

4917--A

2015-2016 Regular Sessions

I N   S E N A T E

April 23, 2015

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Introduced by Sens. LAVALLE, LARKIN, RITCHIE, SEWARD, VALESKY -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education -- recommitted to the Committee on Higher Education in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, the limited liability company law, the partnership law and the public health law, in relation to the practice of naturopathy; to amend the social services law, in relation to the reporting of child abuse; and providing for the repeal of certain provisions upon expiration thereof

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

1     Section 1. Legislative intent. 1. The legislature recognizes that in  
2     spite of advances in science and technology that have resulted in the  
3     American healthcare system excelling at triage and in responding to  
4     acute emergent conditions, there is an epidemic of chronic disease and  
5     an unacceptable degree of iatrogenic disease in America. The legislature  
6     recognizes that the economics of healthcare and the pursuit of scientific  
7     advancement have led to an occupational preference among physicians  
8     for specialization, resulting in a shortage of primary care physicians.  
9     The legislature finds that licensure of the profession of naturopathic  
10    medicine favorably addresses such problems, and agrees with U.S. Senate  
11    Resolution 221 of the 113th Congress in finding that naturopathic  
12    doctors are skilled in preventing and treating chronic disease; that  
13    naturopathic medicine is a safe, effective, and affordable means of  
14    health care; and that licensure of naturopathic doctors helps address  
15    the shortage of primary care physicians in the United States, while also  
16    providing people with more choice in health care.  
17    2. The legislature recognizes that naturopathic medicine, although  
18    encompassing primary and secondary care services, including many of the

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

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1 same diagnostic tools and assessment techniques as the medical profes-  
2 sion, and having certain Hippocratic principles in common with the  
3 medical profession, is not part of the profession of medicine as contem-  
4 plated by article 131 of the education law, and intends that naturopath-  
5 ic medicine be a distinct profession with its own state board.

6 3. The legislature recognizes that naturopathic medicine is a modern,  
7 evolved form of naturopathy that is practiced by naturopathic doctors;  
8 that the early form, today sometimes called traditional naturopathy, is  
9 characterized by its vitalistic philosophy, and by its foundation of  
10 hygiene and nature cure (i.e., the use of natural agents such as air,  
11 light, water, food, and herbs to stimulate the body's own natural heal-  
12 ing powers); and that such early form is practiced in some states by  
13 traditional naturopaths without licensure, by lay persons in their own  
14 self care, and to some extent in health spas. This bill is not intended  
15 to change the legality or illegality of activities relating to such  
16 hygiene and nature cure; nor to limit the scope of naturopathic medicine  
17 to such traditional naturopathy.

18 4. The legislature recognizes that the naturopathic doctor has a  
19 primary mission of facilitating optimum health and wellness for patients  
20 of any age; relies on the scientific method in implementing vitalistic,  
21 functional, and evidence-based strategies for assessing and treating  
22 patients; and works with patients of good or ill health having acute and  
23 chronic conditions, including serious medical conditions.

24 5. The legislature intends that the authorized activities within the  
25 scope of practice of a naturopathic doctor are those activities within  
26 the meanings of naturopathic assessment, common office procedures, phys-  
27 ical naturopathy, approved substances, approved routes of adminis-  
28 tration, and noninvasive naturopathic therapies, as per sections sixty-  
29 eight hundred fifty and sixty-eight hundred fifty-one of article 138 of  
30 the education law as proposed in this act. For naturopathic doctors  
31 having the injection therapy privilege the authorized activities further  
32 include injection therapy, as per section sixty-eight hundred fifty-four  
33 of article 138 of the education law, as proposed in this act. The scope  
34 of such practice activities however are limited by section sixty-eight  
35 hundred fifty-five of article 138 of the education law, as proposed in  
36 this act, which provides boundaries of professional competence. The  
37 legislature provides a list of broad clinical objectives included within  
38 the meaning of "facilitating optimum health and wellness," as defined in  
39 section sixty-eight hundred fifty-one of article 138 of the education  
40 law as proposed in this act, which list, while relevant to professional  
41 conduct, is not intended to expand upon the authorized activities. The  
42 legislature intends that invasive procedures other than diagnostic imag-  
43 ing be impermissible, and that the definitions of the terms "invasive  
44 procedures" and "noninvasive" be construed independent of each other.

45 6. The legislature intends that the education qualification for natu-  
46 ropathic medicine emphasizes the basic sciences and clinical sciences,  
47 such as has been established by the Council on Naturopathic Medical  
48 Education (CNME) and the Association of Accredited Naturopathic Medical  
49 Colleges (AANMC), and so distinguish over traditional naturopathy.

50 7. The legislature intends that the education qualification for natu-  
51 ropathic medicine insofar as including a substantial equivalent of a  
52 program of naturopathic medicine registered with the department require  
53 that such substantial equivalent, among other factors determined by the  
54 department, also require that the substantial equivalent emphasize the  
55 naturopathic principles and the therapeutic order in clinical training,  
56 such as in programs accredited by the Council on Naturopathic Medical

1 Education (CNME) or in the naturopathic medical programs offered by the  
2 Association of Accredited Naturopathic Medical Colleges (AANMC), and so  
3 distinguish over a doctoral degree in medicine or osteopathy.

4 8. The legislature intends that the professional conduct of the natu-  
5 ropathic doctor be informed by the naturopathic principles and the ther-  
6 apeutic order, and so distinguish over professional conduct for the  
7 practice of the profession of medicine.

8 9. The legislature recognizes that in the practice of naturopathic  
9 medicine the healing power of nature principle is viewed as being an  
10 inherent property in a living organism to heal itself, and is an  
11 acknowledgment that synergy results from the coordination of the many  
12 chemical and physical reactions of the living system through varied and  
13 circuitous feedback pathways making the whole function as more than the  
14 sum of its parts. The number of reactions and the resulting complexity  
15 and synergy is viewed in the profession of naturopathic medicine as  
16 being why treatment of a given physiological process may result in  
17 unforeseen nonlocal consequences, including iatrogenic disease; and is  
18 why naturopathic doctors investigate and treat the patient as a whole  
19 living system, find and remove the cause, and prefer less invasive ther-  
20 apies and substances with fewer side effects. It also is why the naturo-  
21 pathic doctor prefers to intervene early to prevent occurrence of  
22 disease.

23 10. The legislature intends that licensed naturopathic doctors, while  
24 being permitted to practice in solo and among other naturopathic  
25 doctors, also be permitted to practice naturopathic medicine in many of  
26 the current patient care venue types in the healthcare system; that  
27 there be referral among naturopathic doctors, physicians, and other  
28 health care providers as based on the interests of the patient; and that  
29 integrative care settings and the advancement of public health and safe-  
30 ty be realized through collaboration among naturopathic doctors, physi-  
31 cians, and other health care providers.

32 11. Naturopathic doctors add to the health care system by bringing  
33 their naturopathic approach to patient care; and by bringing their  
34 expertise on the determinants of health, diet and nutrient therapy,  
35 phytotherapy, therapeutic use of physical agents, and drug/herb  
36 drug/nutrient interactions. Therefore, to improve the public health,  
37 safety and welfare of its citizens, the legislature finds it is desira-  
38 ble to regulate the profession of naturopathic medicine, and intends  
39 that admission to practice and regulation of such practice, including  
40 professional conduct, shall be supervised by the board of regents and  
41 administered by the state education department, assisted by a state  
42 board of naturopathic medicine.

43 S 2. The education law is amended by adding a new article 138 to read  
44 as follows:

#### 45 ARTICLE 138

#### 46 NATUROPATHIC MEDICINE

47 SECTION 6850. INTRODUCTION.

48 6851. DEFINITIONS.

49 6852. DEFINITION OF THE PRACTICE OF NATUROPATHIC MEDICINE.

50 6853. TITLE AND DESIGNATION.

51 6854. INJECTION THERAPY AND INJECTION THERAPY PRIVILEGE.

52 6855. BOUNDARIES OF PROFESSIONAL COMPETENCE.

53 6856. STATE BOARD FOR NATUROPATHIC MEDICINE.

54 6857. QUALIFICATIONS FOR LICENSURE.

55 6858. SPECIAL CONDITIONS.

56 6859. EXEMPT PERSONS AND EXEMPTIONS.

6860. LIMITED RESIDENCY PERMITS.

6861. LIMITED PERMITS.

6862. MANDATORY CONTINUING EDUCATION.

S 6850. INTRODUCTION. THIS ARTICLE APPLIES TO THE LICENSURE AND REGULATION OF NATUROPATHIC DOCTORS TO PRACTICE NATUROPATHIC MEDICINE IN THIS STATE. THE GENERAL PROVISIONS FOR ALL PROFESSIONS CONTAINED IN ARTICLE ONE HUNDRED THIRTY, AS ADDED BY CHAPTER NINE HUNDRED EIGHTY-SEVEN OF THE LAWS OF NINETEEN HUNDRED SEVENTY-ONE, OF THIS TITLE APPLY TO THIS ARTICLE.

S 6851. DEFINITIONS. FOR THE PURPOSES OF THIS ARTICLE:

1. "APPROVED CLIA WAIVED TESTS" MEAN LABORATORY TESTS CATEGORIZED UNDER THE FEDERAL CLINICAL LABORATORY IMPROVEMENT ACT (CLIA) OF 1988 AS BEING WAIVED TESTS, AND WHICH ARE IDENTIFIED BY THE DEPARTMENT UPON THE RECOMMENDATION OF THE BOARD, AND UPDATED AS NEEDED OR UPON TRIENNIAL REVIEW, AS BEING APPROPRIATE IN THE PRACTICE OF NATUROPATHIC MEDICINE.

2. "APPROVED ROUTES OF ADMINISTRATION" MEANS ORAL, SUBLINGUAL, NASAL, AURICULAR, OCULAR, RECTAL, VAGINAL, AND TRANSDERMAL. FOR NATUROPATHIC DOCTORS HAVING INJECTION THERAPY PRIVILEGE UNDER SECTION SIXTY-EIGHT HUNDRED FIFTY-FOUR OF THIS ARTICLE, "APPROVED ROUTES OF ADMINISTRATION" FURTHER INCLUDE INJECTION ROUTES, NAMELY, INTRAVENOUS, INTRAMUSCULAR, SUBCUTANEOUS, AND INTRADERMAL.

3. "APPROVED SUBSTANCES" MEANS OVER-THE-COUNTER SUBSTANCES; FOOD CONCENTRATES, FOOD EXTRACTS, AND OTHER DIETARY INGREDIENTS; VITAMINS, MINERALS, AND OTHER DIETARY SUPPLEMENTS; BOTANICAL AND HOMEOPATHIC PREPARATIONS; AND A LIMITED FORMULARY OF LEGEND DRUGS. THE LIMITED FORMULARY OF LEGEND DRUGS INCLUDES THYROID HORMONES, ESTROGEN HORMONES, PROGESTERONE HORMONE, DHEA, AND HOMEOPATHIC PREPARATIONS OF HOMEOPATHIC DRUGS LISTED IN THE OFFICIAL HOMEOPATHIC PHARMACOPOEIA OF THE UNITED STATES. FOR NATUROPATHIC DOCTORS HAVING INJECTION THERAPY PRIVILEGE UNDER SECTION SIXTY-EIGHT HUNDRED FIFTY-FOUR OF THIS ARTICLE, THE LIMITED FORMULARY FURTHER INCLUDES IMMUNIZATIONS AND INJECTABLE FORMS OF THE APPROVED SUBSTANCES. LEGEND DRUGS IN THE LIMITED FORMULARY MAY BE ADMINISTERED AND PRESCRIBED, AND THE OTHER APPROVED SUBSTANCES AND HOMEOPATHIC PREPARATIONS MAY BE ADMINISTERED, PRESCRIBED, AND DISPENSED.

4. "BOARD" MEANS THE STATE BOARD FOR NATUROPATHIC MEDICINE.

5. "COMMON OFFICE PROCEDURES" MEANS ADMINISTERING APPROVED CLIA WAIVED TESTS; ADMINISTERING ULTRASONOGRAPHIC AND THERMOGRAPHIC IMAGING; PRESCRIBING, INSTALLING, REMOVING, AND ADJUSTING BARRIER CONTRACEPTIVE DEVICES; PROCEDURES FOR TREATING SUPERFICIAL LACERATIONS AND ABRASIONS AND FOR THE REMOVAL OF FOREIGN BODIES LOCATED IN SUPERFICIAL STRUCTURES NOT TO INCLUDE THE EYE, EXCLUDING BY INCISION AND SUTURING; ADMINISTERING CRYOTHERAPY, LIGATION, AND FULGURATION; ADMINISTERING APPROVED SUBSTANCES VIA APPROVED ROUTES OF ADMINISTRATION; PROCEDURES FOR OBTAINING SAMPLES OF BODILY FLUIDS, BODILY EXCRETIONS, BODILY SECRETIONS, AND BODILY TISSUES; AND OTHER PROCEDURES FOR ASSESSMENT OR THERAPY THAT ARE NONINVASIVE. COMMON OFFICE PROCEDURES FOR OBTAINING SAMPLES ARE LIMITED TO: VENIPUNCTURE AND PHLEBOTOMY, PAP SMEAR, SCRAPING, AND FOR HAIR CUTTING.

6. "CONTROLLED SUBSTANCE" MEANS CONTROLLED SUBSTANCES AS DEFINED IN THE FEDERAL CONTROLLED SUBSTANCES ACT.

