

STATE OF NEW YORK

4120

2025-2026 Regular Sessions

IN SENATE

February 3, 2025

Introduced by Sen. SCARCELLA-SPANTON -- read twice and ordered printed,
and when printed to be committed to the Committee on Higher Education

AN ACT to amend the education law, the county law, the limited liability
company law and the partnership law, in relation to the licensing of
professional and clinical music therapists

The People of the State of New York, represented in Senate and Assem-
bly, do enact as follows:

1 Section 1. The education law is amended by adding a new article 163-A
2 to read as follows:

3 ARTICLE 163-A

4 MUSIC THERAPY

5 Section 8450. Introduction.

6 8451. Definitions.

7 8452. Authorized practice and the use of the titles "licensed
8 professional music therapist" and "licensed clinical
9 music therapist".

10 8453. State board for music therapy.

11 8454. Requirements for a license.

12 8455. Limited permits.

13 8456. Exemptions.

14 8457. Special provisions.

15 8458. Boundaries of professional competency.

16 8459. Mandatory continuing competency.

17 § 8450. Introduction. This article applies to the profession and prac-
18 tice of music therapy, and to the use of the titles "licensed profes-
19 sional music therapist" and "licensed clinical music therapist". The
20 general provisions for all professions contained in article one hundred
21 thirty of this title apply to this article.

22 § 8451. Definitions. 1. (a) The practice of licensed professional
23 music therapy shall mean the clinical and evidence-based use of music
24 interventions to accomplish individualized goals for people of all ages

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

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1 and ability levels within a therapeutic relationship, through the devel-
2 opment of music therapy treatment plans specific to the needs and
3 strengths of the client who may be seen individually and/or in groups.

4 (b) A licensed professional music therapist uses interventions that
5 may include music improvisation, receptive music listening, song writ-
6 ing, lyric discussion, music and imagery, singing, music performance,
7 learning through music, music combined with other arts, music-assisted
8 relaxation, music-based education, electronic music technology, adapted
9 music interventions and movement to music.

10 (c) The practice of licensed professional music therapy does not
11 include the screening, diagnosis or assessment of any physical, mental,
12 or communication disorder.

13 2. (a) The practice of licensed clinical music therapy encompasses the
14 scope of practice of licensed professional music therapy and, in addi-
15 tion, includes the assessment, evaluation, and the therapeutic inter-
16 vention and treatment, which may be either primary, parallel or adjunc-
17 tive, of mental, emotional, developmental and behavioral disorders
18 through the use of music as approved by the department.

19 (b) Licensed clinical music therapists use assessment instruments and
20 mental health counseling and psychotherapy to identify, evaluate and
21 treat dysfunctions and disorders for purposes of providing appropriate
22 clinical music therapy services.

23 3. Psychotherapy means the treatment of mental, nervous, emotional,
24 behavioral and addictive disorders, and ailments by the use of both
25 verbal and behavioral methods of intervention in interpersonal relation-
26 ships with the intent of assisting the persons to modify attitudes,
27 thinking, effect, and behavior which are intellectually, socially and
28 emotionally maladaptive.

29 § 8452. Authorized practice and the use of the titles "licensed
30 professional music therapist" and "licensed clinical music therapist".

31 1. (a) Only a person licensed or exempt under this article shall prac-
32 tice "licensed professional music therapy" as defined in subdivision one
33 of section eighty-four hundred fifty-one of this article.

34 (b) Only a person licensed pursuant to subdivision one of section
35 eighty-four hundred fifty-four of this article shall use the title
36 "licensed professional music therapist" or the designation "LPMT".

37 2. (a) Only a person licensed or exempt under this article shall prac-
38 tice "licensed clinical music therapy" as defined in subdivision two of
39 section eighty-four hundred fifty-one of this article.

40 (b) Only a person licensed pursuant to subdivision two of section
41 eighty-four hundred fifty-four of this article shall use the title
42 "licensed clinical music therapist" or the designation "LCMT".

43 § 8453. State board for music therapy. A state board for music therapy
44 "the board", shall be appointed by the board of regents on recommenda-
45 tion of the commissioner for the purpose of assisting the board of
46 regents and the department on matters of professional licensing, prac-
47 tice, and conduct in accordance with section sixty-five hundred eight of
48 this title. The board shall be composed of not less than twelve members,
49 of which five shall be licensed professional music therapists, five
50 shall be licensed clinical music therapists, and two shall be members of
51 the public. Members of the first board need not be licensed prior to
52 their appointment to the board. The terms of the first appointed members
53 shall be staggered so that four are appointed for three years, four are
54 appointed for four years, and four are appointed for five years. An
55 executive secretary to the board shall be appointed by the board of

1 regents on recommendation of the commissioner and shall be licensed
2 pursuant to this article.

