERVICES DEFINED IN
40 ARTICLE 143 AND/OR ARTICLE 144 OF THE EDUCATION LAW, (I) EACH MEMBER OF
41 SUCH LIMITED LIABILITY COMPANY MUST BE LICENSED PURSUANT TO ARTICLE 131
42 AND CERTIFIED BY THE AMERICAN BOARD OF OPHTHALMOLOGY, AND/OR LICENSED
43 PURSUANT TO ARTICLE 143 AND/OR ARTICLE 144 OF THE EDUCATION LAW TO PRAC-
44 TICE ONE OR MORE OF SUCH PROFESSIONS IN THIS STATE, (II) EACH MEMBER
45 SHALL ONLY PRACTICE HIS OR HER PROFESSION AS SPECIFIED IN HIS OR HER
46 RESPECTIVE PROFESSIONAL ENABLING STATUTE UNDER ARTICLE 131 OF THE EDUCA-
47 TION LAW, AND (III) THE CLINICAL INTEGRATION OF PROFESSIONAL PRACTICES
48 WITHIN AN INTEGRATED, MULTIDISCIPLINARY ENTITY ORGANIZED UNDER THIS
49 SECTION DOES NOT ALTER, EXPAND OR CURTAIL THE SCOPE OF PRACTICE OF ANY
50 OF THE INDIVIDUALS LICENSED UNDER THE STATUTE OF HIS OR HER RESPECTIVE
51 PROFESSIONAL ENABLING LAW, PROVIDED THAT: (A) THE CLINICAL JUDGMENT,
52 MANAGEMENT AND CLINICAL DECISION-MAKING OF ONE OR MORE ARTICLE 131
53 PROVIDERS IN AN INTEGRATED, MULTIDISCIPLINARY PROFESSIONAL SERVICE
54 LIMITED LIABILITY COMPANY SHALL BE CONTROLLING, (B) MEMBERS LICENSED
55 UNDER ARTICLE 143 AND/OR ARTICLE 144 OF THE EDUCATION LAW, SHALL NOT,
56 DIRECTLY OR INDIRECTLY, INTERFERE WITH THE CLINICAL JUDGMENT OR LEGITI-

1 MATE CLINICAL PRACTICE OF A PROFESSIONAL LICENSED UNDER ARTICLE 131, AND
2 (C) INDIVIDUALS LICENSED UNDER ARTICLE 131 MAY NOT ORDER OR DIRECT A
3 PROFESSIONAL LICENSED UNDER ARTICLE 143 AND/OR ARTICLE 144 OF THE EDUCA-
4 TION LAW TO PRACTICE BEYOND THE SCOPE OF HIS OR HER LICENSE UNDER ARTI-
5 CLE 143 AND/OR ARTICLE 144 OF THE EDUCATION LAW, EVEN IF SUPERVISED
6 DIRECTLY OR INDIRECTLY BY A PROFESSIONAL LICENSED UNDER ARTICLE 131.

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

10 (b) With respect to a professional service limited liability company
11 formed to provide medical services as such services are defined in arti-
12 cle 131 of the education law, each member of such limited liability
13 company must be licensed pursuant to article 131 of the education law to
14 practice medicine in this state. With respect to a professional service
15 limited liability company formed to provide dental services as such
16 services are defined in article 133 of the education law, each member of
17 such limited liability company must be licensed pursuant to article 133
18 of the education law to practice dentistry in this state. With respect
19 to a professional service limited liability company formed to provide
20 veterinary services as such services are defined in article 135 of the
21 education law, each member of such limited liability company must be
22 licensed pursuant to article 135 of the education law to practice veter-
23 inary medicine in this state. With respect to a professional service
24 limited liability company formed to provide professional engineering,
25 land surveying, architectural and/or landscape architectural services as
26 such services are defined in article 145, article 147 and article 148 of
27 the education law, each member of such limited liability company must be
28 licensed pursuant to article 145, article 147 and/or article 148 of the
29 education law to practice one or more of such professions in this state.
30 With respect to a professional service limited liability company formed
31 to provide licensed clinical social work services as such services are
32 defined in article 154 of the education law, each member of such limited
33 liability company shall be licensed pursuant to article 154 of the
34 education law to practice licensed clinical social work in this state.
35 With respect to a professional service limited liability company formed
36 to provide creative arts therapy services as such services are defined
37 in article 163 of the education law, each member of such limited liabil-
38 ity company must be licensed pursuant to article 163 of the education
39 law to practice creative arts therapy in this state. With respect to a
40 professional service limited liability company formed to provide
41 marriage and family therapy services as such services are defined in
42 article 163 of the education law, each member of such limited liability
43 company must be licensed pursuant to article 163 of the education law to
44 practice marriage and family therapy in this state. With respect to a
45 professional service limited liability company formed to provide mental
46 health counseling services as such services are defined in article 163
47 of the education law, each member of such limited liability company must
48 be licensed pursuant to article 163 of the education law to practice
49 mental health counseling in this state. With respect to a professional
50 service limited liability company formed to provide psychoanalysis
51 services as such services are defined in article 163 of the education
52 law, each member of such limited liability company must be licensed
53 pursuant to article 163 of the education law to practice psychoanalysis
54 in this state. With respect to a professional service limited liability
55 company formed to provide applied behavior analysis services as such
56 services are defined in article 167 of the education law, each member of

1 such limited liability company must be licensed or certified pursuant to
2 article 167 of the education law to practice applied behavior analysis
3 in this state. NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION,
4 WITH RESPECT TO A PROFESSIONAL SERVICE LIMITED LIABILITY COMPANY FORMED
5 TO PROVIDE INTEGRATED, MULTIDISCIPLINARY MEDICAL SERVICES DEFINED IN
6 ARTICLE 131 OF THE EDUCATION LAW WITH OPTOMETRY AND/OR OPHTHALMIC
7 DISPENSING SERVICES DEFINED IN ARTICLE 143 AND/OR ARTICLE 144 OF THE
8 EDUCATION LAW, (I) EACH MEMBER OF SUCH LIMITED LIABILITY COMPANY MUST BE
9 LICENSED PURSUANT TO ARTICLE 131 AND CERTIFIED BY THE AMERICAN BOARD OF
10 OPHTHALMOLOGY, AND/OR LICENSED PURSUANT TO ARTICLE 143 AND/OR ARTICLE
11 144 OF THE EDUCATION LAW TO PRACTICE ONE OR MORE OF SUCH PROFESSIONS IN
12 THIS STATE, (II) EACH MEMBER SHALL ONLY PRACTICE HIS OR HER PROFESSION
13 AS SPECIFIED IN HIS OR HER RESPECTIVE PROFESSIONAL ENABLING STATUTE
14 UNDER ARTICLE 131, ARTICLE 143, OR ARTICLE 144 OF THE EDUCATION LAW, AND
15 (III) THE CLINICAL INTEGRATION OF PROFESSIONAL PRACTICES WITHIN AN INTE-
16 GRATED, MULTIDISCIPLINARY ENTITY ORGANIZED UNDER THIS SECTION DOES NOT
17 ALTER, EXPAND OR CURTAIL THE SCOPE OF PRACTICE OF ANY OF THE INDIVIDUALS
18 LICENSED UNDER THE STATUTE OF HIS OR HER RESPECTIVE PROFESSIONAL ENABL-
19 ING LAW, PROVIDED THAT: (A) THE CLINICAL JUDGMENT, MANAGEMENT AND CLIN-
20 ICAL DECISION-MAKING OF ONE OR MORE ARTICLE 131 PROVIDERS IN AN INTE-
21 GRATED, MULTIDISCIPLINARY PROFESSIONAL SERVICE LIMITED LIABILITY COMPANY
22 SHALL BE CONTROLLING, (B) MEMBERS LICENSED UNDER ARTICLE 143 AND/OR
23 ARTICLE 144 OF THE EDUCATION LAW, SHALL NOT, DIRECTLY OR INDIRECTLY,
24 INTERFERE WITH THE CLINICAL JUDGMENT OR LEGITIMATE CLINICAL PRACTICE OF
25 A PROFESSIONAL LICENSED UNDER ARTICLE 131, AND (C) INDIVIDUALS LICENSED
26 UNDER ARTICLE 131 MAY NOT ORDER OR DIRECT A PROFESSIONAL LICENSED UNDER
27 ARTICLE 143 AND/OR ARTICLE 144 OF THE EDUCATION LAW TO PRACTICE BEYOND
28 THE SCOPE OF HIS OR HER LICENSE UNDER ARTICLE 143 AND/OR ARTICLE 144 OF
29 THE EDUCATION LAW, EVEN IF SUPERVISED DIRECTLY OR INDIRECTLY BY A
30 PROFESSIONAL LICENSED UNDER ARTICLE 131.