7. "DIAGNOSTIC IMAGING" MEANS RADIOGRAPHY, TOMOGRAPHY, MAGNETIC RESONANCE IMAGING, ULTRASONOGRAPHY, AND THERMOGRAPHY, AND EXCLUDES NUCLEAR MEDICINE, FLUOROSCOPY, AND RADIOLOGICAL PROCEDURES FOR TREATING A MEDICAL CONDITION.

8. "DIETARY INGREDIENT" MEANS A DIETARY INGREDIENT AS DEFINED IN THE FEDERAL DIETARY SUPPLEMENT HEALTH AND EDUCATION ACT OF 1994 (DSHEA).

1 9. "DIETARY SUPPLEMENT" MEANS A DIETARY SUPPLEMENT AS DEFINED IN THE  
2 FEDERAL DIETARY SUPPLEMENT HEALTH AND EDUCATION ACT OF 1994 (DSHEA).

3 10. "DRUG" MEANS A DRUG AS DEFINED IN THE FEDERAL FOOD, DRUG, AND  
4 COSMETIC ACT, 21 USC 321.

5 11. "FACILITATING OPTIMUM HEALTH AND WELLNESS" MEANS FACILITATING THE  
6 ESTABLISHMENT AND MAINTENANCE OF A HEALTHY PATIENT LIFESTYLE AND NUTRI-  
7 TIONAL FOUNDATION; EDUCATING THE PATIENT ABOUT THEIR CIRCUMSTANCES OF  
8 HEALTH AND ILLNESS AND STEPS FOR ESTABLISHING AND MAINTAINING OPTIMUM  
9 HEALTH AND WELLNESS; FACILITATING AND AUGMENTING SELF-HEALING PROCESSES;  
10 SUPPORTING AND MODULATING PHYSIOLOGICAL PROCESSES; SUPPORTING AND  
11 CORRECTING INTEGRITY OF ANATOMICAL STRUCTURES; IDENTIFYING AND REMOVING  
12 UNDERLYING CAUSES OF ILLNESS; AND IDENTIFYING, PREVENTING, MITIGATING,  
13 MONITORING, AND TREATING ILLNESS.

14 12. "FOOD" MEANS FOOD AS DEFINED IN THE FEDERAL FOOD, DRUG, AND  
15 COSMETIC ACT, 21 USC 321.

16 13. "ILLNESS" MEANS PAIN, INJURY, DEFORMITY, SYNDROME, DISEASE, OR  
17 OTHER UNHEALTHY CONDITION.

18 14. "INVASIVE PROCEDURE" MEANS ANY MEDICAL PROCEDURE IN WHICH BONE,  
19 VISCERA, THE EYEBALL, THE INNER EAR, THE DORSAL BODY CAVITY, OR THE  
20 VENTRAL BODY CAVITY IS PENETRATED BY A PHYSICAL DEVICE OR BY IONIZING  
21 RADIATION ABOVE BACKGROUND LEVELS.

22 15. "INJECTION THERAPY" MEANS THE INJECTION OF APPROVED SUBSTANCES.

23 16. "INJECTION THERAPY PRIVILEGE" MEANS THE SCOPE OF PRACTICE PRIVI-  
24 LEGE TO PRACTICE INJECTION THERAPY, IN ACCORDANCE WITH REGULATIONS  
25 PROMULGATED BY THE COMMISSIONER.

26 17. "LEGEND DRUG" MEANS A DRUG FOR WHICH A PRESCRIPTION IS REQUIRED  
27 UNDER THE FEDERAL FOOD, DRUG AND COSMETIC ACT.

28 18. "NATUROPATHIC ASSESSMENT" MEANS THE IDENTIFICATION AND EVALUATION  
29 OF A PATIENT'S CIRCUMSTANCES OF HEALTH AND ILLNESS BY INVESTIGATING THE  
30 PATIENT'S HEALTH, HISTORY, LIFE STYLE, AND DETERMINANTS OF HEALTH; BY  
31 COMPREHENSIVE PHYSICAL EXAMINATION; BY COMMON OFFICE PROCEDURES FOR  
32 ASSESSMENT; BY ORDERING AND PRESCRIBING LABORATORY TESTS AND PROCEDURES,  
33 INCLUDING SUBMITTING SPECIMENS FOR TESTING TO LABORATORIES THAT HOLD  
34 PERMITS OR LICENSES PURSUANT TO UNDER TITLE V OF ARTICLE FIVE OF THE  
35 PUBLIC HEALTH LAW; BY ORDERING AND PRESCRIBING DIAGNOSTIC IMAGING; AND  
36 BY OTHER ASSESSMENT TECHNIQUES THAT ARE NONINVASIVE. SPECIMENS FOR  
37 TESTING MAY BE OBTAINED BY COMMON OFFICE PROCEDURES AS DESCRIBED IN  
38 SUBDIVISION FIVE OF THIS SECTION OR BY PATIENT SUBMISSION (E.G., FOR  
39 STOOL, URINE, HAIR, SALIVA).

40 19. "NATUROPATHIC PRINCIPLES" MEANS THE FOLLOWING PRINCIPLES, WHICH  
41 ARE WEIGHED BY THE NATUROPATHIC DOCTOR TO INFLUENCE THE SELECTION OF  
42 NATUROPATHIC ASSESSMENT ACTIVITIES, COMMON OFFICE PROCEDURES, AND TREAT-  
43 MENTS ADMINISTERED, ORDERED OR REFERRED:

44 A. "THE HEALING POWER OF NATURE," WHICH MEANS THE INHERENT ABILITY OF  
45 A LIVING ORGANISM FOR SELF-HEALING;

46 B. "IDENTIFY AND TREAT THE CAUSES," WHICH MEANS IDENTIFY AND REMOVE  
47 THE UNDERLYING CAUSES OF ILLNESS SO THAT SELF-HEALING PROCESSES MAY  
48 FUNCTION EFFECTIVELY;

49 C. "FIRST DO NO HARM," WHICH MEANS APPLY THE LEAST FORCE OR INTER-  
50 VENTION TO IDENTIFY ILLNESS AND RESTORE HEALTH, SUCH AS REFERENCED IN  
51 THE THERAPEUTIC ORDER; AND WHENEVER POSSIBLE, AVOID SYMPTOM SUPPRESSION  
52 THAT INTERFERES WITH THE DYNAMICS OF SELF-HEALING;

53 D. "DOCTOR AS TEACHER," WHICH MEANS EDUCATE PATIENTS AS TO STEPS FOR  
54 ACHIEVING AND MAINTAINING HEALTH, AND ENCOURAGE SELF-RESPONSIBILITY FOR  
55 HEALTH;

1 E. "TREAT THE WHOLE PERSON," WHICH MEANS ASSESS AND TREAT THE PATIENT  
2 AS AN INTEGRATED WHOLE HAVING MANY PHYSICAL, MENTAL, EMOTIONAL, SPIRITU-  
3 AL, AND SOCIAL ASPECTS; AND

4 F. "PREVENTION," WHICH MEANS ASSESS LIFE STYLE, DETERMINANTS OF  
5 HEALTH, AND GENETIC AND ENVIRONMENTAL SUSCEPTIBILITY TO ILLNESS; RECOM-  
6 MEND APPROPRIATE INTERVENTIONS TO REDUCE RISKS OF DISEASE OCCURRENCE;  
7 AND FACILITATE THE ESTABLISHMENT AND MAINTENANCE OF POSITIVE EMOTION,  
8 THOUGHT AND ACTION.

9 20. "NONINVASIVE" MEANS NO BREAK IS CREATED IN THE SKIN OR MUCOSA, NO  
10 INFILTRATION OF THE SKIN OR MUCOSA IS MADE BY IONIZING RADIATION ABOVE  
11 BACKGROUND LEVELS, NO ENDOSCOPY IS PERFORMED BETWEEN THE ESOPHAGUS AND  
12 COLON, INCLUSIVE, AND NO RADIOGRAPHY, TOMOGRAPHY, OR MAGNETIC RESONANCE  
13 IMAGING IS ADMINISTERED.

14 21. "NONINVASIVE NATUROPATHIC THERAPIES" MEANS DIET AND LIFESTYLE  
15 COUNSELING, PATIENT EDUCATION AS TO CIRCUMSTANCES OF HEALTH AND ILLNESS,  
16 WELLNESS COUNSELING, BIOFEEDBACK, HYPNOTHERAPY, AND TOUCH AND/OR TAPPING  
17 THERAPIES WITH AND WITHOUT A VERBAL COMMUNICATION COMPONENT. NONINVASIVE  
18 NATUROPATHIC THERAPIES EXCLUDE THE PRACTICE OF MARITAL AND FAMILY THERA-  
19 PY, PSYCHOANALYSIS, AND CREATIVE ARTS THERAPY ON A CONTINUED SUSTAINED  
20 BASIS, AND IS FURTHER LIMITED IN APPLICATION BY A BOUNDARY OF PROFES-  
21 SIONAL COMPETENCE RESTRICTING PSYCHOTHERAPEUTIC INTERVENTION WITH  
22 PATIENTS HAVING SYMPTOMATIC, INTELLECTUALLY, SOCIALLY OR EMOTIONALLY  
23 MALADAPTIVE BEHAVIOR SUFFICIENT TO BE A MENTAL, EMOTIONAL, COGNITIVE,  
24 ADDICTIVE OR BEHAVIORAL DISORDER AS PER DSM CRITERIA OR PER DIAGNOSIS BY  
25 A QUALIFIED HEALTHCARE PROVIDER, AS PROVIDED IN SECTION SIXTY-EIGHT  
26 HUNDRED FIFTY-FIVE OF THIS ARTICLE.

27 22. "OPTIMUM HEALTH" MEANS A PERSON'S DESIRED, MAINTAINABLE, BEST  
28 DEGREE OF HEALTH, GIVEN THE PERSON'S CIRCUMSTANCES OF HEALTH AND  
29 ILLNESS, THE THERAPEUTIC GOALS, AND THE PERSON'S DEGREE OF SELF-RESPON-  
30 SIBILITY FOR HEALING.

31 23. "OVER THE COUNTER SUBSTANCES" MEANS SUBSTANCES THAT HAVE BEEN  
32 APPROVED OR CLEARED BY THE FOOD AND DRUG ADMINISTRATION OF THE UNITED  
33 STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR SALE OR DISTRIBUTION  
34 TO THE PUBLIC ON A DIRECT OR OVER-THE-COUNTER BASIS WITHOUT A  
35 PRESCRIPTION FROM A QUALIFIED HEALTH CARE PRACTITIONER.

36 24. "PHYSICAL NATUROPATHY" MEANS MANUAL THERAPY, THERAPEUTIC EXERCISE,  
37 HYDROTHERAPY, COLONIC THERAPY, SAUNA, MICROWAVE DIATHERMY, SHORTWAVE  
38 DIATHERMY, ULTRASONIC DIATHERMY, MUSCLE STIMULATION, BIOFEEDBACK, INFRA-  
39 RED LIGHT THERAPY, ULTRAVIOLET LIGHT THERAPY, VISIBLE LIGHT THERAPY,  
40 IONTOPHORESIS, AND THE THERAPEUTIC USE OF PHYSICAL MEDICINE THERAPEUTIC  
41 DEVICES THAT ARE EXEMPT OR ARE CLASS I OR CLASS II DEVICES IDENTIFIED  
42 UNDER THE CODE OF FEDERAL REGULATIONS, TITLE 21, CHAPTER I, SUBCHAPTER  
43 H, PART 890, SUBPART F.

44 25. "RADIOLOGICAL PROCEDURES" MEANS RADIOLOGICAL PROCEDURES AS DEFINED  
45 IN ARTICLE EIGHTY-SEVEN HUNDRED ONE OF THIS TITLE.

46 26. "SUPERFICIAL" MEANS THE DERMAL AND SUBCUTANEOUS LAYERS OF THE BODY  
47 EXTERIOR, THE MUCOSAL LAYER OF THE BODY ORIFICES, AND THE UNDERLYING  
48 FASCIA AND ADIPOSE.

49 27. "SURGERY" MEANS A MEDICAL PROCEDURE FOR STRUCTURALLY ALTERING THE  
50 HUMAN BODY BY CUTTING INTO LIVE HUMAN TISSUE FOR THE PURPOSE OF LOCAL-  
51 IZED ALTERATION, TRANSPORTATION, OR DESTRUCTION OF LIVE HUMAN TISSUE  
52 USING IONIZING RADIATION OR AN INSTRUMENT, SUCH AS A LASER, SCALPEL, OR  
53 PROBE; AND DOES NOT INCLUDE PUNCTURES, INJECTIONS, DRY NEEDLING,  
54 ACUPUNCTURE, OR REMOVAL OF DEAD TISSUE.

