

2015-2016 Regular Sessions

I N   A S S E M B L Y

January 8, 2015

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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.

LBD06309-01-5

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 EDU-  
25 CATION 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 EDU-  
24 CATION 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 prorating 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.