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

34 (b) With respect to a professional service limited liability company
35 formed to provide medical services as such services are defined in arti-
36 cle 131 of the education law, each member of such limited liability
37 company must be licensed pursuant to article 131 of the education law to
38 practice medicine in this state. With respect to a professional service
39 limited liability company formed to provide dental services as such
40 services are defined in article 133 of the education law, each member of
41 such limited liability company must be licensed pursuant to article 133
42 of the education law to practice dentistry in this state. With respect
43 to a professional service limited liability company formed to provide
44 veterinary services as such services are defined in article 135 of the
45 education law, each member of such limited liability company must be
46 licensed pursuant to article 135 of the education law to practice veter-
47 inary medicine in this state. With respect to a professional service
48 limited liability company formed to provide professional engineering,
49 land surveying, architectural, landscape architectural and/or geological
50 services as such services are defined in article 145, article 147 and
51 article 148 of the education law, each member of such limited liability
52 company must be licensed pursuant to article 145, article 147 and/or
53 article 148 of the education law to practice one or more of such
54 professions in this state. With respect to a professional service limit-
55 ed liability company formed to provide licensed clinical social work
56 services as such services are defined in article 154 of the education

1 law, each member of such limited liability company shall be licensed
2 pursuant to article 154 of the education law to practice licensed clin-
3 ical social work in this state. With respect to a professional service
4 limited liability company formed to provide creative arts therapy
5 services as such services are defined in article 163 of the education
6 law, each member of such limited liability company must be licensed
7 pursuant to article 163 of the education law to practice creative arts
8 therapy in this state. With respect to a professional service limited
9 liability company formed to provide marriage and family therapy services
10 as such services are defined in article 163 of the education law, each
11 member of such limited liability company must be licensed pursuant to
12 article 163 of the education law to practice marriage and family therapy
13 in this state. With respect to a professional service limited liability
14 company formed to provide mental health counseling services as such
15 services are defined in article 163 of the education law, each member of
16 such limited liability company must be licensed pursuant to article 163
17 of the education law to practice mental health counseling in this state.
18 With respect to a professional service limited liability company formed
19 to provide psychoanalysis services as such services are defined in arti-
20 cle 163 of the education law, each member of such limited liability
21 company must be licensed pursuant to article 163 of the education law to
22 practice psychoanalysis in this state. With respect to a professional
23 service limited liability company formed to provide applied behavior
24 analysis services as such services are defined in article 167 of the
25 education law, each member of such limited liability company must be
26 licensed or certified pursuant to article 167 of the education law to
27 practice applied behavior analysis in this state. NOTWITHSTANDING ANY
28 OTHER PROVISION OF THIS SECTION, WITH RESPECT TO A PROFESSIONAL SERVICE
29 LIMITED LIABILITY COMPANY FORMED TO PROVIDE INTEGRATED, MULTIDISCIPLI-
30 NARY MEDICAL SERVICES DEFINED IN ARTICLE 131 OF THE EDUCATION LAW WITH
31 OPTOMETRY AND/OR OPHTHALMIC DISPENSING SERVICES DEFINED IN ARTICLE 143
32 AND/OR ARTICLE 144 OF THE EDUCATION LAW, (I) EACH MEMBER OF SUCH LIMITED
33 LIABILITY COMPANY MUST BE LICENSED PURSUANT TO ARTICLE 131 AND CERTIFIED
34 BY THE AMERICAN BOARD OF OPHTHALMOLOGY, AND/OR LICENSED PURSUANT TO
35 ARTICLE 143 AND/OR ARTICLE 144 OF THE EDUCATION LAW TO PRACTICE ONE OR
36 MORE OF SUCH PROFESSIONS IN THIS STATE, (II) EACH MEMBER SHALL ONLY
37 PRACTICE HIS OR HER PROFESSION AS SPECIFIED IN HIS OR HER RESPECTIVE
38 PROFESSIONAL ENABLING STATUTE UNDER ARTICLE 131, ARTICLE 143, OR ARTICLE
39 144 OF THE EDUCATION LAW, AND (III) THE CLINICAL INTEGRATION OF PROFES-
40 SIONAL PRACTICES WITHIN AN INTEGRATED, MULTIDISCIPLINARY ENTITY ORGAN-
41 IZED UNDER THIS SECTION DOES NOT ALTER, EXPAND OR CURTAIL THE SCOPE OF
42 PRACTICE OF ANY OF THE INDIVIDUALS LICENSED UNDER THE STATUTE OF HIS OR
43 HER RESPECTIVE PROFESSIONAL ENABLING LAW, PROVIDED THAT: (A) THE CLIN-
44 ICAL JUDGMENT, MANAGEMENT AND CLINICAL DECISION-MAKING OF ONE OR MORE
45 ARTICLE 131 PROVIDERS IN AN INTEGRATED, MULTIDISCIPLINARY PROFESSIONAL
46 SERVICE LIMITED LIABILITY COMPANY SHALL BE CONTROLLING, (B) MEMBERS
47 LICENSED UNDER ARTICLE 143 AND/OR ARTICLE 144 OF THE EDUCATION LAW,
48 SHALL NOT, DIRECTLY OR INDIRECTLY, INTERFERE WITH THE CLINICAL JUDGMENT
49 OR LEGITIMATE CLINICAL PRACTICE OF A PROFESSIONAL LICENSED UNDER ARTICLE
50 131, AND (C) INDIVIDUALS LICENSED UNDER ARTICLE 131 MAY NOT ORDER OR
51 DIRECT A PROFESSIONAL LICENSED UNDER ARTICLE 143 AND/OR ARTICLE 144 OF
52 THE EDUCATION LAW TO PRACTICE BEYOND THE SCOPE OF HIS OR HER LICENSE
53 UNDER ARTICLE 143 AND/OR ARTICLE 144 OF THE EDUCATION LAW, EVEN IF
54 SUPERVISED DIRECTLY OR INDIRECTLY BY A PROFESSIONAL LICENSED UNDER ARTI-
55 CLE 131.