55 28. "THERAPEUTIC ORDER" MEANS THE HIERARCHY OF THERAPEUTIC INTER-  
56 VENTION, AS FOLLOWS, ORDERED ACCORDING TO DEGREE OF INTERVENTION, AND

1 USED BY DETERMINING THE LOWEST DEGREE OF INTERVENTION FOR WHICH THE  
2 SPECIFIC PATIENT'S CIRCUMSTANCES OF HEALTH AND ILLNESS CAN BE EFFEC-  
3 TIVELY ADDRESSED TO RESTORE AND FACILITATE OPTIMUM HEALTH, WHEREIN THER-  
4 APEUTIC INTERVENTION OUTSIDE THE BOUNDARIES OF PROFESSIONAL COMPETENCE  
5 IS INTENDED TO BE REFERRED:

6 A. ESTABLISH THE CONDITIONS FOR HEALTH (E.G., IDENTIFY AND REMOVE  
7 DISTURBING FACTORS; INSTITUTE A MORE HEALTHFUL REGIMEN);

8 B. STIMULATE THE SELF-HEALING PROCESSES;

9 C. ADDRESS WEAKENED OR DAMAGED SYSTEMS OR ORGANS (E.G., STRENGTHEN THE  
10 IMMUNE SYSTEM; DECREASE TOXICITY; NORMALIZE INFLAMMATORY FUNCTION; OPTI-  
11 MIZE METABOLIC FUNCTION; BALANCE REGULATORY SYSTEMS; ENHANCE REGENER-  
12 ATION; CULTIVATE SENSORY AND MINDFUL AWARENESS OF THE INTEGRATION OF  
13 PSYCHE AND SOMA);

14 D. CORRECT STRUCTURAL INTEGRITY;

15 E. ADDRESS PATHOLOGY USING SPECIFIC NATURAL SUBSTANCES, MODALITIES, OR  
16 INTERVENTIONS;

17 F. ADDRESS PATHOLOGY USING SPECIFIC PHARMACOLOGIC OR SYNTHETIC  
18 SUBSTANCES; AND

19 G. SUPPRESS OR SURGICALLY REMOVE PATHOLOGY.

20 29. "VERTEBRAL ADJUSTMENT" MEANS A HIGH VELOCITY, LOW AMPLITUDE THRUST  
21 APPLIED TO A VERTEBRA AT THE END OF ITS RANGE OF MOTION UTILIZING PARTS  
22 OF THE VERTEBRA AND CONTIGUOUS STRUCTURES AS LEVERS TO DIRECTIONALLY  
23 CORRECT ARTICULATE MALPOSITION, AND EXCLUDES MOTION THAT MOVES THE  
24 VERTEBRA TO THE END OF ITS RANGE OF MOTION.

25 30. "WELLNESS" MEANS A STATE OF BEING ABLE TO PREVENT ILLNESS AND  
26 PROLONG LIFE.

27 31. "WELLNESS COUNSELING" MEANS PATIENT DOCTOR DIALOGUE FOR FACILITAT-  
28 ING POSITIVE EMOTION, THOUGHT, AND ACTION PROVIDED WITHIN A MULTIMODAL  
29 HOLISTIC FRAMEWORK OF THERAPY INFORMED BY THE NATUROPATHIC PRINCIPLES  
30 AND THE THERAPEUTIC ORDER.

31 S 6852. DEFINITION OF THE PRACTICE OF NATUROPATHIC MEDICINE. THE  
32 PRACTICE OF NATUROPATHIC MEDICINE IS DEFINED AS FACILITATING OPTIMUM  
33 HEALTH AND WELLNESS FOR PATIENTS OF ANY AGE USING NATUROPATHIC ASSESS-  
34 MENT, COMMON OFFICE PROCEDURES, PHYSICAL NATUROPATHY, APPROVED  
35 SUBSTANCES, AND NONINVASIVE NATUROPATHIC THERAPIES IN A HOLISTIC FRAME-  
36 WORK INFORMED BY NATUROPATHIC PRINCIPLES AND A THERAPEUTIC ORDER.

37 S 6853. TITLE AND DESIGNATION. ONLY A PERSON LICENSED UNDER THIS ARTI-  
38 CLE MAY USE THE TITLE "NATUROPATHIC DOCTOR", "LICENSED NATUROPATH" OR  
39 "PROFESSIONAL NATUROPATH" AND HOLD HERSELF OR HIMSELF OUT AS PRACTICING  
40 NATUROPATHIC MEDICINE; PROVIDED, HOWEVER, THAT NONE OF SUCH TITLES NOR  
41 ANY COMBINATION OF SUCH TITLES SHALL BE USED TO CONVEY THE IDEA THAT THE  
42 INDIVIDUAL WHO USES SUCH TITLE PRACTICES ANYTHING OTHER THAN NATUROPATHY  
43 AND NATUROPATHIC MEDICINE. A LICENSED NATUROPATHIC DOCTOR MAY NOT USE  
44 THE TITLE "PHYSICIAN" UNLESS OTHERWISE AUTHORIZED UNDER TITLE VIII OF  
45 THE EDUCATION LAW.

46 S 6854. INJECTION THERAPY AND INJECTION THERAPY PRIVILEGE. 1. FOR  
47 ISSUANCE OF INJECTION THERAPY PRIVILEGE, THE APPLICANT SHALL FULFILL THE  
48 FOLLOWING REQUIREMENTS:

49 A. FILE AN APPLICATION WITH THE DEPARTMENT;

50 B. BE LICENSED AS A NATUROPATHIC DOCTOR IN THE STATE, INCLUDING A  
51 LIMITED PERMIT HOLDER, OR BE AN APPLICANT FOR LICENSURE UNDER THIS ARTI-  
52 CLE MEETING THE QUALIFICATIONS FOR LICENSURE OR FOR A LIMITED PERMIT;

53 C. HAVE SUCCESSFULLY COMPLETED A CERTIFICATION COURSE IN INJECTION  
54 THERAPY FROM A COURSE PROVIDER APPROVED BY THE DEPARTMENT OR AS PART OF  
55 A PROGRAM OF NATUROPATHIC MEDICINE REGISTERED WITH THE DEPARTMENT OR THE  
56 SUBSTANTIAL EQUIVALENT THEREOF;

1 D. PAY A FEE TO THE DEPARTMENT OF TWO HUNDRED DOLLARS FOR THE ISSUANCE  
2 AND INITIAL REGISTRATION OF THE INJECTION THERAPY PRIVILEGE.

3 2. AN INJECTION THERAPY PRIVILEGE ISSUED UNDER THIS SECTION SHALL BE  
4 VALID FOR THE LIFE OF THE HOLDER, UNLESS REVOKED, ANNULLED, OR SUSPENDED  
5 BY THE BOARD OF REGENTS. DURING EACH TRIENNIAL REGISTRATION PERIOD, A  
6 NATUROPATHIC DOCTOR HAVING INJECTION THERAPY PRIVILEGE SHALL COMPLETE  
7 EIGHT HOURS OF ACCEPTABLE FORMAL CONTINUING EDUCATION AS PART OF THEIR  
8 MANDATORY CONTINUING EDUCATION REQUIREMENT, IN CONFORMANCE WITH THE  
9 PROVISIONS OF SECTION SIXTY-EIGHT HUNDRED SIXTY-TWO OF THIS ARTICLE, ON  
10 THE SUBJECT OF INJECTION THERAPY, INCLUDING FORMAL CONTINUING EDUCATION  
11 THAT CONTRIBUTES TO THE ENHANCEMENT OF CLINICAL INJECTION THERAPY  
12 SKILLS, PURSUANT TO THE REGULATION OF THE COMMISSIONER. FAILURE TO  
13 COMPLETE THE REQUIRED CONTINUING EDUCATION UNDER THIS SUBSECTION SHALL  
14 RESULT IN SUSPENSION OF THE INJECTION THERAPY PRIVILEGE UNTIL SUCH TIME  
15 AS THE REQUIRED CONTINUING EDUCATION IS COMPLETE. A SUSPENSION OF THE  
16 INJECTION THERAPY PRIVILEGE FOR LACK OF COMPLETION OF THE REQUIRED  
17 CONTINUING EDUCATION THAT EXCEEDS TWELVE MONTHS IN DURATION SHALL RESULT  
18 IN A REVOCATION OF THE INJECTION THERAPY PRIVILEGE, AND REQUIRE RE-AP-  
19 PPLICATION, RECERTIFICATION OR OTHER EDUCATION SATISFACTORY TO THE  
20 COMMISSIONER, AND THE FEE AS PER SECTION SIXTY-EIGHT HUNDRED FIFTY-SEVEN  
21 OF THIS ARTICLE FOR RE-ISSUANCE OF THE INJECTION THERAPY PRIVILEGE. THIS  
22 CONTINUING EDUCATION REQUIREMENT IS EFFECTIVE AS OF THE SAME EFFECTIVE  
23 DATE AS SECTION SIXTY-EIGHT HUNDRED FIFTY-SEVEN OF THIS ARTICLE.

24 3. A STUDENT IN A DOCTORAL PROGRAM OF NATUROPATHIC MEDICINE REGISTERED  
25 WITH THE DEPARTMENT OR THE SUBSTANTIAL EQUIVALENT THEREOF MAY PERFORM  
26 INJECTION THERAPY IN AN INTERNSHIP OR PRECEPTORSHIP SETTING WHEN  
27 REQUIRED AS PART OF SUCH PROGRAM FOR THE PURPOSE OF FULFILLING SUCH  
28 PROGRAM REQUIREMENT ONLY UNDER THE IMMEDIATE DIRECT PERSONAL SUPERVISION  
29 OF A PHYSICIAN LICENSED UNDER THIS TITLE OR A NATUROPATHIC DOCTOR  
30 LICENSED UNDER THIS ARTICLE HAVING INJECTION THERAPY PRIVILEGE. "IMMEDI-  
31 ATE DIRECT PERSONAL SUPERVISION" FOR THE PURPOSES OF THIS SECTION MEANS  
32 SUPERVISION OF A PROCEDURE FOR INJECTION THERAPY BASED ON INSTRUCTIONS  
33 GIVEN DIRECTLY BY THE SUPERVISING PHYSICIAN OR SUPERVISING NATUROPATHIC  
34 DOCTOR WHO REMAINS PHYSICALLY PRESENT IN THE IMMEDIATE AREA WHEN THE  
35 INJECTION THERAPY PROCEDURE IS PERFORMED.

36 S 6855. BOUNDARIES OF PROFESSIONAL COMPETENCE. THE ACTIVITIES ENCOM-  
37 PASSED WITHIN THE DEFINITION OF THE PRACTICE OF NATUROPATHIC MEDICINE  
38 UNDER SECTIONS SIXTY-EIGHT HUNDRED FIFTY-TWO AND SIXTY-EIGHT HUNDRED  
39 FIFTY-FOUR OF THIS ARTICLE ARE LIMITED BY THE PROHIBITIONS, BOUNDARIES,  
40 AND RESTRICTIONS OF THIS SECTION.

41 1. THE PRACTICE OF THE PROFESSION OF NATUROPATHIC MEDICINE DOES NOT  
42 INCLUDE: ADMINISTERING OR PRESCRIBING CONTROLLED SUBSTANCES; ADMINIS-  
43 TERING INVASIVE PROCEDURES; ADMINISTERING ELECTROCONVULSIVE THERAPY;  
44 ADMINISTERING NEEDLE-TYPE ELECTROMYOGRAPHY; PERFORMING SURGERY OTHER  
45 THAN CRYOTHERAPY, LIGATION AND FULGURATION; ADMINISTERING RADIOLOGICAL  
46 PROCEDURES USING IONIZING RADIATION ABOVE BACKGROUND LEVELS; ADMINISTER-  
47 ING GENERAL OR SPINAL ANESTHETIC DRUGS; ADMINISTERING OBSTETRIC SERVICES  
48 OTHER THAN COMPLEMENTARY NATUROPATHIC PRENATAL AND POSTNATAL WELLNESS  
49 CARE; ADMINISTERING ACUPUNCTURE; AND SETTING FRACTURES.

50 2. A. (I) IT SHALL BE DEEMED PRACTICING OUTSIDE THE BOUNDARIES OF  
51 PROFESSIONAL COMPETENCE FOR A NATUROPATHIC DOCTOR TO PROVIDE EMERGENCY  
52 CARE SERVICES FOR TREATING INJURIES OR TRAUMA FROM A SERIOUS ACCIDENT OR  
53 A VIOLENT CRIME, EXCEPT AS PERMITTED BY ARTICLE 30 OF THE PUBLIC HEALTH  
54 LAW OF NEW YORK.

55 (II) IT SHALL BE DEEMED PROFESSIONAL MISCONDUCT FOR A NATUROPATHIC  
56 DOCTOR TO HOLD HERSELF OR HIMSELF OUT AS PROVIDING EMERGENCY CARE



SERVICES ON A CONTINUED SUSTAINED BASIS; OR TO TREAT AN ACUTE EMERGENT CONDITION OF SIGNIFICANT THREAT TO LIFE OR LIMB WITHOUT ALSO SUMMONING EMERGENCY MEDICAL RESPONSE.

B. (I) IT SHALL BE DEEMED PRACTICING OUTSIDE THE BOUNDARIES OF PROFESSIONAL COMPETENCE FOR A NATUROPATHIC DOCTOR TO ADMINISTER PHYSICAL NATUROPATHY ON A PATIENT ON A CONTINUED SUSTAINED BASIS UNDER EITHER OF THE FOLLOWING CIRCUMSTANCES: TO ASSIST THE PATIENT TO COMPENSATE FOR DEVELOPMENTAL DEFICITS AFFECTING PHYSICAL MOVEMENT AND MOBILITY THAT CANNOT BE REVERSED; AND TO RESTORE, FOR PURPOSES OF PATIENT REINTEGRATION BACK INTO THE HOME, COMMUNITY, OR WORK, SOME OR ALL OF THE PATIENT'S PATHOMECHANICAL DEFICITS AFFECTING PHYSICAL MOVEMENT AND MOBILITY THAT WERE LOST DUE TO INJURY OR DISEASE CAUSING ONGOING SEPARATION FROM HOME, COMMUNITY OR WORK.

(II) A NATUROPATHIC DOCTOR MAY CORRECT VERTEBRAL ALIGNMENT USING VERTEBRAL ADJUSTMENT IN COMBINATION WITH NATUROPATHIC MUSCLE RELEASE TECHNIQUES AND SOFT TISSUE MANIPULATION WITHIN A MULTIMODAL HOLISTIC TREATMENT PLAN, BUT OTHERWISE MAY NOT PRACTICE VERTEBRAL ADJUSTMENT.

C. FOR PATIENTS HAVING SYMPTOMATIC, INTELLECTUALLY, SOCIALLY OR EMOTIONALLY MALADAPTIVE BEHAVIOR SUFFICIENT TO BE A MENTAL, EMOTIONAL, COGNITIVE, ADDICTIVE OR BEHAVIORAL DISORDER AS PER DSM (DIAGNOSTIC AND STATISTICAL MANUAL OF MENTAL DISORDERS) CRITERIA OR AN EQUIVALENT THEREOF, OR PER DIAGNOSIS BY A QUALIFIED HEALTHCARE PROVIDER, IT SHALL BE DEEMED PRACTICING OUTSIDE THE BOUNDARIES OF PROFESSIONAL COMPETENCE FOR A NATUROPATHIC DOCTOR TO FACILITATE CHANGES IN THE PATIENT'S PERSONALITY AND BEHAVIOR FOR THE PURPOSE OF ELIMINATING SUCH SYMPTOMATIC MALADAPTIVE BEHAVIOR CORRESPONDING TO SUCH DISORDER THROUGH THE USE OF VERBAL, COGNITIVE, AND EMOTIONAL INTERPERSONAL COMMUNICATION METHODS OF PSYCHOTHERAPEUTIC INTERVENTION ON A CONTINUED SUSTAINED BASIS. SUCH RESTRICTION ON PSYCHOTHERAPEUTIC INTERVENTION DOES NOT RESTRICT A NATUROPATHIC DOCTOR FROM PROVIDING DIETARY AND LIFESTYLE ADVICE AND INSTRUCTIONS TO THE PATIENT, NOR FROM EDUCATING THE PATIENT ABOUT THEIR CIRCUMSTANCES OF HEALTH AND ILLNESS. SUCH RESTRICTION ON PSYCHOTHERAPEUTIC INTERVENTION EXCLUDES HYPNOTHERAPY APPLIED AS PART OF A MULTIMODE HOLISTIC TREATMENT PLAN (E.G., NUTRIENT THERAPY AND HYPNOTHERAPY) TO TREAT TOBACCO ADDICTION OR OBESITY. ALTHOUGH A NATUROPATHIC DOCTOR CANNOT PROVIDE A PSYCHOLOGICAL DIAGNOSIS, A NATUROPATHIC DOCTOR MAY APPLY AND DOCUMENT SUCH DSM OR EQUIVALENT CRITERIA, OR THE ABSENCE THEREOF TO DISCERN THIS BOUNDARY OF PROFESSIONAL COMPETENCE, WHICH DISCERNMENT SHALL DEFER TO A DIAGNOSIS BY A QUALIFIED HEALTHCARE PROVIDER.

D. ALTHOUGH THE IDENTIFICATION OF AN ILLNESS IS PART OF A NATUROPATHIC ASSESSMENT, A NATUROPATHIC DOCTOR MAY NOT EQUATE SUCH ASSESSMENT TO A MEDICAL OR PSYCHOLOGICAL DIAGNOSIS, NOR HOLD HIMSELF OR HERSELF OUT AS MAKING A MEDICAL OR PSYCHOLOGICAL DIAGNOSIS. A NATUROPATHIC DOCTOR, HOWEVER, MAY USE COMMON DIAGNOSTIC CODES (E.G., ICD-10 CODES; DSM-V CODES) AND MAY REFER TO AN IDENTIFIED ILLNESS IN DISCUSSIONS WITH THE PATIENT, IN PATIENT HEALTH RECORDS, AND IN COMMUNICATIONS COMPLIANT WITH THE FEDERAL HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996 (HIPAA).

3. WHILE THE SCOPE OF ACTIVITIES INCLUDED WITHIN THE PRACTICE OF NATUROPATHIC MEDICINE OVERLAPS IN PART WITH OTHER PROFESSIONS LICENSED UNDER THIS TITLE, THE NATUROPATHIC DOCTOR SHALL NOT HOLD HERSELF OR HIMSELF OUT AS PRACTICING ANY SUCH OTHER PROFESSION OR USE A TITLE OF ANY SUCH OTHER PROFESSION, UNLESS OTHERWISE AUTHORIZED UNDER THIS TITLE.

S 6856. STATE BOARD FOR NATUROPATHIC MEDICINE. 1. A STATE BOARD FOR NATUROPATHIC MEDICINE SHALL BE APPOINTED BY THE BOARD OF REGENTS ON THE RECOMMENDATION OF THE COMMISSIONER FOR THE PURPOSE OF ASSISTING THE

1 BOARD OF REGENTS AND THE DEPARTMENT ON MATTERS OF PROFESSIONAL LICENSING  
2 AND PROFESSIONAL CONDUCT IN ACCORDANCE WITH SECTION SIXTY-FIVE HUNDRED  
3 EIGHT OF THIS TITLE. THE BOARD SHALL BE COMPOSED OF TWO PUBLIC REPRESENTATIVES WHO DO NOT HOLD INTERESTS IN THE ORGANIZATION, FINANCING OR  
4 DELIVERY OF NATUROPATHIC SERVICES, ONE LICENSED PHYSICIAN WHO IS A  
5 DOCTOR OF MEDICINE OR A DOCTOR OF OSTEOPATHY, AND NOT LESS THAN SIX  
6 NATUROPATHIC DOCTORS. A NATUROPATHIC DOCTOR MEMBER OF THE BOARD SHALL  
7 HAVE BEEN LICENSED UNDER THIS ARTICLE FOR AT LEAST TWO YEARS PRIOR TO  
8 BEING APPOINTED, WHICH TWO YEAR LICENSE REQUIREMENT IS WAIVED FOR THE  
9 INITIAL BOARD AND REPLACED WITH A REQUIREMENT THAT THE NATUROPATHIC  
10 DOCTOR OBTAIN A LICENSE UNDER THIS ARTICLE WITHIN ONE YEAR OF APPOINTMENT OR ONE YEAR OF THE EFFECTIVE DATE OF THIS ARTICLE, WHICHEVER COMES  
11 LATER. THE TERMS OF THE FIRST APPOINTED MEMBERS SHALL BE STAGGERED SO  
12 THAT THREE ARE APPOINTED FOR THREE YEARS, THREE ARE APPOINTED FOR FOUR  
13 YEARS, AND FOUR ARE APPOINTED FOR FIVE YEARS. AN EXECUTIVE SECRETARY OF  
14 THE BOARD SHALL BE APPOINTED BY THE BOARD OF REGENTS ON THE RECOMMENDATION OF THE COMMISSIONER.

15 2. EXAMINATIONS SELECTED OR PREPARED BY THE BOARD PURSUANT TO SUBDIVISION TWO OF SECTION SIXTY-FIVE HUNDRED EIGHT OF THIS TITLE SHALL CONFORM  
16 WHENEVER POSSIBLE TO NATIONALLY RECOGNIZED TEST DEVELOPMENT STANDARDS  
17 AND TEST COMPETENCIES FOR NATUROPATHIC MEDICINE.

18 S 6857. QUALIFICATIONS FOR LICENSURE. TO QUALIFY FOR A LICENSE TO  
19 PRACTICE THE PROFESSION OF NATUROPATHIC MEDICINE, AN APPLICANT SHALL  
20 FULFILL THE FOLLOWING REQUIREMENTS:

21 1. FILE AN APPLICATION WITH THE DEPARTMENT;

22 2. HAVE RECEIVED AN EDUCATION, INCLUDING A DOCTORAL DEGREE IN NATUROPATHIC MEDICINE, GRANTED ON THE BASIS OF COMPLETION OF A PROGRAM OF  
23 NATUROPATHIC MEDICINE REGISTERED WITH THE DEPARTMENT OR THE SUBSTANTIAL  
24 EQUIVALENT THEREOF, IN ACCORDANCE WITH THE COMMISSIONER'S REGULATIONS;

25 3. FOR APPLICANTS APPLYING MORE THAN TWO YEARS AFTER THE EFFECTIVE  
26 DATE OF THIS ARTICLE, HAVE SATISFACTORILY COMPLETED A POST-GRADUATE  
27 RESIDENCY PROGRAM OF NATUROPATHIC MEDICINE OF AT LEAST TWELVE MONTHS  
28 DURATION APPROVED BY THE DEPARTMENT, OR THE SUBSTANTIAL EQUIVALENT THEREOF, AND IN ACCORDANCE WITH THE COMMISSIONER'S REGULATIONS;

29 4. PASS AN EXAMINATION SATISFACTORY TO THE BOARD AND IN ACCORDANCE  
30 WITH THE COMMISSIONER'S REGULATIONS;

31 5. BE AT LEAST TWENTY-ONE YEARS OF AGE;

32 6. BE OF GOOD MORAL CHARACTER AS DETERMINED BY THE DEPARTMENT; AND

33 7. PAY A FEE OF THREE HUNDRED FIFTY DOLLARS TO THE DEPARTMENT FOR AN  
34 INITIAL LICENSE AND A FEE OF FIVE HUNDRED DOLLARS FOR EACH TRIENNIAL  
35 REGISTRATION PERIOD.

36 S 6858. SPECIAL CONDITIONS. 1. AN APPLICANT HAVING RECEIVED, PRIOR TO  
37 NINETEEN HUNDRED EIGHTY-EIGHT, AN EDUCATION, INCLUDING A DOCTORAL DEGREE  
38 IN NATUROPATHIC MEDICINE, GRANTED ON THE BASIS OF COMPLETION OF A  
39 PROGRAM OF NATUROPATHIC MEDICINE REGISTERED WITH THE DEPARTMENT OR THE  
40 SUBSTANTIAL EQUIVALENT THEREOF, MAY SUBSTITUTE FOR THE EXPERIENCE AND  
41 EXAMINATION QUALIFICATIONS OF SECTION SIXTY-EIGHT HUNDRED FIFTY-SEVEN OF  
42 THIS ARTICLE, EITHER OF: (I) SATISFACTORY EVIDENCE OF PRACTICE OF NATUROPATHIC MEDICINE OF NOT LESS THAN THREE YEARS DURING THE FIVE YEARS  
43 PRECEDING THE FILING OF THE APPLICATION; OR (II) PRACTICE UNDER A LIMITED PERMIT FOR AT LEAST TWO OF THE THREE YEARS PRIOR TO APPLICATION UNDER  
44 THIS ARTICLE.

45 2. AN APPLICANT HAVING RECEIVED, PRIOR TO TWO YEARS AFTER THE EFFECTIVE DATE OF THIS ARTICLE, AN EDUCATION, INCLUDING A DOCTORAL DEGREE IN  
46 NATUROPATHIC MEDICINE, GRANTED ON THE BASIS OF COMPLETION OF A PROGRAM  
47 OF NATUROPATHIC MEDICINE REGISTERED WITH THE DEPARTMENT OR THE SUBSTANTIAL

1 TIAL EQUIVALENT THEREOF, MAY SUBSTITUTE FOR THE EXPERIENCE QUALIFICATION  
2 OF SECTION SIXTY-EIGHT HUNDRED FIFTY-SEVEN OF THIS ARTICLE, EITHER OF:  
3 (I) SATISFACTORY EVIDENCE OF PRACTICE OF NATUROPATHIC MEDICINE OF NOT  
4 LESS THAN THREE YEARS DURING THE FIVE YEARS PRECEDING THE FILING OF THE  
5 APPLICATION; OR (II) PRACTICE UNDER A LIMITED PERMIT FOR AT LEAST TWO OF  
6 THE THREE YEARS PRIOR TO APPLICATION UNDER THIS ARTICLE.

7 3. THE "PRACTICE OF NATUROPATHIC MEDICINE" AS USED IN THIS SECTION  
8 INCLUDES THE PRACTICE OF NATUROPATHY OR NATUROPATHIC MEDICINE IN A STATE  
9 OR TERRITORY OF THE UNITED STATES, INCLUDING NEW YORK STATE, OR A CANA-  
10 DIAN PROVINCE, WHILE MAINTAINING A PROFESSIONAL LICENSE IN NATUROPATHY  
11 OR NATUROPATHIC MEDICINE ISSUED BY THE SAME OR ANOTHER STATE OR TERRITO-  
12 RY OR A CANADIAN PROVINCE; AND INCLUDES PRACTICE PERFORMED BEFORE AND  
13 AFTER THE EFFECTIVE DATE OF THIS ARTICLE.

14 4. PRACTICE DEMONSTRATED BY SATISFACTORY EVIDENCE OF PRACTICE OR BY A  
15 LIMITED PERMIT, AS PROVIDED IN SUBDIVISIONS ONE AND TWO OF THIS SECTION,  
16 MUST BE COMPLETE WITHIN EIGHTEEN YEARS AFTER THE EFFECTIVE DATE OF THIS  
17 ARTICLE. APPLICANTS HAVING COMPLETED THE PRACTICE REQUIREMENTS OF A  
18 SPECIAL CONDITION UNDER THIS SECTION MUST SUBMIT AN APPLICATION FOR  
19 LICENSE BY NINETEEN YEARS AFTER THE EFFECTIVE DATE OF THIS ARTICLE AND  
20 MUST CURE DEFECTS, IF ANY, IN THE APPLICATION AS IDENTIFIED BY THE  
21 DEPARTMENT WITHIN A TIME PERIOD INDICATED BY THE DEPARTMENT.