1 S 5. Subdivision (a) of section 1301 of the limited liability company
2 law, as amended by chapter 554 of the laws of 2013, is amended to read
3 as follows:

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

1 must be licensed pursuant to article 163 of the education law to prac-
2 tice creative arts therapy in this state. With respect to a foreign
3 professional service limited liability company which provides marriage
4 and family therapy services as such services are defined in article 163
5 of the education law, each member of such foreign professional service
6 limited liability company must be licensed pursuant to article 163 of
7 the education law to practice marriage and family therapy in this state.
8 With respect to a foreign professional service limited liability company
9 which provides mental health counseling services as such services are
10 defined in article 163 of the education law, each member of such foreign
11 professional service limited liability company must be licensed pursuant
12 to article 163 of the education law to practice mental health counseling
13 in this state. With respect to a foreign professional service limited
14 liability company which provides psychoanalysis services as such
15 services are defined in article 163 of the education law, each member of
16 such foreign professional service limited liability company must be
17 licensed pursuant to article 163 of the education law to practice
18 psychoanalysis in this state. With respect to a foreign professional
19 service limited liability company which provides applied behavior analy-
20 sis services as such services are defined in article 167 of the educa-
21 tion law, each member of such foreign professional service limited
22 liability company must be licensed or certified pursuant to article 167
23 of the education law to practice applied behavior analysis in this
24 state. WITH RESPECT TO A FOREIGN PROFESSIONAL SERVICE LIMITED LIABILITY
25 COMPANY FORMED TO PROVIDE INTEGRATED, MULTIDISCIPLINARY MEDICAL SERVICES
26 DEFINED IN ARTICLE 131 OF THE EDUCATION LAW WITH OPTOMETRY AND/OR
27 OPHTHALMIC DISPENSING SERVICES DEFINED IN ARTICLE 143 AND/OR ARTICLE 144
28 OF THE EDUCATION LAW, (I) EACH MEMBER OF SUCH LIMITED LIABILITY COMPANY
29 MUST BE LICENSED PURSUANT TO ARTICLE 131 AND CERTIFIED BY THE AMERICAN
30 BOARD OF OPHTHALMOLOGY, AND/OR LICENSED PURSUANT TO ARTICLE 143 AND/OR
31 ARTICLE 144 OF THE EDUCATION LAW TO PRACTICE ONE OR MORE OF SUCH
32 PROFESSIONS IN THIS STATE, (II) EACH MEMBER SHALL ONLY PRACTICE HIS OR
33 HER PROFESSION AS SPECIFIED IN HIS OR HER RESPECTIVE PROFESSIONAL ENABL-
34 ING STATUTE UNDER ARTICLE 131, ARTICLE 143, OR ARTICLE 144 OF THE EDUCA-
35 TION LAW, AND (III) THE CLINICAL INTEGRATION OF PROFESSIONAL PRACTICES
36 WITHIN AN INTEGRATED, MULTIDISCIPLINARY ENTITY ORGANIZED UNDER THIS
37 SECTION DOES NOT ALTER, EXPAND OR CURTAIL THE SCOPE OF PRACTICE OF ANY
38 OF THE INDIVIDUALS LICENSED UNDER THE STATUTE OF HIS OR HER RESPECTIVE
39 PROFESSIONAL ENABLING LAW, PROVIDED THAT: (A) THE CLINICAL JUDGMENT,
40 MANAGEMENT AND CLINICAL DECISION-MAKING OF ONE OR MORE ARTICLE 131
41 PROVIDERS IN AN INTEGRATED, MULTIDISCIPLINARY PROFESSIONAL SERVICE
42 LIMITED LIABILITY COMPANY SHALL BE CONTROLLING, (B) MEMBERS LICENSED
43 UNDER ARTICLE 143 AND/OR ARTICLE 144 OF THE EDUCATION LAW, SHALL NOT,
44 DIRECTLY OR INDIRECTLY, INTERFERE WITH THE CLINICAL JUDGMENT OR LEGITI-
45 MATE CLINICAL PRACTICE OF A PROFESSIONAL LICENSED UNDER ARTICLE 131, AND
46 (C) INDIVIDUALS LICENSED UNDER ARTICLE 131 MAY NOT ORDER OR DIRECT A
47 PROFESSIONAL LICENSED UNDER ARTICLE 143 AND/OR ARTICLE 144 OF THE EDUCA-
48 TION LAW TO PRACTICE BEYOND THE SCOPE OF HIS OR HER LICENSE UNDER ARTI-
49 CLE 143 AND/OR ARTICLE 144 OF THE EDUCATION LAW, EVEN IF SUPERVISED
50 DIRECTLY OR INDIRECTLY BY A PROFESSIONAL LICENSED UNDER ARTICLE 131.

51 S 6. Paragraph (a) of section 1301 of the limited liability company
52 law, as amended by chapter 475 of the laws of 2014, is amended to read
53 as follows:

54 (a) "Foreign professional service limited liability company" means a
55 professional service limited liability company, whether or not denomi-
56 nated as such, organized under the laws of a jurisdiction other than

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

1 the education law to practice marriage and family therapy in this state.
2 With respect to a foreign professional service limited liability company
3 which provides mental health counseling services as such services are
4 defined in article 163 of the education law, each member of such foreign
5 professional service limited liability company must be licensed pursuant
6 to article 163 of the education law to practice mental health counseling
7 in this state. With respect to a foreign professional service limited
8 liability company which provides psychoanalysis services as such
9 services are defined in article 163 of the education law, each member of
10 such foreign professional service limited liability company must be
11 licensed pursuant to article 163 of the education law to practice
12 psychoanalysis in this state. With respect to a foreign professional
13 service limited liability company which provides applied behavior analy-
14 sis services as such services are defined in article 167 of the educa-
15 tion law, each member of such foreign professional service limited
16 liability company must be licensed or certified pursuant to article 167
17 of the education law to practice applied behavior analysis in this
18 state. WITH RESPECT TO A FOREIGN PROFESSIONAL SERVICE LIMITED LIABILITY
19 COMPANY FORMED TO PROVIDE INTEGRATED, MULTIDISCIPLINARY MEDICAL SERVICES
20 DEFINED IN ARTICLE 131 OF THE EDUCATION LAW WITH OPTOMETRY AND/OR
21 OPHTHALMIC DISPENSING SERVICES DEFINED IN ARTICLE 143 AND/OR ARTICLE 144
22 OF THE EDUCATION LAW, (I) EACH MEMBER OF SUCH LIMITED LIABILITY COMPANY
23 MUST BE LICENSED PURSUANT TO ARTICLE 131 AND CERTIFIED BY THE AMERICAN
24 BOARD OF OPHTHALMOLOGY, AND/OR LICENSED PURSUANT TO ARTICLE 143 AND/OR
25 ARTICLE 144 OF THE EDUCATION LAW TO PRACTICE ONE OR MORE OF SUCH
26 PROFESSIONS IN THIS STATE, (II) EACH MEMBER SHALL ONLY PRACTICE HIS OR
27 HER PROFESSION AS SPECIFIED IN HIS OR HER RESPECTIVE PROFESSIONAL ENABL-
28 ING STATUTE UNDER ARTICLE 131, ARTICLE 143, OR ARTICLE 144 OF THE EDUCA-
29 TION LAW, AND (III) THE CLINICAL INTEGRATION OF PROFESSIONAL PRACTICES
30 WITHIN AN INTEGRATED, MULTIDISCIPLINARY ENTITY ORGANIZED UNDER THIS
31 SECTION DOES NOT ALTER, EXPAND OR CURTAIL THE SCOPE OF PRACTICE OF ANY
32 OF THE INDIVIDUALS LICENSED UNDER THE STATUTE OF HIS OR HER RESPECTIVE
33 PROFESSIONAL ENABLING LAW, PROVIDED THAT: (A) THE CLINICAL JUDGMENT,
34 MANAGEMENT AND CLINICAL DECISION-MAKING OF ONE OR MORE ARTICLE 131
35 PROVIDERS IN AN INTEGRATED, MULTIDISCIPLINARY PROFESSIONAL SERVICE
36 LIMITED LIABILITY COMPANY SHALL BE CONTROLLING, (B) MEMBERS LICENSED
37 UNDER ARTICLE 143 AND/OR ARTICLE 144 OF THE EDUCATION LAW, SHALL NOT,
38 DIRECTLY OR INDIRECTLY, INTERFERE WITH THE CLINICAL JUDGMENT OR LEGITI-
39 MATE CLINICAL PRACTICE OF A PROFESSIONAL LICENSED UNDER ARTICLE 131, AND
40 (C) INDIVIDUALS LICENSED UNDER ARTICLE 131 MAY NOT ORDER OR DIRECT A
41 PROFESSIONAL LICENSED UNDER ARTICLE 143 AND/OR ARTICLE 144 OF THE EDUCA-
42 TION LAW TO PRACTICE BEYOND THE SCOPE OF HIS OR HER LICENSE UNDER ARTI-
43 CLE 143 AND/OR ARTICLE 144 OF THE EDUCATION LAW, EVEN IF SUPERVISED
44 DIRECTLY OR INDIRECTLY BY A PROFESSIONAL LICENSED UNDER ARTICLE 131.