22 S 6859. EXEMPT PERSONS AND EXEMPTIONS. NOTHING CONTAINED IN THIS ARTI-  
23 CLE SHALL BE CONSTRUED TO AFFECT OR PREVENT THE FOLLOWING:

24 1. A. A LICENSED PHYSICIAN FROM PRACTICING HIS OR HER PROFESSION AS  
25 DEFINED IN ARTICLES ONE HUNDRED THIRTY-ONE, AS ADDED BY CHAPTER NINE  
26 HUNDRED EIGHTY-SEVEN OF THE LAWS OF NINETEEN SEVENTY-ONE, AND ONE  
27 HUNDRED THIRTY-ONE-B OF THIS TITLE; A REGISTERED PROFESSIONAL NURSE OR A  
28 CERTIFIED NURSE PRACTITIONER PRACTICING HIS OR HER PROFESSION AS DEFINED  
29 UNDER ARTICLE ONE HUNDRED THIRTY-NINE OF THIS TITLE; OR

30 B. QUALIFIED MEMBERS OF OTHER PROFESSIONS LICENSED UNDER THIS TITLE  
31 FROM PERFORMING THE PRACTICE OF THEIR PROFESSIONS; EXCEPT THAT SUCH  
32 PERSONS MAY NOT HOLD THEMSELVES OUT UNDER THE TITLE NATUROPATH OR NATU-  
33 ROPATHIC DOCTOR, OR AS PERFORMING NATUROPATHY OR NATUROPATHIC MEDICINE.

34 2. A STUDENT FROM ENGAGING IN CLINICAL PRACTICE UNDER SUPERVISION OF A  
35 LICENSED NATUROPATHIC DOCTOR AS PART OF A PROGRAM OF NATUROPATHIC MEDI-  
36 CINE REGISTERED BY THE DEPARTMENT OR THE SUBSTANTIAL EQUIVALENT THEREOF.

37 3. THE PRACTICE OF NATUROPATHIC MEDICINE BY A SALARIED EMPLOYEE OF THE  
38 GOVERNMENT OF THE UNITED STATES WHILE THE INDIVIDUAL IS ENGAGED IN THE  
39 PERFORMANCE OF DUTIES PRESCRIBED BY THE LAWS AND REGULATIONS OF THE  
40 UNITED STATES.

41 4. THE DOMESTIC CARE OF THE SICK, DISABLED OR INJURED BY ANY FAMILY  
42 MEMBER, HOUSEHOLD MEMBER OR FRIEND, OR PERSON EMPLOYED PRIMARILY IN A  
43 DOMESTIC CAPACITY WHO DOES NOT HOLD HIMSELF OR HERSELF OUT, OR ACCEPT  
44 EMPLOYMENT AS A PERSON LICENSED TO PRACTICE NATUROPATHIC MEDICINE UNDER  
45 THE PROVISIONS OF THIS ARTICLE.

46 5. THE CARE OF THE SICK WHEN DONE IN CONNECTION WITH THE PRACTICE OF  
47 THE RELIGIOUS TENETS OF ANY CHURCH.

48 6. THE MARKETING, SALE OR USE OF SUBSTANCES OR DEVICES GOVERNED BY THE  
49 FEDERAL FOOD, DRUG, AND COSMETIC ACT THAT DO NOT REQUIRE A PRESCRIPTION  
50 FROM A QUALIFIED HEALTHCARE PROVIDER.

51 7. THE CONDUCT, ACTIVITIES, OR SERVICES OF INDIVIDUALS, CHURCHES,  
52 SCHOOLS, TEACHERS, ORGANIZATIONS, OR NOT-FOR-PROFIT BUSINESSES IN  
53 PROVIDING INSTRUCTION, ADVICE, SUPPORT, ENCOURAGEMENT, OR INFORMATION TO  
54 INDIVIDUALS, FAMILIES, AND RELATIONAL GROUPS.

55 S 6860. LIMITED RESIDENCY PERMITS. 1. FOR ISSUANCE OF A LIMITED RESI-  
56 DENCY PERMIT, THE APPLICANT SHALL FULFILL THE FOLLOWING REQUIREMENTS:

1 A. FILE AN APPLICATION WITH THE DEPARTMENT;

2 B. HAVE RECEIVED AN EDUCATION, INCLUDING A DOCTORAL DEGREE IN NATURO-  
3 PATHIC MEDICINE, GRANTED ON THE BASIS OF COMPLETION OF A PROGRAM OF  
4 NATUROPATHIC MEDICINE REGISTERED WITH THE DEPARTMENT OR THE SUBSTANTIAL  
5 EQUIVALENT THEREOF;

6 C. HAVE BEEN ACCEPTED INTO A POST-GRADUATE RESIDENCY PROGRAM OF NATU-  
7 ROPATHIC MEDICINE APPROVED BY THE DEPARTMENT;

8 D. BE OF GOOD MORAL CHARACTER AS DETERMINED BY THE DEPARTMENT;

9 E. BE AT LEAST TWENTY-ONE YEARS OF AGE; AND

10 F. PAY A FEE TO THE DEPARTMENT OF ONE HUNDRED DOLLARS, OR FOR A  
11 RENEWAL A FEE OF FIFTY DOLLARS.

12 2. SUCH PERMIT SHALL ALLOW THE PERMIT HOLDER TO PERFORM SUCH ACTIV-  
13 ITIES THAT ARE REQUIRED FOR SUCCESSFUL COMPLETION OF THE RESIDENCY  
14 PROGRAM UNDER THE ADMINISTRATIVE SUPERVISION OF A LICENSED NATUROPATHIC  
15 DOCTOR SERVING AS THE RESIDENCY DIRECTOR. PRACTICE ACTIVITIES UNDER A  
16 LIMITED RESIDENCY PERMIT SHALL BE LIMITED TO FACILITIES ENCOMPASSED BY  
17 THE POST-GRADUATE RESIDENCY PROGRAM OF THE PERMIT HOLDER, SUCH AS A  
18 HOSPITAL, AN INCORPORATED HOSPITAL OR CLINIC, A LICENSED PROPRIETARY  
19 HOSPITAL, A LICENSED NURSING HOME, A PUBLIC HEALTH AGENCY, A RECOGNIZED  
20 PUBLIC OR NON-PUBLIC SCHOOL SETTING, THE OFFICE OF A LICENSED NATURO-  
21 PATHIC DOCTOR, OR IN THE CIVIL SERVICE OF THE STATE OR POLITICAL SUBDI-  
22 VISION THEREOF. PRACTICE SUPERVISION OF A PERMIT HOLDER'S PRACTICE  
23 ACTIVITIES SHALL BE ON-SITE SUPERVISION BY A LICENSED NATUROPATHIC  
24 DOCTOR, EXCEPT FOR INJECTION THERAPY PROCEDURES, WHICH SHALL BE DIRECT  
25 PERSONAL SUPERVISION BY A LICENSED PHYSICIAN OR A LICENSED NATUROPATHIC  
26 DOCTOR HAVING INJECTION THERAPY PRIVILEGE. "DIRECT PERSONAL SUPERVISION"  
27 FOR THE PURPOSES OF THIS SECTION MEANS SUPERVISION OF A PROCEDURE FOR  
28 INJECTION THERAPY BASED ON INSTRUCTIONS GIVEN DIRECTLY BY THE SUPERVIS-  
29 ING PHYSICIAN OR SUPERVISING NATUROPATHIC DOCTOR WHO REMAINS ON SITE  
30 WHEN AND WHERE THE PROCEDURE IS BEING PERFORMED, BUT SHALL NOT BE  
31 CONSTRUED AS NECESSARILY REQUIRING THE PHYSICAL PRESENCE OF THE SUPER-  
32 VISING PHYSICIAN OR SUPERVISING NATUROPATHIC DOCTOR IN THE IMMEDIATE  
33 AREA AT THE TIME WHEN THE INJECTION THERAPY PROCEDURE IS PERFORMED.

34 3. SUCH PERMIT SHALL BE ISSUED FOR ONE YEAR AND MAY BE RENEWED AT THE  
35 DISCRETION OF THE DEPARTMENT FOR ONE OR TWO ADDITIONAL YEARS WHEN NECES-  
36 SARY TO PERMIT THE COMPLETION OF AN APPROVED POST-GRADUATE RESIDENCY IN  
37 NATUROPATHIC MEDICINE.

38 S 6861. LIMITED PERMITS. 1. FOR ISSUANCE OF A LIMITED PERMIT, THE  
39 APPLICANT SHALL FULFILL THE FOLLOWING REQUIREMENTS:

40 A. FILE AN APPLICATION WITH THE DEPARTMENT;

41 B. HAVE RECEIVED AN EDUCATION, INCLUDING A DOCTORAL DEGREE IN NATURO-  
42 PATHIC MEDICINE, GRANTED ON THE BASIS OF COMPLETION OF A PROGRAM OF  
43 NATUROPATHIC MEDICINE REGISTERED WITH THE DEPARTMENT OR THE SUBSTANTIAL  
44 EQUIVALENT THEREOF;

45 C. INDICATE EXERCISING OPTION TO ATTAIN QUALIFICATIONS FOR LICENSURE  
46 USING A LIMITED PERMIT SPECIAL CONDITION UNDER SECTION SIXTY-EIGHT  
47 HUNDRED FIFTY-EIGHT OF THIS ARTICLE;

48 D. BE OF GOOD MORAL CHARACTER AS DETERMINED BY THE DEPARTMENT;

49 E. BE AT LEAST TWENTY-ONE YEARS OF AGE; AND

50 F. PAY A FEE OF TWO HUNDRED DOLLARS TO THE DEPARTMENT.

51 2. SUCH LIMITED PERMIT SHALL AUTHORIZE THE PRACTICE OF NATUROPATHIC  
52 MEDICINE ONLY UNDER THE SUPERVISION OF A LICENSED NATUROPATHIC DOCTOR.  
53 SUPERVISION OF THE LIMITED PERMIT HOLDER'S PRACTICE ACTIVITIES SHALL BE  
54 ON-SITE SUPERVISION BY A LICENSED NATUROPATHIC DOCTOR.

1 3. A LIMITED PERMIT SHALL BE ISSUED FOR A PERIOD OF TWO YEARS, AND MAY  
2 BE RENEWED UNDER CIRCUMSTANCES AND FOR A TIME PERIOD AND FEE IN ACCORD-  
3 ANCE WITH THE COMMISSIONER'S REGULATIONS.

4 4. THE LAST DAY FOR APPLYING FOR A LIMITED PERMIT UNDER THIS SECTION  
5 IS FIFTEEN YEARS AFTER THE EFFECTIVE DATE OF THIS SECTION.

6 S 6862. MANDATORY CONTINUING EDUCATION. 1. A. EACH NATUROPATHIC DOCTOR  
7 LICENSED PURSUANT TO THIS ARTICLE, REQUIRED TO REGISTER TRIENNIALLY WITH  
8 THE DEPARTMENT TO PRACTICE IN THIS STATE SHALL COMPLY WITH THE  
9 PROVISIONS OF THE MANDATORY CONTINUING EDUCATION REQUIREMENTS PRESCRIBED  
10 IN SUBDIVISION TWO OF THIS SECTION, EXCEPT AS PROVIDED IN PARAGRAPHS B  
11 AND C OF THIS SUBDIVISION. NATUROPATHIC DOCTORS WHO DO NOT SATISFY THE  
12 MANDATORY CONTINUING EDUCATION REQUIREMENTS SHALL NOT PRACTICE UNTIL  
13 THEY HAVE MET SUCH REQUIREMENTS, AND THEY HAVE BEEN ISSUED A REGISTRA-  
14 TION CERTIFICATE, EXCEPT THAT A NATUROPATHIC DOCTOR MAY PRACTICE WITHOUT  
15 HAVING MET SUCH REQUIREMENTS IF HE OR SHE IS ISSUED A CONDITIONAL REGIS-  
16 TRATION PURSUANT TO SUBDIVISION THREE OF THIS SECTION.

17 B. NATUROPATHIC DOCTORS SHALL BE EXEMPT FROM THE MANDATORY CONTINUING  
18 EDUCATION REQUIREMENT FOR THE TRIENNIAL REGISTRATION PERIOD DURING WHICH  
19 THEY ARE FIRST LICENSED. IN ACCORD WITH THE INTENT OF THIS SECTION,  
20 ADJUSTMENTS TO THE MANDATORY CONTINUING EDUCATION REQUIREMENTS MAY BE  
21 GRANTED BY THE DEPARTMENT FOR REASONS OF HEALTH CERTIFIED BY AN APPRO-  
22 PRIATE HEALTH CARE PROFESSIONAL, FOR EXTENDED ACTIVE DUTY WITH THE ARMED  
23 FORCES OF THE UNITED STATES, OR FOR OTHER GOOD CAUSE ACCEPTABLE TO THE  
24 DEPARTMENT, WHICH MAY PREVENT COMPLIANCE.

25 C. A LICENSED NATUROPATHIC DOCTOR NOT ENGAGED IN PROFESSIONAL PRAC-  
26 TICE, AS DETERMINED BY THE DEPARTMENT, SHALL BE EXEMPT FROM THE MANDATO-  
27 RY CONTINUING EDUCATION REQUIREMENT UPON THE FILING OF A STATEMENT WITH  
28 THE DEPARTMENT DECLARING SUCH STATUS. ANY LICENSEE WHO RETURNS TO THE  
29 PRACTICE OF NATUROPATHIC MEDICINE DURING THE TRIENNIAL REGISTRATION  
30 PERIOD SHALL NOTIFY THE DEPARTMENT PRIOR TO REENTERING THE PROFESSION  
31 AND SHALL MEET SUCH MANDATORY EDUCATION REQUIREMENTS AS SHALL BE  
32 PRESCRIBED BY REGULATIONS OF THE COMMISSIONER.