45 S 7. Paragraph (a) of section 1503 of the business corporation law, as
46 amended by chapter 550 of the laws of 2011, is amended to read as
47 follows:

48 (a) Notwithstanding any other provision of law, (I) one or more indi-
49 viduals duly authorized by law to render the same professional service
50 within the state may organize, or cause to be organized, a professional
51 service corporation for pecuniary profit under this article for the
52 purpose of rendering the same professional service, except that one or
53 more individuals duly authorized by law to practice professional engi-
54 neering, architecture, landscape architecture or land surveying within
55 the state may organize, or cause to be organized, a professional service
56 corporation or a design professional service corporation for pecuniary

1 profit under this article for the purpose of rendering such professional
2 services as such individuals are authorized to practice[.], AND, (II)
3 ONE OR MORE INDIVIDUALS DULY LICENSED TO PRACTICE MEDICINE AND WHO ARE
4 CERTIFIED BY THE AMERICAN BOARD OF OPHTHALMOLOGY, AND ONE OR MORE OPTO-
5 METRIST AND/OR OPHTHALMIC DISPENSER LICENSED UNDER ARTICLE 143 AND/OR
6 ARTICLE 144 OF THE EDUCATION LAW, WHO MAY BE BOARD CERTIFIED OR QUALI-
7 FIED BY HIS OR HER RESPECTIVE PROFESSIONAL SPECIALTY BOARDS, MAY ORGAN-
8 IZE, OR CAUSE TO BE ORGANIZED, FOR BUSINESS PURPOSES ONLY, A MULTIDISCI-
9 PLINARY PROFESSIONAL SERVICE CORPORATION FORMED FOR PECUNIARY PROFIT
10 UNDER THIS ARTICLE FOR THE PURPOSE OF RENDERING INTEGRATED AND NON-INTE-
11 GRATED PROFESSIONAL SERVICES WITHIN SUCH A CORPORATION AS SUCH INDIVID-
12 UALS ARE AUTHORIZED TO PRACTICE INDIVIDUALLY IN HIS OR HER RESPECTIVE
13 PROFESSIONS, PROVIDED THAT THE CLINICAL INTEGRATION OF PROFESSIONAL
14 PRACTICES WITHIN AN ENTITY ORGANIZED UNDER THIS SECTION DOES NOT ALTER,
15 EXPAND OR CURTAIL THE SCOPE OF PRACTICE OF ANY OF THE INDIVIDUALS
16 LICENSED UNDER THE STATUTE OF HIS OR HER RESPECTIVE PROFESSIONAL ENABL-
17 ING LAW; THAT THE CLINICAL JUDGMENT, MANAGEMENT AND CLINICAL
18 DECISION-MAKING OF ONE OR MORE ARTICLE 131 PROVIDERS IN AN INTEGRATED,
19 MULTIDISCIPLINARY PRACTICE SHALL BE CONTROLLING; THAT MEMBERS LICENSED
20 UNDER ARTICLE 143 AND/OR ARTICLE 144 OF THE EDUCATION LAW, SHALL NOT,
21 DIRECTLY OR INDIRECTLY, INTERFERE WITH THE CLINICAL JUDGMENT OR LEGITI-
22 MATE CLINICAL PRACTICE OF A PROFESSIONAL LICENSED UNDER ARTICLE 131; AND
23 THAT INDIVIDUALS LICENSED UNDER ARTICLE 131 MAY NOT ORDER OR DIRECT A
24 PROFESSIONAL LICENSED UNDER ARTICLE 143 AND/OR ARTICLE 144 OF THE EDUCA-
25 TION LAW TO PRACTICE BEYOND THE SCOPE OF HIS OR HER LICENSE UNDER ARTI-
26 CLE 143 AND/OR ARTICLE 144 OF THE EDUCATION LAW IN A PROFESSIONAL
27 SERVICE LIMITED LIABILITY COMPANY, EVEN IF SUPERVISED DIRECTLY OR INDI-
28 RECTLY BY A PROFESSIONAL LICENSED UNDER ARTICLE 131.

29 S 8. Paragraph (a) of section 1503 of the business corporation law, as
30 amended by chapter 475 of the laws of 2014, is amended to read as
31 follows:

32 (a) Notwithstanding any other provision of law, (I) one or more indi-
33 viduals duly authorized by law to render the same professional service
34 within the state may organize, or cause to be organized, a professional
35 service corporation for pecuniary profit under this article for the
36 purpose of rendering the same professional service, except that one or
37 more individuals duly authorized by law to practice professional engi-
38 neering, architecture, landscape architecture, land surveying or geology
39 within the state may organize, or cause to be organized, a professional
40 service corporation or a design professional service corporation for
41 pecuniary profit under this article for the purpose of rendering such
42 professional services as such individuals are authorized to practice[.],
43 AND, (II) ONE OR MORE INDIVIDUALS DULY LICENSED TO PRACTICE MEDICINE AND
44 WHO ARE CERTIFIED BY THE AMERICAN BOARD OF OPHTHALMOLOGY, AND ONE OR
45 MORE OPTOMETRIST AND/OR OPHTHALMIC DISPENSER LICENSED UNDER ARTICLE 143
46 AND/OR ARTICLE 144 OF THE EDUCATION LAW, WHO MAY BE BOARD CERTIFIED OR
47 QUALIFIED BY HIS OR HER RESPECTIVE PROFESSIONAL SPECIALTY BOARDS, MAY
48 ORGANIZE, OR CAUSE TO BE ORGANIZED, FOR BUSINESS PURPOSES ONLY, A MULTI-
49 DISCIPLINARY PROFESSIONAL SERVICE CORPORATION FORMED FOR PECUNIARY
50 PROFIT UNDER THIS ARTICLE FOR THE PURPOSE OF RENDERING INTEGRATED AND
51 NON-INTEGRATED PROFESSIONAL SERVICES WITHIN SUCH A CORPORATION AS SUCH
52 INDIVIDUALS ARE AUTHORIZED TO PRACTICE INDIVIDUALLY IN HIS OR HER
53 RESPECTIVE PROFESSIONS, PROVIDED THAT THE CLINICAL INTEGRATION OF
54 PROFESSIONAL PRACTICES WITHIN AN ENTITY ORGANIZED UNDER THIS SECTION
55 DOES NOT ALTER, EXPAND OR CURTAIL THE SCOPE OF PRACTICE OF ANY OF THE
56 INDIVIDUALS LICENSED UNDER THE STATUTE OF HIS OR HER RESPECTIVE PROFES-

1 SIONAL ENABLING LAW; THAT THE CLINICAL JUDGMENT, MANAGEMENT AND CLINICAL
2 DECISION-MAKING OF ONE OR MORE ARTICLE 131 PROVIDERS IN AN INTEGRATED,
3 MULTIDISCIPLINARY PRACTICE SHALL BE CONTROLLING; THAT MEMBERS LICENSED
4 UNDER ARTICLE 143 AND/OR ARTICLE 144 OF THE EDUCATION LAW, SHALL NOT,
5 DIRECTLY OR INDIRECTLY, INTERFERE WITH THE CLINICAL JUDGMENT OR LEGITI-
6 MATE CLINICAL PRACTICE OF A PROFESSIONAL LICENSED UNDER ARTICLE 131; AND
7 THAT INDIVIDUALS LICENSED UNDER ARTICLE 131 MAY NOT ORDER OR DIRECT A
8 PROFESSIONAL LICENSED UNDER ARTICLE 143 AND/OR ARTICLE 144 OF THE EDUCA-
9 TION LAW TO PRACTICE BEYOND THE SCOPE OF HIS OR HER LICENSE UNDER ARTI-
10 CLE 143 AND/OR ARTICLE 144 OF THE EDUCATION LAW IN A PROFESSIONAL
11 SERVICE LIMITED LIABILITY COMPANY, EVEN IF SUPERVISED DIRECTLY OR INDI-
12 RECTLY BY A PROFESSIONAL LICENSED UNDER ARTICLE 131.