33 2. DURING EACH TRIENNIAL REGISTRATION PERIOD AN APPLICANT FOR REGIS-  
34 TRATION SHALL COMPLETE SIXTY HOURS OF ACCEPTABLE FORMAL CONTINUING  
35 EDUCATION. ANY LICENSED NATUROPATHIC DOCTOR WHOSE FIRST REGISTRATION  
36 DATE FOLLOWING THE EFFECTIVE DATE OF THIS SECTION OCCURS LESS THAN THREE  
37 YEARS FROM SUCH EFFECTIVE DATE, SHALL COMPLETE CONTINUING EDUCATION  
38 HOURS ON A PRORATED BASIS AT THE RATE OF ONE AND ONE-HALF HOURS PER  
39 MONTH FOR THE NUMBER OF MONTHS BETWEEN THE EFFECTIVE DATE AND THE FIRST  
40 REGISTRATION DATE. THEREAFTER, A LICENSEE WHO HAS NOT SATISFIED THE  
41 MANDATORY CONTINUING EDUCATION REQUIREMENTS SHALL NOT BE ISSUED A TRIEN-  
42 NIAL REGISTRATION CERTIFICATE BY THE DEPARTMENT AND SHALL NOT PRACTICE  
43 UNLESS AND UNTIL A CONDITIONAL REGISTRATION CERTIFICATE IS ISSUED AS  
44 PROVIDED IN SUBDIVISION THREE OF THIS SECTION. THE INDIVIDUAL LICENSEE  
45 SHALL DETERMINE THE SELECTION OF COURSES OR PROGRAMS OF STUDY PURSUANT  
46 TO SUBDIVISION FOUR OF THIS SECTION. CONTINUING EDUCATION HOURS TAKEN  
47 DURING ONE TRIENNIUM MAY NOT BE CARRIED OVER OR OTHERWISE CREDITED OR  
48 TRANSFERRED TO A SUBSEQUENT TRIENNIUM.

49 3. THE DEPARTMENT, IN ITS DISCRETION, MAY ISSUE A CONDITIONAL REGIS-  
50 TRATION TO A LICENSEE WHO FAILS TO MEET THE CONTINUING EDUCATION  
51 REQUIREMENTS ESTABLISHED IN SUBDIVISION TWO OF THIS SECTION BUT WHO  
52 AGREES TO MAKE UP ANY DEFICIENCIES AND TAKE ANY ADDITIONAL EDUCATION  
53 WHICH THE DEPARTMENT MAY REQUIRE. THE FEE FOR SUCH A CONDITIONAL REGIS-  
54 TRATION SHALL BE THE SAME AS, AND IN ADDITION TO, THE FEE FOR THE TRIEN-  
55 NIAL REGISTRATION. THE DURATION OF SUCH CONDITIONAL REGISTRATION SHALL  
56 BE DETERMINED BY THE DEPARTMENT BUT SHALL NOT EXCEED ONE YEAR. ANY

LICENSEE WHO IS NOTIFIED OF THE DENIAL OF REGISTRATION FOR FAILURE TO COMPLETE THE REQUIRED CONTINUED EDUCATION AND WHO CONTINUES TO PRACTICE NATUROPATHIC MEDICINE WITHOUT SUCH REGISTRATION, SHALL BE SUBJECT TO DISCIPLINARY PROCEEDINGS PURSUANT TO SECTION SIXTY-FIVE HUNDRED TEN OF THIS TITLE.

4. AS USED IN THIS SECTION, "ACCEPTABLE FORMAL CONTINUING EDUCATION" SHALL MEAN FORMAL PROGRAMS OF LEARNING WHICH CONTAIN SUBJECT MATTER WHICH MEET THE FOLLOWING REQUIREMENTS: CONTRIBUTES TO THE ENHANCEMENT OF PROFESSIONAL AND CLINICAL SKILLS OF THE NATUROPATHIC DOCTOR; MEETS THE STANDARDS PRESCRIBED BY REGULATIONS OF THE COMMISSIONER IN CONSULTATION WITH THE BOARD TO FULFILL THE MANDATORY CONTINUING EDUCATION REQUIREMENT; AND IS SPONSORED OR PRESENTED BY A STATE OR A CANADIAN PROVINCE NATUROPATHIC MEDICINE PROFESSIONAL ORGANIZATION ACCEPTABLE TO THE DEPARTMENT, A UNITED STATES OR CANADIAN NATIONAL NATUROPATHIC MEDICINE PROFESSIONAL ORGANIZATION ACCEPTABLE TO THE DEPARTMENT, AN INSTITUTION OF HIGHER LEARNING HAVING AN ACCREDITATION ACCEPTABLE TO THE DEPARTMENT, OR ANOTHER SPONSOR APPROVED BY THE DEPARTMENT, PURSUANT TO THE REGULATION OF THE COMMISSIONER. CONTINUING EDUCATION COURSES MUST BE TAKEN FROM A PROVIDER WHO HAS BEEN APPROVED BY THE DEPARTMENT, BASED UPON AN APPLICATION AND FEE, PURSUANT TO THE REGULATIONS OF THE COMMISSIONER. THE DEPARTMENT MAY, IN ITS DISCRETION AND AS NEEDED TO CONTRIBUTE TO THE HEALTH AND WELFARE OF THE PUBLIC, REQUIRE THE COMPLETION OF CONTINUING EDUCATION ACTIVITIES IN SPECIFIC SUBJECTS TO FULFILL THIS MANDATORY CONTINUING EDUCATION REQUIREMENT.

5. LICENSED NATUROPATHIC DOCTORS SHALL MAINTAIN ADEQUATE DOCUMENTATION OF COMPLETION OF ACCEPTABLE FORMAL CONTINUING EDUCATION AND SHALL PROVIDE SUCH DOCUMENTATION TO THE DEPARTMENT UPON REQUEST. FAILURE TO PROVIDE SUCH DOCUMENTATION UPON REQUEST OF THE DEPARTMENT SHALL BE AN ACT OF MISCONDUCT SUBJECT TO DISCIPLINARY PROCEEDINGS PURSUANT TO SECTION SIXTY-FIVE HUNDRED TEN OF THIS TITLE.

6. THE MANDATORY CONTINUING EDUCATION FEE SHALL BE FIFTY DOLLARS, SHALL BE PAYABLE ON OR BEFORE THE FIRST DAY OF EACH TRIENNIAL REGISTRATION PERIOD, AND SHALL BE IN ADDITION TO THE TRIENNIAL REGISTRATION FEE REQUIRED BY SECTION SIXTY-EIGHT HUNDRED FIFTY-SEVEN OF THIS ARTICLE.

S 3. Subdivision (a) of section 1203 of the limited liability company law, as amended by chapter 554 of the laws of 2013, is amended to read as follows:

(a) Notwithstanding the education law or any other provision of law, one or more professionals each of whom is authorized by law to render a professional service within the state, or one or more professionals, at least one of whom is authorized by law to render a professional service within the state, may form, or cause to be formed, a professional service limited liability company for pecuniary profit under this article for the purpose of rendering the professional service or services as such professionals are authorized to practice. With respect to a professional service limited liability company formed to provide medical services as such services are defined in article 131 of the education law, each member of such limited liability company must be licensed pursuant to article 131 of the education law to practice medicine in this state. WITH RESPECT TO A PROFESSIONAL SERVICE LIMITED LIABILITY COMPANY FORMED TO PROVIDE NATUROPATHIC SERVICES AS SUCH SERVICES ARE DEFINED IN ARTICLE 138 OF THE EDUCATION LAW, EACH MEMBER OF SUCH LIMITED LIABILITY COMPANY MUST BE LICENSED PURSUANT TO ARTICLE 138 OF THE EDUCATION LAW TO PRACTICE NATUROPATHY IN THIS STATE. With respect to a professional service limited liability company formed to provide dental services as such services are defined in article 133 of the education

1 law, each member of such limited liability company must be licensed  
2 pursuant to article 133 of the education law to practice dentistry in  
3 this state. With respect to a professional service limited liability  
4 company formed to provide veterinary services as such services are  
5 defined in article 135 of the education law, each member of such limited  
6 liability company must be licensed pursuant to article 135 of the educa-  
7 tion law to practice veterinary medicine in this state. With respect to  
8 a professional service limited liability company formed to provide  
9 professional engineering, land surveying, architectural and/or landscape  
10 architectural services as such services are defined in article 145,  
11 article 147 and article 148 of the education law, each member of such  
12 limited liability company must be licensed pursuant to article 145,  
13 article 147 and/or article 148 of the education law to practice one or  
14 more of such professions in this state. With respect to a professional  
15 service limited liability company formed to provide licensed clinical  
16 social work services as such services are defined in article 154 of the  
17 education law, each member of such limited liability company shall be  
18 licensed pursuant to article 154 of the education law to practice  
19 licensed clinical social work in this state. With respect to a profes-  
20 sional service limited liability company formed to provide creative arts  
21 therapy services as such services are defined in article 163 of the  
22 education law, each member of such limited liability company must be  
23 licensed pursuant to article 163 of the education law to practice crea-  
24 tive arts therapy in this state. With respect to a professional service  
25 limited liability company formed to provide marriage and family therapy  
26 services as such services are defined in article 163 of the education  
27 law, each member of such limited liability company must be licensed  
28 pursuant to article 163 of the education law to practice marriage and  
29 family therapy in this state. With respect to a professional service  
30 limited liability company formed to provide mental health counseling  
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 mental health  
34 counseling in this state. With respect to a professional service limited  
35 liability company formed to provide psychoanalysis services as such  
36 services are defined in article 163 of the education law, each member of  
37 such limited liability company must be licensed pursuant to article 163  
38 of the education law to practice psychoanalysis in this state. With  
39 respect to a professional service limited liability company formed to  
40 provide applied behavior analysis services as such services are defined  
41 in article 167 of the education law, each member of such limited liabil-  
42 ity company must be licensed or certified pursuant to article 167 of the  
43 education law to practice applied behavior analysis in this state. In  
44 addition to engaging in such profession or professions, a professional  
45 service limited liability company may engage in any other business or  
46 activities as to which a limited liability company may be formed under  
47 section two hundred one of this chapter. Notwithstanding any other  
48 provision of this section, a professional service limited liability  
49 company (i) authorized to practice law may only engage in another  
50 profession or business or activities or (ii) which is engaged in a  
51 profession or other business or activities other than law may only  
52 engage in the practice of law, to the extent not prohibited by any other  
53 law of this state or any rule adopted by the appropriate appellate divi-  
54 sion of the supreme court or the court of appeals.

1 S 3-a. Subdivision (a) of section 1203 of the limited liability compa-  
2 ny law, as amended by chapter 475 of the laws of 2014, is amended to  
3 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  
12 professional 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 NATUROPATHIC SERVICES AS SUCH SERVICES ARE  
18 DEFINED IN ARTICLE 138 OF THE EDUCATION LAW, EACH MEMBER OF SUCH LIMITED  
19 LIABILITY COMPANY MUST BE LICENSED PURSUANT TO ARTICLE 138 OF THE EDUCA-  
20 TION LAW TO PRACTICE NATUROPATHY IN THIS STATE. With respect to a  
21 professional service limited liability company formed to provide dental  
22 services as such services are defined in article 133 of the education  
23 law, each member of such limited liability company must be licensed  
24 pursuant to article 133 of the education law to practice dentistry in  
25 this state. With respect to a professional service limited liability  
26 company formed to provide veterinary services as such services are  
27 defined in article 135 of the education law, each member of such limited  
28 liability company must be licensed pursuant to article 135 of the educa-  
29 tion law to practice veterinary medicine in this state. With respect to  
30 a professional service limited liability company formed to provide  
31 professional engineering, land surveying, architectural, landscape  
32 architectural and/or geological services as such services are defined in  
33 article 145, article 147 and article 148 of the education law, each  
34 member of such limited liability company must be licensed pursuant to  
35 article 145, article 147 and/or article 148 of the education law to  
36 practice one or more of such professions in this state. With respect to  
37 a professional service limited liability company formed to provide  
38 licensed clinical social work services as such services are defined in  
39 article 154 of the education law, each member of such limited liability  
40 company shall be licensed pursuant to article 154 of the education law  
41 to practice licensed clinical social work in this state. With respect to  
42 a professional service limited liability company formed to provide crea-  
43 tive arts therapy services as such services are defined in article 163  
44 of the education law, each member of such limited liability company must  
45 be licensed pursuant to article 163 of the education law to practice  
46 creative arts therapy in this state. With respect to a professional  
47 service limited liability company formed to provide marriage and family  
48 therapy services as such services are defined in article 163 of the  
49 education law, each member of such limited liability company must be  
50 licensed pursuant to article 163 of the education law to practice  
51 marriage and family therapy in this state. With respect to a profes-  
52 sional service limited liability company formed to provide mental health  
53 counseling services as such services are defined in article 163 of the  
54 education law, each member of such limited liability company must be  
55 licensed pursuant to article 163 of the education law to practice mental  
56 health counseling in this state. With respect to a professional service



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

22 S 4. Subdivision (b) of section 1207 of the limited liability company  
23 law, as amended by chapter 554 of the laws of 2013, is amended to read  
24 as follows:

25 (b) With respect to a professional service limited liability company  
26 formed to provide medical services as such services are defined in arti-  
27 cle 131 of the education law, each member of such limited liability  
28 company must be licensed pursuant to article 131 of the education law to  
29 practice medicine in this state. WITH RESPECT TO A PROFESSIONAL SERVICE  
30 LIMITED LIABILITY COMPANY FORMED TO PROVIDE NATUROPATHIC SERVICES AS  
31 SUCH SERVICES ARE DEFINED IN ARTICLE 138 OF THE EDUCATION LAW, EACH  
32 MEMBER OF SUCH LIMITED LIABILITY COMPANY MUST BE LICENSED PURSUANT TO  
33 ARTICLE 138 OF THE EDUCATION LAW TO PRACTICE NATUROPATHY IN THIS STATE.  
34 With respect to a professional service limited liability company formed  
35 to provide dental services as such services are defined in article 133  
36 of the education law, each member of such limited liability company must  
37 be licensed pursuant to article 133 of the education law to practice  
38 dentistry in this state. With respect to a professional service limited  
39 liability company formed to provide veterinary services as such services  
40 are defined in article 135 of the education law, each member of such  
41 limited liability company must be licensed pursuant to article 135 of  
42 the education law to practice veterinary medicine in this state. With  
43 respect to a professional service limited liability company formed to  
44 provide professional engineering, land surveying, architectural and/or  
45 landscape architectural services as such services are defined in article  
46 145, article 147 and article 148 of the education law, each member of  
47 such limited liability company must be licensed pursuant to article 145,  
48 article 147 and/or article 148 of the education law to practice one or  
49 more of such professions in this state. With respect to a professional  
50 service limited liability company formed to provide licensed clinical  
51 social work services as such services are defined in article 154 of the  
52 education law, each member of such limited liability company shall be  
53 licensed pursuant to article 154 of the education law to practice  
54 licensed clinical social work in this state. With respect to a profes-  
55 sional service limited liability company formed to provide creative arts  
56 therapy services as such services are defined in article 163 of the

1 education law, each member of such limited liability company must be  
2 licensed pursuant to article 163 of the education law to practice crea-  
3 tive arts therapy in this state. With respect to a professional service  
4 limited liability company formed to provide marriage and family 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 marriage and  
8 family therapy in this state. With respect to a professional service  
9 limited liability company formed to provide mental health counseling  
10 services as such services are defined in article 163 of the education  
11 law, each member of such limited liability company must be licensed  
12 pursuant to article 163 of the education law to practice mental health  
13 counseling in this state. With respect to a professional service limited  
14 liability company formed to provide psychoanalysis 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 psychoanalysis in this state. With  
18 respect to a professional service limited liability company formed to  
19 provide applied behavior analysis services as such services are defined  
20 in article 167 of the education law, each member of such limited liabil-  
21 ity company must be licensed or certified pursuant to article 167 of the  
22 education law to practice applied behavior analysis in this state.

23 S 4-a. Subdivision (b) of section 1207 of the limited liability compa-  
24 ny law, as amended by chapter 475 of the laws of 2014, is amended to  
25 read as follows:

26 (b) With respect to a professional service limited liability company  
27 formed to provide medical services as such services are defined in arti-  
28 cle 131 of the education law, each member of such limited liability  
29 company must be licensed pursuant to article 131 of the education law to  
30 practice medicine in this state. WITH RESPECT TO A PROFESSIONAL SERVICE  
31 LIMITED LIABILITY COMPANY FORMED TO PROVIDE NATUROPATHIC SERVICES AS  
32 SUCH SERVICES ARE DEFINED IN ARTICLE 138 OF THE EDUCATION LAW, EACH  
33 MEMBER OF SUCH LIMITED LIABILITY COMPANY MUST BE LICENSED PURSUANT TO  
34 ARTICLE 138 OF THE EDUCATION LAW TO PRACTICE NATUROPATHY IN THIS STATE.  
35 With respect to a professional service limited liability company formed  
36 to provide dental services as such services are defined in article 133  
37 of the education law, each member of such limited liability company must  
38 be licensed pursuant to article 133 of the education law to practice  
39 dentistry in this state. With respect to a professional service limited  
40 liability company formed to provide veterinary services as such services  
41 are defined in article 135 of the education law, each member of such  
42 limited liability company must be licensed pursuant to article 135 of  
43 the education law to practice veterinary medicine in this state. With  
44 respect to a professional service limited liability company formed to  
45 provide professional engineering, land surveying, architectural, land-  
46 scape architectural and/or geological services as such services are  
47 defined in article 145, article 147 and article 148 of the education  
48 law, each member of such limited liability company must be licensed  
49 pursuant to article 145, article 147 and/or article 148 of the education  
50 law to practice one or more of such professions in this state. With  
51 respect to a professional service limited liability company formed to  
52 provide licensed clinical social work services as such services are  
53 defined in article 154 of the education law, each member of such limited  
54 liability company shall be licensed pursuant to article 154 of the  
55 education law to practice licensed clinical social work in this state.  
56 With respect to a professional service limited liability company formed

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

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

28 (a) "Foreign professional service limited liability company" means a  
29 professional service limited liability company, whether or not denomi-  
30 nated as such, organized under the laws of a jurisdiction other than  
31 this state, (i) each of whose members and managers, if any, is a profes-  
32 sional authorized by law to render a professional service within this  
33 state and who is or has been engaged in the practice of such profession  
34 in such professional service limited liability company or a predecessor  
35 entity, or will engage in the practice of such profession in the profes-  
36 sional service limited liability company within thirty days of the date  
37 such professional becomes a member, or each of whose members and manag-  
38 ers, if any, is a professional at least one of such members is author-  
39 ized by law to render a professional service within this state and who  
40 is or has been engaged in the practice of such profession in such  
41 professional service limited liability company or a predecessor entity,  
42 or will engage in the practice of such profession in the professional  
43 service limited liability company within thirty days of the date such  
44 professional becomes a member, or (ii) authorized by, or holding a  
45 license, certificate, registration or permit issued by the licensing  
46 authority pursuant to, the education law to render a professional  
47 service within this state; except that all members and managers, if any,  
48 of a foreign professional service limited liability company that  
49 provides health services in this state shall be licensed in this state.  
50 WITH RESPECT TO A PROFESSIONAL SERVICE LIMITED LIABILITY COMPANY FORMED  
51 TO PROVIDE NATUROPATHIC SERVICES AS SUCH SERVICES ARE DEFINED IN ARTICLE  
52 138 OF THE EDUCATION LAW, EACH MEMBER OF SUCH LIMITED LIABILITY COMPANY  
53 MUST BE LICENSED PURSUANT TO ARTICLE 138 OF THE EDUCATION LAW TO PRAC-  
54 TICE NATUROPATHY IN THIS STATE. With respect to a foreign professional  
55 service limited liability company which provides veterinary services as  
56 such services are defined in article 135 of the education law, each

1 member of such foreign professional service limited liability company  
2 shall be licensed pursuant to article 135 of the education law to prac-  
3 tice veterinary medicine. With respect to a foreign professional service  
4 limited liability company which provides medical services as such  
5 services are defined in article 131 of the education law, each member of  
6 such foreign professional service limited liability company must be  
7 licensed pursuant to article 131 of the education law to practice medi-  
8 cine in this state. With respect to a foreign professional service  
9 limited liability company which provides dental services as such  
10 services are defined in article 133 of the education law, each member of  
11 such foreign professional service limited liability company must be  
12 licensed pursuant to article 133 of the education law to practice  
13 dentistry in this state. With respect to a foreign professional service  
14 limited liability company which provides professional engineering, land  
15 surveying, architectural and/or landscape architectural services as such  
16 services are defined in article 145, article 147 and article 148 of the  
17 education law, each member of such foreign professional service limited  
18 liability company must be licensed pursuant to article 145, article 147  
19 and/or article 148 of the education law to practice one or more of such  
20 professions in this state. With respect to a foreign professional  
21 service limited liability company which provides licensed clinical  
22 social work services as such services are defined in article 154 of the  
23 education law, each member of such foreign professional service limited  
24 liability company shall be licensed pursuant to article 154 of the  
25 education law to practice clinical social work in this state. With  
26 respect to a foreign professional service limited liability company  
27 which provides creative arts therapy services as such services are  
28 defined in article 163 of the education law, each member of such foreign  
29 professional service limited liability company must be licensed pursuant  
30 to article 163 of the education law to practice creative arts therapy in  
31 this state. With respect to a foreign professional service limited  
32 liability company which provides marriage and family therapy services as  
33 such services are defined in article 163 of the education law, each  
34 member of such foreign professional service limited liability company  
35 must be licensed pursuant to article 163 of the education law to prac-  
36 tice marriage and family therapy in this state. With respect to a  
37 foreign professional service limited liability company which provides  
38 mental health counseling services as such services are defined in arti-  
39 cle 163 of the education law, each member of such foreign professional  
40 service limited liability company must be licensed pursuant to article  
41 163 of the education law to practice mental health counseling in this  
42 state. With respect to a foreign professional service limited liability  
43 company which provides psychoanalysis services as such services are  
44 defined in article 163 of the education law, each member of such foreign  
45 professional service limited liability company must be licensed pursuant  
46 to article 163 of the education law to practice psychoanalysis in this  
47 state. With respect to a foreign professional service limited liability  
48 company which provides applied behavior analysis services as such  
49 services are defined in article 167 of the education law, each member of  
50 such foreign professional service limited liability company must be  
51 licensed or certified pursuant to article 167 of the education law to  
52 practice applied behavior analysis in this state.

53 S 5-a. Subdivision (a) of section 1301 of the limited liability compa-  
54 ny law, as amended by chapter 475 of the laws of 2014, is amended to  
55 read as follows:

1 (a) "Foreign professional service limited liability company" means a  
2 professional service limited liability company, whether or not denomi-  
3 nated as such, organized under the laws of a jurisdiction other than  
4 this state, (i) each of whose members and managers, if any, is a profes-  
5 sional authorized by law to render a professional service within this  
6 state and who is or has been engaged in the practice of such profession  
7 in such professional service limited liability company or a predecessor  
8 entity, or will engage in the practice of such profession in the profes-  
9 sional service limited liability company within thirty days of the date  
10 such professional becomes a member, or each of whose members and manag-  
11 ers, if any, is a professional at least one of such members is author-  
12 ized by law to render a professional service within this state and who  
13 is or has been engaged in the practice of such profession in such  
14 professional service limited liability company or a predecessor entity,  
15 or will engage in the practice of such profession in the professional  
16 service limited liability company within thirty days of the date such  
17 professional becomes a member, or (ii) authorized by, or holding a  
18 license, certificate, registration or permit issued by the licensing  
19 authority pursuant to, the education law to render a professional  
20 service within this state; except that all members and managers, if any,  
21 of a foreign professional service limited liability company that  
22 provides health services in this state shall be licensed in this state.  
23 WITH RESPECT TO A PROFESSIONAL SERVICE LIMITED LIABILITY COMPANY FORMED  
24 TO PROVIDE NATUROPATHIC SERVICES AS SUCH SERVICES ARE DEFINED IN ARTICLE  
25 138 OF THE EDUCATION LAW, EACH MEMBER OF SUCH LIMITED LIABILITY COMPANY  
26 MUST BE LICENSED PURSUANT TO ARTICLE 138 OF THE EDUCATION LAW TO PRAC-  
27 TICE NATUROPATHY IN THIS STATE. With respect to a foreign professional  
28 service limited liability company which provides veterinary services as  
29 such services are defined in article 135 of the education law, each  
30 member of such foreign professional service limited liability company  
31 shall be licensed pursuant to article 135 of the education law to prac-  
32 tice veterinary medicine. With respect to a foreign professional service  
33 limited liability company which provides medical services as such  
34 services are defined in article 131 of the education law, each member of  
35 such foreign professional service limited liability company must be  
36 licensed pursuant to article 131 of the education law to practice medi-  
37 cine in this state. With respect to a foreign professional service  
38 limited liability company which provides dental services as such  
39 services are defined in article 133 of the education law, each member of  
40 such foreign professional service limited liability company must be  
41 licensed pursuant to article 133 of the education law to practice  
42 dentistry in this state. With respect to a foreign professional service  
43 limited liability company which provides professional engineering, land  
44 surveying, geologic, architectural and/or landscape architectural  
45 services as such services are defined in article 145, article 147 and  
46 article 148 of the education law, each member of such foreign profes-  
47 sional service limited liability company 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 in this state. With respect to  
50 a foreign professional service limited liability company which provides  
51 licensed clinical social work services as such services are defined in  
52 article 154 of the education law, each member of such foreign profes-  
53 sional service limited liability company shall be licensed pursuant to  
54 article 154 of the education law to practice clinical social work in  
55 this state. With respect to a foreign professional service limited  
56 liability company which provides creative arts therapy services as such

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

27 S 6. Subdivision (q) of section 121-1500 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 registered limited liability partnership formed  
31 to provide medical services in this state must be licensed pursuant to  
32 article 131 of the education law to practice medicine in this state and  
33 each partner of a registered limited liability partnership formed to  
34 provide dental services in this state must be licensed pursuant to arti-  
35 cle 133 of the education law to practice dentistry in this state. EACH  
36 PARTNER OF A REGISTERED LIMITED LIABILITY PARTNERSHIP FORMED TO PROVIDE  
37 NATUROPATHIC SERVICES IN THIS STATE MUST BE LICENSED PURSUANT TO ARTICLE  
38 138 OF THE EDUCATION LAW TO PRACTICE NATUROPATHY IN THIS STATE. Each  
39 partner of a registered limited liability partnership formed to provide  
40 veterinary services in this state must be licensed pursuant to article  
41 135 of the education law to practice veterinary medicine in this state.  
42 Each partner of a registered limited liability partnership formed to  
43 provide professional engineering, land surveying, architectural and/or  
44 landscape architectural services in this state must be licensed pursuant  
45 to article 145, article 147 and/or article 148 of the education law to  
46 practice one or more of such professions in this state. Each partner of  
47 a registered limited liability partnership formed to provide licensed  
48 clinical social work services in this state must be licensed pursuant to  
49 article 154 of the education law to practice clinical social work in  
50 this state. Each partner of a registered limited liability partnership  
51 formed to provide creative arts therapy services in this state must be  
52 licensed pursuant to article 163 of the education law to practice crea-  
53 tive arts therapy in this state. Each partner of a registered limited  
54 liability partnership formed to provide marriage and family therapy  
55 services in this state must be licensed pursuant to article 163 of the  
56 education law to practice marriage and family therapy in this state.