13 S 9. Subdivision (q) of section 121-1500 of the partnership law, as
14 amended by chapter 554 of the laws of 2013, is amended to read as
15 follows:

16 (q) Each partner of a registered limited liability partnership formed
17 to provide medical services in this state must be licensed pursuant to
18 article 131 of the education law to practice medicine in this state and
19 each partner of a registered limited liability partnership formed to
20 provide dental services in this state must be licensed pursuant to arti-
21 cle 133 of the education law to practice dentistry in this state. Each
22 partner of a registered limited liability partnership formed to provide
23 veterinary services in this state must be licensed pursuant to article
24 135 of the education law to practice veterinary medicine in this state.
25 Each partner of a registered limited liability partnership formed to
26 provide professional engineering, land surveying, architectural and/or
27 landscape architectural services in this state must be licensed pursuant
28 to article 145, article 147 and/or article 148 of the education law to
29 practice one or more of such professions in this state. Each partner of
30 a registered limited liability partnership formed to provide licensed
31 clinical social work services in this state must be licensed pursuant to
32 article 154 of the education law to practice clinical social work in
33 this state. Each partner of a registered limited liability partnership
34 formed to provide creative arts therapy services in this state must be
35 licensed pursuant to article 163 of the education law to practice crea-
36 tive arts therapy in this state. Each partner of a registered limited
37 liability partnership formed to provide marriage and family therapy
38 services in this state must be licensed pursuant to article 163 of the
39 education law to practice marriage and family therapy in this state.
40 Each partner of a registered limited liability partnership formed to
41 provide mental health counseling services in this state must be licensed
42 pursuant to article 163 of the education law to practice mental health
43 counseling in this state. Each partner of a registered limited liability
44 partnership formed to provide psychoanalysis services in this state must
45 be licensed pursuant to article 163 of the education law to practice
46 psychoanalysis in this state. Each partner of a registered limited
47 liability partnership formed to provide applied behavior analysis
48 service in this state must be licensed or certified pursuant to article
49 167 of the education law to practice applied behavior analysis in this
50 state. EACH PARTNER OF A REGISTERED LIMITED LIABILITY PARTNERSHIP FORMED
51 TO PROVIDE INTEGRATED, MULTIDISCIPLINARY MEDICAL SERVICES DEFINED IN
52 ARTICLE 131 OF THE EDUCATION LAW WITH OPTOMETRY AND/OR OPHTHALMIC
53 DISPENSING SERVICES DEFINED IN ARTICLE 143 AND/OR ARTICLE 144 OF THE
54 EDUCATION LAW, (I) MUST BE LICENSED PURSUANT TO ARTICLE 131 AND CERTI-
55 FIED BY THE AMERICAN BOARD OF OPHTHALMOLOGY, AND/OR LICENSED PURSUANT TO
56 ARTICLE 143 AND/OR ARTICLE 144 OF THE EDUCATION LAW TO PRACTICE ONE OR

1 MORE OF SUCH PROFESSIONS IN THIS STATE; AND (II) SHALL ONLY PRACTICE HIS
2 OR HER PROFESSION AS SPECIFIED IN HIS OR HER RESPECTIVE PROFESSIONAL
3 ENABLING STATUTE UNDER ARTICLE 131, ARTICLE 143, OR ARTICLE 144 OF THE
4 EDUCATION LAW. THE CLINICAL INTEGRATION OF PROFESSIONAL PRACTICES WITHIN
5 AN INTEGRATED, MULTI-DISCIPLINARY ENTITY ORGANIZED UNDER THIS SECTION
6 DOES NOT ALTER, EXPAND OR CURTAIL THE SCOPE OF PRACTICE OF ANY OF THE
7 INDIVIDUALS LICENSED UNDER THE STATUTE OF HIS OR HER RESPECTIVE PROFES-
8 SIONAL ENABLING LAW, PROVIDED THAT: (A) THE CLINICAL JUDGMENT, MANAGE-
9 MENT AND CLINICAL DECISION-MAKING OF ONE OR MORE ARTICLE 131 PROVIDERS
10 IN AN INTEGRATED, MULTIDISCIPLINARY PROFESSIONAL SERVICE LIMITED LIABIL-
11 ITY COMPANY SHALL BE CONTROLLING, (B) MEMBERS LICENSED UNDER ARTICLE 143
12 AND/OR ARTICLE 144 OF THE EDUCATION LAW, SHALL NOT, DIRECTLY OR INDI-
13 RECTLY, INTERFERE WITH THE CLINICAL JUDGMENT OR LEGITIMATE CLINICAL
14 PRACTICE OF A PROFESSIONAL LICENSED UNDER ARTICLE 131, AND (C) INDIVID-
15 UALS LICENSED UNDER ARTICLE 131 MAY NOT ORDER OR DIRECT A PROFESSIONAL
16 LICENSED UNDER ARTICLE 143 AND/OR ARTICLE 144 OF THE EDUCATION LAW TO
17 PRACTICE BEYOND THE SCOPE OF HIS OR HER LICENSE UNDER ARTICLE 143 AND/OR
18 ARTICLE 144 OF THE EDUCATION LAW, EVEN IF SUPERVISED DIRECTLY OR INDI-
19 RECTLY BY A PROFESSIONAL LICENSED UNDER ARTICLE 131.

20 S 10. Subdivision (q) of section 121-1500 of the partnership law, as
21 amended by chapter 475 of the laws of 2014, is amended to read as
22 follows:

23 (q) Each partner of a registered limited liability partnership formed
24 to provide medical services in this state must be licensed pursuant to
25 article 131 of the education law to practice medicine in this state and
26 each partner of a registered limited liability partnership formed to
27 provide dental services in this state must be licensed pursuant to arti-
28 cle 133 of the education law to practice dentistry in this state. Each
29 partner of a registered limited liability partnership formed to provide
30 veterinary services in this state must be licensed pursuant to article
31 135 of the education law to practice veterinary medicine in this state.
32 Each partner of a registered limited liability partnership formed to
33 provide professional engineering, land surveying, geological services,
34 architectural and/or landscape architectural services in this state must
35 be licensed pursuant to article 145, article 147 and/or article 148 of
36 the education law to practice one or more of such professions in this
37 state. Each partner of a registered limited liability partnership formed
38 to provide licensed clinical social work services in this state must be
39 licensed pursuant to article 154 of the education law to practice clin-
40 ical social work in this state. Each partner of a registered limited
41 liability partnership formed to provide creative arts therapy services
42 in this state must be licensed pursuant to article 163 of the education
43 law to practice creative arts therapy in this state. Each partner of a
44 registered limited liability partnership formed to provide marriage and
45 family therapy services in this state must be licensed pursuant to arti-
46 cle 163 of the education law to practice marriage and family therapy in
47 this state. Each partner of a registered limited liability partnership
48 formed to provide mental health counseling services in this state must
49 be licensed pursuant to article 163 of the education law to practice
50 mental health counseling in this state. Each partner of a registered
51 limited liability partnership formed to provide psychoanalysis services
52 in this state must be licensed pursuant to article 163 of the education
53 law to practice psychoanalysis in this state. Each partner of a regis-
54 tered limited liability partnership formed to provide applied behavior
55 analysis service in this state must be licensed or certified pursuant to
56 article 167 of the education law to practice applied behavior analysis

1 in this state. EACH PARTNER OF A REGISTERED LIMITED LIABILITY PARTNER-
2 SHIP FORMED TO PROVIDE INTEGRATED, MULTIDISCIPLINARY MEDICAL SERVICES
3 DEFINED IN ARTICLE 131 OF THE EDUCATION LAW WITH OPTOMETRY AND/OR
4 OPHTHALMIC DISPENSING SERVICES DEFINED IN ARTICLE 143 AND/OR ARTICLE 144
5 OF THE EDUCATION LAW, (I) MUST BE LICENSED PURSUANT TO ARTICLE 131 AND
6 CERTIFIED BY THE AMERICAN BOARD OF OPHTHALMOLOGY, AND/OR LICENSED PURSU-
7 ANT TO ARTICLE 143 AND/OR ARTICLE 144 OF THE EDUCATION LAW TO PRACTICE
8 ONE OR MORE OF SUCH PROFESSIONS IN THIS STATE; AND (II) SHALL ONLY PRAC-
9 TICE HIS OR HER PROFESSION AS SPECIFIED IN HIS OR HER RESPECTIVE PROFES-
10 SIONAL ENABLING STATUTE UNDER ARTICLE 131, ARTICLE 143, OR ARTICLE 144
11 OF THE EDUCATION LAW. THE CLINICAL INTEGRATION OF PROFESSIONAL PRACTICES
12 WITHIN AN INTEGRATED, MULTI-DISCIPLINARY ENTITY ORGANIZED UNDER THIS
13 SECTION DOES NOT ALTER, EXPAND OR CURTAIL THE SCOPE OF PRACTICE OF ANY
14 OF THE INDIVIDUALS LICENSED UNDER THE STATUTE OF HIS OR HER RESPECTIVE
15 PROFESSIONAL ENABLING LAW, PROVIDED THAT: (A) THE CLINICAL JUDGMENT,
16 MANAGEMENT AND CLINICAL DECISION-MAKING OF ONE OR MORE ARTICLE 131
17 PROVIDERS IN AN INTEGRATED, MULTIDISCIPLINARY PROFESSIONAL SERVICE
18 LIMITED LIABILITY COMPANY SHALL BE CONTROLLING, (B) MEMBERS LICENSED
19 UNDER ARTICLE 143 AND/OR ARTICLE 144 OF THE EDUCATION LAW, SHALL NOT,
20 DIRECTLY OR INDIRECTLY, INTERFERE WITH THE CLINICAL JUDGMENT OR LEGITI-
21 MATE CLINICAL PRACTICE OF A PROFESSIONAL LICENSED UNDER ARTICLE 131, AND
22 (C) INDIVIDUALS LICENSED UNDER ARTICLE 131 MAY NOT ORDER OR DIRECT A
23 PROFESSIONAL LICENSED UNDER ARTICLE 143 AND/OR ARTICLE 144 OF THE EDUCA-
24 TION LAW TO PRACTICE BEYOND THE SCOPE OF HIS OR HER LICENSE UNDER ARTI-
25 CLE 143 AND/OR ARTICLE 144 OF THE EDUCATION LAW, EVEN IF SUPERVISED
26 DIRECTLY OR INDIRECTLY BY A PROFESSIONAL LICENSED UNDER ARTICLE 131.

27 S 11. Subdivision (q) of section 121-1502 of the partnership law, as
28 amended by chapter 554 of the laws of 2013, is amended to read as
29 follows:

30 (q) Each partner of a foreign limited liability partnership which
31 provides medical services in this state must be licensed pursuant to
32 article 131 of the education law to practice medicine in the state and
33 each partner of a foreign limited liability partnership which provides
34 dental services in the state must be licensed pursuant to article 133 of
35 the education law to practice dentistry in this state. Each partner of a
36 foreign limited liability partnership which provides veterinary service
37 in the state shall be licensed pursuant to article 135 of the education
38 law to practice veterinary medicine in this state. Each partner of a
39 foreign limited liability partnership which provides professional engi-
40 neering, land surveying, architectural and/or landscape architectural
41 services in this state must be licensed pursuant to article 145, article
42 147 and/or article 148 of the education law to practice one or more of
43 such professions. Each partner of a foreign limited liability partner-
44 ship which provides licensed clinical social work services in this state
45 must be licensed pursuant to article 154 of the education law to prac-
46 tice licensed clinical social work in this state. Each partner of a
47 foreign limited liability partnership which provides creative arts ther-
48 apy services in this state must be licensed pursuant to article 163 of
49 the education law to practice creative arts therapy in this state. Each
50 partner of a foreign limited liability partnership which provides
51 marriage and family therapy services in this state must be licensed
52 pursuant to article 163 of the education law to practice marriage and
53 family therapy in this state. Each partner of a foreign limited liabil-
54 ity partnership which provides mental health counseling services in this
55 state must be licensed pursuant to article 163 of the education law to
56 practice mental health counseling in this state. Each partner of a

1 foreign limited liability partnership which provides psychoanalysis
2 services in this state must be licensed pursuant to article 163 of the
3 education law to practice psychoanalysis in this state. Each partner of
4 a foreign limited liability partnership which provides applied behavior
5 analysis services in this state must be licensed or certified pursuant
6 to article 167 of the education law to practice applied behavior analy-
7 sis in this state. EACH PARTNER OF A FOREIGN LIMITED LIABILITY PARTNER-
8 SHIP FORMED TO PROVIDE INTEGRATED, MULTIDISCIPLINARY MEDICAL SERVICES
9 DEFINED IN ARTICLE 131 OF THE EDUCATION LAW WITH OPTOMETRY AND/OR
10 OPHTHALMIC DISPENSING SERVICES DEFINED IN ARTICLE 143 AND/OR ARTICLE 144
11 OF THE EDUCATION LAW, (I) MUST BE LICENSED PURSUANT TO ARTICLE 131 AND
12 CERTIFIED BY THE AMERICAN BOARD OF OPHTHALMOLOGY, AND/OR LICENSED PURSU-
13 ANT TO ARTICLE 143 AND/OR ARTICLE 144 OF THE EDUCATION LAW TO PRACTICE
14 ONE OR MORE OF SUCH PROFESSIONS IN THIS STATE; AND (II) SHALL ONLY PRAC-
15 TICE HIS OR HER PROFESSION AS SPECIFIED IN HIS OR HER RESPECTIVE PROFES-
16 SIONAL ENABLING STATUTE UNDER ARTICLE 131, ARTICLE 143, OR ARTICLE 144
17 OF THE EDUCATION LAW. THE CLINICAL INTEGRATION OF PROFESSIONAL PRACTICES
18 WITHIN AN INTEGRATED, MULTIDISCIPLINARY ENTITY ORGANIZED UNDER THIS
19 SECTION DOES NOT ALTER, EXPAND OR CURTAIL THE SCOPE OF PRACTICE OF ANY
20 OF THE INDIVIDUALS LICENSED UNDER THE STATUTE OF HIS OR HER RESPECTIVE
21 PROFESSIONAL ENABLING LAW, PROVIDED THAT: (A) THE CLINICAL JUDGMENT,
22 MANAGEMENT AND CLINICAL DECISION-MAKING OF ONE OR MORE ARTICLE 131
23 PROVIDERS IN AN INTEGRATED, MULTIDISCIPLINARY PROFESSIONAL SERVICE
24 LIMITED LIABILITY COMPANY SHALL BE CONTROLLING, (B) MEMBERS NOT LICENSED
25 UNDER ARTICLE 131 OF THE EDUCATION LAW, SHALL NOT, DIRECTLY OR INDIRECT-
26 LY, INTERFERE WITH THE CLINICAL JUDGMENT OR LEGITIMATE CLINICAL PRACTICE
27 OF A PROFESSIONAL LICENSED UNDER ARTICLE 131, AND (C) INDIVIDUALS
28 LICENSED UNDER ARTICLE 131 MAY NOT ORDER OR DIRECT A PROFESSIONAL
29 LICENSED UNDER ARTICLE 143 AND/OR ARTICLE 144 OF THE EDUCATION LAW TO
30 PRACTICE BEYOND THE SCOPE OF HIS OR HER LICENSE UNDER ARTICLE 143 AND/OR
31 ARTICLE 144 OF THE EDUCATION LAW, EVEN IF SUPERVISED DIRECTLY OR INDI-
32 RECTLY BY A PROFESSIONAL LICENSED UNDER ARTICLE 131.