1 Each partner of a registered limited liability partnership formed to  
2 provide mental health counseling services in this state must be licensed  
3 pursuant to article 163 of the education law to practice mental health  
4 counseling in this state. Each partner of a registered limited liability  
5 partnership formed to provide psychoanalysis services in this state must  
6 be licensed pursuant to article 163 of the education law to practice  
7 psychoanalysis in this state. Each partner of a registered limited  
8 liability partnership formed to provide applied behavior analysis  
9 service in this state must be licensed or certified pursuant to article  
10 167 of the education law to practice applied behavior analysis in this  
11 state.

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

15 (q) Each partner of a registered limited liability partnership formed  
16 to provide medical services in this state must be licensed pursuant to  
17 article 131 of the education law to practice medicine in this state and  
18 each partner of a registered limited liability partnership formed to  
19 provide dental services in this state must be licensed pursuant to arti-  
20 cle 133 of the education law to practice dentistry in this state. EACH  
21 PARTNER OF A REGISTERED LIMITED LIABILITY PARTNERSHIP FORMED TO PROVIDE  
22 NATUROPATHIC SERVICES IN THIS STATE MUST BE LICENSED PURSUANT TO ARTICLE  
23 138 OF THE EDUCATION LAW TO PRACTICE NATUROPATHY IN THIS STATE. Each  
24 partner of a registered limited liability partnership formed to provide  
25 veterinary services in this state must be licensed pursuant to article  
26 135 of the education law to practice veterinary medicine in this state.  
27 Each partner of a registered limited liability partnership formed to  
28 provide professional engineering, land surveying, geological services,  
29 architectural and/or landscape architectural services in this state must  
30 be licensed pursuant to article 145, article 147 and/or article 148 of  
31 the education law to practice one or more of such professions in this  
32 state. Each partner of a registered limited liability partnership formed  
33 to provide licensed clinical social work services in this state must be  
34 licensed pursuant to article 154 of the education law to practice clin-  
35 ical social work in this state. Each partner of a registered limited  
36 liability partnership formed to provide creative arts therapy services  
37 in this state must be licensed pursuant to article 163 of the education  
38 law to practice creative arts therapy in this state. Each partner of a  
39 registered limited liability partnership formed to provide marriage and  
40 family therapy services in this state must be licensed pursuant to arti-  
41 cle 163 of the education law to practice marriage and family therapy in  
42 this state. Each partner of a registered limited liability partnership  
43 formed to provide mental health counseling services in this state must  
44 be licensed pursuant to article 163 of the education law to practice  
45 mental health counseling in this state. Each partner of a registered  
46 limited liability partnership formed to provide psychoanalysis services  
47 in this state must be licensed pursuant to article 163 of the education  
48 law to practice psychoanalysis in this state. Each partner of a regis-  
49 tered limited liability partnership formed to provide applied behavior  
50 analysis service in this state must be licensed or certified pursuant to  
51 article 167 of the education law to practice applied behavior analysis  
52 in this state.

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

1 (q) Each partner of a foreign limited liability partnership which  
2 provides medical services in this state must be licensed pursuant to  
3 article 131 of the education law to practice medicine in the state and  
4 each partner of a foreign limited liability partnership which provides  
5 dental services in the state must be licensed pursuant to article 133 of  
6 the education law to practice dentistry in this state. EACH PARTNER OF  
7 A FOREIGN LIMITED LIABILITY PARTNERSHIP WHICH PROVIDES NATUROPATHIC  
8 SERVICES IN THIS STATE MUST BE LICENSED PURSUANT TO ARTICLE 138 OF THE  
9 EDUCATION LAW TO PRACTICE NATUROPATHY IN THIS STATE. Each partner of a  
10 foreign limited liability partnership which provides veterinary service  
11 in the state shall be licensed pursuant to article 135 of the education  
12 law to practice veterinary medicine in this state. Each partner of a  
13 foreign limited liability partnership which provides professional engi-  
14 neering, land surveying, architectural and/or landscape architectural  
15 services in this state must be licensed pursuant to article 145, article  
16 147 and/or article 148 of the education law to practice one or more of  
17 such professions. Each partner of a foreign limited liability partner-  
18 ship which provides licensed clinical social work services in this state  
19 must be licensed pursuant to article 154 of the education law to prac-  
20 tice licensed clinical social work in this state. Each partner of a  
21 foreign limited liability partnership which provides creative arts ther-  
22 apy services in this state must be licensed pursuant to article 163 of  
23 the education law to practice creative arts therapy in this state. Each  
24 partner of a foreign limited liability partnership which provides  
25 marriage and family therapy services in this state must be licensed  
26 pursuant to article 163 of the education law to practice marriage and  
27 family therapy in this state. Each partner of a foreign limited liabil-  
28 ity partnership which provides mental health counseling services in this  
29 state must be licensed pursuant to article 163 of the education law to  
30 practice mental health counseling in this state. Each partner of a  
31 foreign limited liability partnership which provides psychoanalysis  
32 services in this state must be licensed pursuant to article 163 of the  
33 education law to practice psychoanalysis in this state. Each partner of  
34 a foreign limited liability partnership which provides applied behavior  
35 analysis services in this state must be licensed or certified pursuant  
36 to article 167 of the education law to practice applied behavior analy-  
37 sis in this state.

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

41 (q) Each partner of a foreign limited liability partnership which  
42 provides medical services in this state must be licensed pursuant to  
43 article 131 of the education law to practice medicine in the state and  
44 each partner of a foreign limited liability partnership which provides  
45 dental services in the state must be licensed pursuant to article 133 of  
46 the education law to practice dentistry in this state. EACH PARTNER OF A  
47 FOREIGN LIMITED LIABILITY PARTNERSHIP WHICH PROVIDES NATUROPATHIC  
48 SERVICES IN THIS STATE MUST BE LICENSED PURSUANT TO ARTICLE 138 OF THE  
49 EDUCATION LAW TO PRACTICE NATUROPATHY IN THIS STATE. Each partner of a  
50 foreign limited liability partnership which provides veterinary service  
51 in the state shall be licensed pursuant to article 135 of the education  
52 law to practice veterinary medicine in this state. Each partner of a  
53 foreign limited liability partnership which provides professional engi-  
54 neering, land surveying, geological services, architectural and/or land-  
55 scape architectural services in this state must be licensed pursuant to  
56 article 145, article 147 and/or article 148 of the education law to



1 practice one or more of such professions. Each partner of a foreign  
2 limited liability partnership which provides licensed clinical social  
3 work services in this state must be licensed pursuant to article 154 of  
4 the education law to practice licensed clinical social work in this  
5 state. Each partner of a foreign limited liability partnership which  
6 provides creative arts therapy services in this state must be licensed  
7 pursuant to article 163 of the education law to practice creative arts  
8 therapy in this state. Each partner of a foreign limited liability part-  
9 nership which provides marriage and family therapy services in this  
10 state must be licensed pursuant to article 163 of the education law to  
11 practice marriage and family therapy in this state. Each partner of a  
12 foreign limited liability partnership which provides mental health coun-  
13 seling services in this state must be licensed pursuant to article 163  
14 of the education law to practice mental health counseling in this state.  
15 Each partner of a foreign limited liability partnership which provides  
16 psychoanalysis services in this state must be licensed pursuant to arti-  
17 cle 163 of the education law to practice psychoanalysis in this state.  
18 Each partner of a foreign limited liability partnership which provides  
19 applied behavior analysis services in this state must be licensed or  
20 certified pursuant to article 167 of the education law to practice  
21 applied behavior analysis in this state.

22 S 8. Paragraph (a) of subdivision 1 of section 413 of the social  
23 services law, as separately amended by chapters 126 and 205 of the laws  
24 of 2014, is amended to read as follows:

25 (a) The following persons and officials are required to report or  
26 cause a report to be made in accordance with this title when they have  
27 reasonable cause to suspect that a child coming before them in their  
28 professional or official capacity is an abused or maltreated child, or  
29 when they have reasonable cause to suspect that a child is an abused or  
30 maltreated child where the parent, guardian, custodian or other person  
31 legally responsible for such child comes before them in their profes-  
32 sional or official capacity and states from personal knowledge facts,  
33 conditions or circumstances which, if correct, would render the child an  
34 abused or maltreated child: any physician; registered physician assist-  
35 ant; surgeon; medical examiner; coroner; dentist; dental hygienist;  
36 osteopath; optometrist; chiropractor; podiatrist; NATUROPATHIC DOCTOR;  
37 resident; intern; psychologist; registered nurse; social worker; emer-  
38 gency medical technician; licensed creative arts therapist; licensed  
39 marriage and family therapist; licensed mental health counselor;  
40 licensed psychoanalyst; licensed behavior analyst; certified behavior  
41 analyst assistant; hospital personnel engaged in the admission, examina-  
42 tion, care or treatment of persons; a Christian Science practitioner;  
43 school official, which includes but is not limited to school teacher,  
44 school guidance counselor, school psychologist, school social worker,  
45 school nurse, school administrator or other school personnel required to  
46 hold a teaching or administrative license or certificate; full or part-  
47 time compensated school employee required to hold a temporary coaching  
48 license or professional coaching certificate; social services worker;  
49 director of a children's overnight camp, summer day camp or traveling  
50 summer day camp, as such camps are defined in section thirteen hundred  
51 ninety-two of the public health law; day care center worker; school-age  
52 child care worker; provider of family or group family day care; employee  
53 or volunteer in a residential care facility for children that is  
54 licensed, certified or operated by the office of children and family  
55 services; or any other child care or foster care worker; mental health  
56 professional; substance abuse counselor; alcoholism counselor; all

1 persons credentialed by the office of alcoholism and substance abuse  
2 services; peace officer; police officer; district attorney or assistant  
3 district attorney; investigator employed in the office of a district  
4 attorney; or other law enforcement official.

5 S 9. Subdivision 6 of section 571 of the public health law, as amended  
6 by chapter 444 of the laws of 2013, is amended to read as follows:

7 6. "Qualified health care professional" means a physician, dentist,  
8 podiatrist, NATUROPATHIC DOCTOR, optometrist performing a clinical labo-  
9 ratory test that does not use an invasive modality as defined in section  
10 seventy-one hundred one of the education law, physician assistant,  
11 specialist assistant, nurse practitioner, or midwife, who is licensed  
12 and registered with the state education department.

13 S 10. Subdivision 1 of section 585 of the public health law, as added  
14 by chapter 803 of the laws of 1992, is amended to read as follows:

15 1. "Health services purveyor" means any person, firm, partnership,  
16 group, association, corporation or professional corporation, or any  
17 agent, employee, fiduciary, employer or representative thereof, includ-  
18 ing but not limited to a physician, dentist, podiatrist, NATUROPATHIC  
19 DOCTOR or chiropractor, either in individual practice, group practice or  
20 employed in a facility owned by any person, group, association, firm,  
21 partnership or corporation hiring any of the aforementioned practition-  
22 ers, who provide health or health related services.

23 S 11. This act shall take effect on the five hundred fortieth day  
24 after it shall have become a law; provided however, that:

25 a. section eight of this act shall take effect immediately; provided  
26 however that;

27 b. the amendments to subdivision (a) of section 1203 of the limited  
28 liability company law made by section three-a of this act shall take  
29 effect on the same date and in the same manner as section twenty-one of  
30 chapter 475 of the laws of 2014, takes effect;

31 c. the amendments to subdivision (a) of section 1207 of the limited  
32 liability company law made by section four-a of this act shall take  
33 effect on the same date and in the same manner as section twenty-two of  
34 chapter 475 of the laws of 2014, takes effect;

35 d. the amendments to subdivision (a) of section 1301 of the limited  
36 liability company law made by section five-a of this act shall take  
37 effect on the same date and in the same manner as section twenty-three  
38 of chapter 475 of the laws of 2014, takes effect;

39 e. the amendments to subdivision (q) of section 121-1500 of the part-  
40 nership law made by section six-a of this act shall take effect on the  
41 same date and in the same manner as section twenty-six of chapter 475 of  
42 the laws of 2014, takes effect;

43 f. the amendments to subdivision (q) of section 121-1502 of the part-  
44 nership law made by section seven-a of this act shall take effect on the  
45 same date and in the same manner as section twenty-seven of chapter 475  
46 of the laws of 2014, takes effect;

47 g. the provisions of section 6854 of the education law, as added by  
48 section two of this act, shall take effect two years after the effective  
49 date of this act;

50 h. the provisions of section 6856 of the education law, as added by  
51 section two of this act, shall expire and be deemed repealed ten years  
52 after the effective date of this act;

53 i. the provisions of sections 6858 and 6861 of the education law, as  
54 added by section two of this act, shall expire and be deemed repealed  
55 twenty years after the effective date of this act;

1 j. the provisions of section 6862 of the education law, as added by  
2 section two of this act, shall take effect three years after the effec-  
3 tive date of this act; and  
4 k. effective immediately, the addition, amendment and/or repeal of any  
5 rule or regulation necessary for the implementation of this act on its  
6 effective date are authorized and directed to be made and completed by  
7 the commissioner of education and the board of regents on or before such  
8 effective date.