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

36 (q) Each partner of a foreign limited liability partnership which
37 provides medical services in this state must be licensed pursuant to
38 article 131 of the education law to practice medicine in the state and
39 each partner of a foreign limited liability partnership which provides
40 dental services in the state must be licensed pursuant to article 133 of
41 the education law to practice dentistry in this state. Each partner of a
42 foreign limited liability partnership which provides veterinary service
43 in the state shall be licensed pursuant to article 135 of the education
44 law to practice veterinary medicine in this state. Each partner of a
45 foreign limited liability partnership which provides professional engi-
46 neering, land surveying, geological services, architectural and/or land-
47 scape architectural services in this state must be licensed pursuant to
48 article 145, article 147 and/or article 148 of the education law to
49 practice one or more of such professions. Each partner of a foreign
50 limited liability partnership which provides licensed clinical social
51 work services in this state must be licensed pursuant to article 154 of
52 the education law to practice licensed clinical social work in this
53 state. Each partner of a foreign limited liability partnership which
54 provides creative arts therapy services in this state must be licensed
55 pursuant to article 163 of the education law to practice creative arts
56 therapy in this state. Each partner of a foreign limited liability part-

nership which provides marriage and family therapy services in this state must be licensed pursuant to article 163 of the education law to practice marriage and family therapy in this state. Each partner of a foreign limited liability partnership which provides mental health counseling services in this state must be licensed pursuant to article 163 of the education law to practice mental health counseling in this state. Each partner of a foreign limited liability partnership which provides psychoanalysis services in this state must be licensed pursuant to article 163 of the education law to practice psychoanalysis in this state. Each partner of a foreign limited liability partnership which provides applied behavior analysis services in this state must be licensed or certified pursuant to article 167 of the education law to practice applied behavior analysis in this state. EACH PARTNER OF A FOREIGN LIMITED LIABILITY PARTNERSHIP FORMED TO PROVIDE INTEGRATED, MULTIDISCIPLINARY MEDICAL SERVICES DEFINED IN ARTICLE 131 OF THE EDUCATION LAW WITH OPTOMETRY AND/OR OPHTHALMIC DISPENSING SERVICES DEFINED IN ARTICLE 143 AND/OR ARTICLE 144 OF THE EDUCATION LAW, (I) MUST BE LICENSED PURSUANT TO ARTICLE 131 AND CERTIFIED BY THE AMERICAN BOARD OF OPHTHALMOLOGY, AND/OR LICENSED PURSUANT TO ARTICLE 143 AND/OR ARTICLE 144 OF THE EDUCATION LAW TO PRACTICE ONE OR MORE OF SUCH PROFESSIONS IN THIS STATE; AND (II) SHALL ONLY PRACTICE HIS OR HER PROFESSION AS SPECIFIED IN HIS OR HER RESPECTIVE PROFESSIONAL ENABLING STATUTE UNDER ARTICLE 131, ARTICLE 143, OR ARTICLE 144 OF THE EDUCATION LAW. THE CLINICAL INTEGRATION OF PROFESSIONAL PRACTICES WITHIN AN INTEGRATED, MULTIDISCIPLINARY 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 ENABLING LAW, PROVIDED THAT: (A) THE CLINICAL JUDGMENT, MANAGEMENT AND CLINICAL DECISION-MAKING OF ONE OR MORE ARTICLE 131 PROVIDERS IN AN INTEGRATED, MULTIDISCIPLINARY PROFESSIONAL SERVICE LIMITED LIABILITY COMPANY SHALL BE CONTROLLING, (B) MEMBERS NOT LICENSED UNDER ARTICLE 131 OF THE EDUCATION LAW, SHALL NOT, DIRECTLY OR INDIRECTLY, INTERFERE WITH THE CLINICAL JUDGMENT OR LEGITIMATE CLINICAL PRACTICE OF A PROFESSIONAL LICENSED UNDER ARTICLE 131, AND (C) INDIVIDUALS LICENSED UNDER ARTICLE 131 MAY NOT ORDER OR DIRECT A PROFESSIONAL LICENSED UNDER ARTICLE 143 AND/OR ARTICLE 144 OF THE EDUCATION LAW TO PRACTICE BEYOND THE SCOPE OF HIS OR HER LICENSE UNDER ARTICLE 143 AND/OR ARTICLE 144 OF THE EDUCATION LAW, EVEN IF SUPERVISED DIRECTLY OR INDIRECTLY BY A PROFESSIONAL LICENSED UNDER ARTICLE 131.

S 13. Subdivision 1 of section 2801 of the public health law, as separately amended by chapters 297 and 416 of the laws of 1983, is amended to read as follows:

1. "Hospital" means a facility or institution engaged principally in providing services by or under the supervision of a physician or, in the case of a dental clinic or dental dispensary, of a dentist, for the prevention, diagnosis or treatment of human disease, pain, injury, deformity or physical condition, including, but not limited to, a general hospital, public health center, diagnostic center, treatment center, dental clinic, dental dispensary, rehabilitation center other than a facility used solely for vocational rehabilitation, nursing home, tuberculosis hospital, chronic disease hospital, maternity hospital, lying-in-asylum, out-patient department, out-patient lodge, dispensary and a laboratory or central service facility serving one or more such institutions, but the term hospital shall not include an institution, sanitarium or other facility engaged principally in providing services for the prevention, diagnosis or treatment of mental disability and which is subject to the powers of visitation, examination, inspection and inves-

1 tigation of the department of mental hygiene except for those distinct
2 parts of such a facility which provide hospital service. The provisions
3 of this article shall not apply to a facility or institution engaged
4 principally in providing services by or under the supervision of the
5 bona fide members and adherents of a recognized religious organization
6 whose teachings include reliance on spiritual means through prayer alone
7 for healing in the practice of the religion of such organization and
8 where services are provided in accordance with those teachings OR TO A
9 BUSINESS CORPORATION, LIMITED LIABILITY CORPORATION OR PARTNERSHIP
10 BETWEEN A MEDICAL DOCTOR AND A DULY LICENSED TITLE VIII HEALTHCARE
11 PROFESSIONAL.

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

14 19. Permitting any person to share in the fees for professional
15 services, other than: a partner, employee, associate in a professional
16 firm or corporation, professional subcontractor or consultant authorized
17 to practice medicine, or a legally authorized trainee practicing under
18 the supervision of a licensee OR AN OPTOMETRIST AND/OR OPHTHALMIC
19 DISPENSER PROVIDING PROFESSIONAL SERVICES IN THE SAME PRACTICE. This
20 prohibition shall include any arrangement or agreement whereby the
21 amount received in payment for furnishing space, facilities, equipment
22 or personnel services used by a licensee constitutes a percentage of, or
23 is otherwise dependent upon, the income or receipts of the licensee from
24 such practice, except as otherwise provided by law with respect to a
25 facility licensed pursuant to article twenty-eight of the public health
26 law or article thirteen of the mental hygiene law;

27 S 15. Section 6509-a of the education law, as amended by chapter 555
28 of the laws of 1993, is amended to read as follows:

29 S 6509-a. Additional definition of professional misconduct; limited
30 application. Notwithstanding any inconsistent provision of this article
31 or of any other provision of law to the contrary, the license or regis-
32 tration of a person subject to the provisions of articles one hundred
33 thirty-two, one hundred thirty-three, one hundred thirty-six, one
34 hundred thirty-seven, one hundred thirty-nine, one hundred forty-one,
35 one hundred forty-three, one hundred forty-four, one hundred fifty-six,
36 one hundred fifty-nine and one hundred sixty-four of this chapter may be
37 revoked, suspended or annulled or such person may be subject to any
38 other penalty provided in section sixty-five hundred eleven of this
39 article in accordance with the provisions and procedure of this article
40 for the following:

41 That any person subject to the above enumerated articles, has directly
42 or indirectly requested, received or participated in the division,
43 transference, assignment, rebate, splitting or refunding of a fee for,
44 or has directly requested, received or profited by means of a credit or
45 other valuable consideration as a commission, discount or gratuity in
46 connection with the furnishing of professional care, or service, includ-
47 ing x-ray examination and treatment, or for or in connection with the
48 sale, rental, supplying or furnishing of clinical laboratory services or
49 supplies, x-ray laboratory services or supplies, inhalation therapy
50 service or equipment, ambulance service, hospital or medical supplies,
51 physiotherapy or other therapeutic service or equipment, artificial
52 limbs, teeth or eyes, orthopedic or surgical appliances or supplies,
53 optical appliances, supplies or equipment, devices for aid of hearing,
54 drugs, medication or medical supplies or any other goods, services or
55 supplies prescribed for medical diagnosis, care or treatment under this
56 chapter, except payment, not to exceed thirty-three and one-third per

centum of any fee received for x-ray examination, diagnosis or treatment, to any hospital furnishing facilities for such examination, diagnosis or treatment. Nothing contained in this section shall prohibit such persons from practicing as partners, in groups or as a professional corporation or as a university faculty practice corporation nor from pooling fees and moneys received, either by the partnerships, professional corporations, university faculty practice corporations or groups by the individual members thereof, for professional services furnished by any individual professional member, or employee of such partnership, corporation or group, nor shall the professionals constituting the partnerships, corporations or groups be prohibited from sharing, dividing or apportioning the fees and moneys received by them or by the partnership, corporation or group in accordance with a partnership or other agreement; provided that no such practice as partners, corporations or in groups or pooling of fees or moneys received or shared, division or apportionment of fees shall be permitted with respect to care and treatment under the workers' compensation law except as expressly authorized by the workers' compensation law. NOTHING CONTAINED IN THIS SECTION, SHALL PROHIBIT AN INTEGRATED, MULTIDISCIPLINARY MEDICAL AND OPTOMETRY AND/OR OPHTHALMIC DISPENSING PRACTICE FORMED PURSUANT TO SUBDIVISION (A) OR (B) OF SECTION TWELVE HUNDRED THREE OF THE LIMITED LIABILITY COMPANY LAW, SUBDIVISION (A) OF SECTION THIRTEEN HUNDRED ONE OF THE LIMITED LIABILITY COMPANY LAW, PARAGRAPH (A) OF SECTION FIFTEEN HUNDRED THREE OF THE BUSINESS CORPORATION LAW, SUBDIVISION (Q) OF SECTION 121-1500 OF THE PARTNERSHIP LAW, OR SUBDIVISION (Q) OF SECTION 121-1502 OF THE PARTNERSHIP LAW FROM POOLING FEES OR MONIES RECEIVED. Nothing contained in this chapter shall prohibit a medical or dental expense indemnity corporation pursuant to its contract with the subscriber from prorationing a medical or dental expense indemnity allowance among two or more professionals in proportion to the services rendered by each such professional at the request of the subscriber, provided that prior to payment thereof such professionals shall submit both to the medical or dental expense indemnity corporation and to the subscriber statements itemizing the services rendered by each such professional and the charges therefor.

S 16. Section 6531 of the education law, as amended by chapter 555 of the laws of 1993, is amended to read as follows:

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

That any person subject to the above-enumerated articles has directly or indirectly requested, received or participated in the division, transference, assignment, rebate, splitting, or refunding of a fee for, or has directly requested, received or profited by means of a credit or other valuable consideration as a commission, discount or gratuity, in connection with the furnishing of professional care or service, including x-ray examination and treatment, or for or in connection with the sale, rental, supplying, or furnishing of clinical laboratory services or supplies, x-ray laboratory services or supplies, inhalation therapy service or equipment, ambulance service, hospital or medical supplies, physiotherapy or other therapeutic service or equipment, artificial 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 AN INTEGRATED, MULTIDISCIPLI-
23 NARY MEDICAL AND OPTOMETRY AND/OR OPHTHALMIC DISPENSING PRACTICE FORMED
24 PURSUANT TO SUBDIVISION (A) OR (B) OF SECTION TWELVE HUNDRED THREE OF
25 THE LIMITED LIABILITY COMPANY LAW, SUBDIVISION (A) OF SECTION THIRTEEN
26 HUNDRED ONE OF THE LIMITED LIABILITY COMPANY LAW, PARAGRAPH (A) OF
27 SECTION FIFTEEN HUNDRED THREE OF THE BUSINESS CORPORATION LAW, SUBDIVI-
28 SION (Q) OF SECTION 121-1500 OF THE PARTNERSHIP LAW, OR SUBDIVISION (Q)
29 OF SECTION 121-1502 OF THE PARTNERSHIP LAW FROM POOLING FEES OR MONIES
30 RECEIVED. Nothing contained in this chapter shall prohibit a corporation
31 licensed pursuant to article forty-three of the insurance law pursuant
32 to its contract with the subscriber from prorationing a medical or
33 dental expenses indemnity allowance among two or more professionals in
34 proportion to the services rendered by each such professional at the
35 request of the subscriber, provided that prior to payment thereof such
36 professionals shall submit both to the corporation licensed pursuant to
37 article forty-three of the insurance law and to the subscriber state-
38 ments itemizing the services rendered by each such professional and the
39 charges therefor.

40 S 17. This act shall take effect on the thirtieth day after it shall
41 have become a law; provided, however, that:

42 (a) the amendments to subdivision (a) of section 1203 of the limited
43 liability company law made by section two of this act shall take effect
44 on the same date and in the same manner as section twenty-one of chapter
45 475 of the laws of 2014, takes effect;

46 (b) the amendments to subdivision (b) of section 1207 of the limited
47 liability company law made by section four of this act shall take effect
48 on the same date and in the same manner as section twenty-two of chapter
49 475 of the laws of 2014, takes effect;

50 (c) the amendments to subdivision (a) of section 1301 of the limited
51 liability company law made by section six of this act shall take effect
52 on the same date and in the same manner as section twenty-three of chap-
53 ter 475 of the laws of 2014, takes effect;

54 (d) the amendments to paragraph (a) of section 1503 of the business
55 corporation law made by section eight of this act shall take effect on

1 the same date and in the same manner as section fourteen of chapter 475
2 of the laws of 2014, takes effect;
3 (e) the amendments to subdivision (q) of section 121-1500 of the part-
4 nership law made by section ten of this act shall take effect on the
5 same date and in the same manner as section twenty-six of chapter 475 of
6 the laws of 2014, takes effect;
7 (f) the amendments to subdivision (q) of section 121-1502 of the part-
8 nership law made by section twelve of this act shall take effect on the
9 same date and in the same manner as section twenty-seven of chapter 475
10 of the laws of 2014, takes effect.