3 § 8454. Requirements for a license. 1. To qualify for a license as a
4 "licensed professional music therapist," an applicant shall fulfill the
5 following requirements:

6 (a) Application: file an application with the department;

7 (b) Education: have received an education, including a baccalaureate
8 degree in music therapy from a program registered by the department or
9 determined by the department to be the substantial equivalent thereof,
10 in accordance with the commissioner's regulations;

11 (c) Experience: have completed at least twelve hundred hours of super-
12 vised clinical training experience in music therapy, with not less than
13 one hundred eighty hours of pre-internship experience and not less than
14 nine hundred hours of internship experience, satisfactory to the depart-
15 ment and in accordance with the commissioner's regulations;

16 (d) Examination: provide proof of passing a national board certif-
17 ication examination or provide proof of being transitioned into a
18 national board certification credential, satisfactory to the board and
19 in accordance with the commissioner's regulations, currently available
20 to music therapists who have met the education and clinical training
21 standards of the profession;

22 (e) Age: be at least twenty-one years of age;

23 (f) Character: be of good moral character as determined by the depart-
24 ment; and

25 (g) Fees: pay a fee of one hundred seventy-five dollars for an initial
26 license and a fee of one hundred seventy dollars for each triennial
27 registration period.

28 2. To qualify for a license as a "licensed clinical music therapist,"
29 an applicant shall fulfill the following requirements:

30 (a) Application: file an application with the department;

31 (b) Education: have received an education, including a master's degree
32 or higher in music therapy or a related field from a program registered
33 by the department or determined by the department to be the substantial
34 equivalent thereof, in accordance with the commissioner's regulations.
35 The graduate coursework shall include, but not be limited to, the
36 following areas:

37 (i) human growth and development;

38 (ii) theories in music therapy;

39 (iii) group dynamics;

40 (iv) assessment and appraisal of individuals and groups;

41 (v) research and program evaluation;

42 (vi) professional orientation and ethics;

43 (vii) foundations of music therapy and psychopathology;

44 (viii) clinical instruction;

45 (c) Experience: have completed at least fifteen hundred hours of post-
46 master's supervised experience in music therapy satisfactory to the
47 department and in accordance with the commissioner's regulations. Satis-
48 factory experience obtained in an entity operating under a waiver issued
49 by the department pursuant to section sixty-five hundred three-a of this
50 title may be accepted by the department, notwithstanding that such expe-
51 rience may have been obtained prior to the effective date of such
52 section and/or prior to the entity having obtained a waiver. The
53 department may, for good cause shown, accept satisfactory experience
54 that was obtained in a setting that would have been eligible for a wai-
55 ver but which has not obtained a waiver from the department or experience
56 that was obtained in good faith by the applicant under the belief that

1 appropriate authorization had been obtained for the experience, provided
2 that such experience meets all other requirements for acceptable experi-
3 ence;

4 (d) Examination: provide proof of passing a national board certifi-
5 cation examination or provide proof of being transitioned into a
6 national board certification credential, satisfactory to the board and
7 in accordance with the commissioner's regulations, currently available
8 to music therapists who have met the education and clinical training
9 standards of the profession;

10 (e) Age: be at least twenty-one years of age;

11 (f) Character: be of good moral character as determined by the depart-
12 ment; and

13 (g) Fees: pay a fee of one hundred seventy-five dollars for an initial
14 license and a fee of one hundred seventy dollars for each triennial
15 registration period.

16 § 8455. Limited permits. 1. On recommendation of the board, the
17 department may issue a limited permit to practice licensed clinical
18 music therapy and use the title licensed clinical music therapist to an
19 applicant who has met all requirements for licensure as a licensed clin-
20 ical music therapist except those relating to the examination and
21 provided that the individual is under the general supervision of a
22 professional supervisor, as determined by the department. This limited
23 permit shall be valid for a period of not more than twenty-four months;
24 such limited permits may be renewed, at the discretion of the depart-
25 ment, for up to two additional one-year periods.

26 2. The fee for each limited permit shall be seventy dollars.

27 § 8456. Exemptions. Nothing contained in this article shall be
28 construed to:

29 1. Apply to the practice, conduct, activities, services or use of any
30 title by any person licensed or otherwise authorized to practice medi-
31 cine within the state pursuant to article one hundred thirty-one of this
32 title or by any person registered to perform services as a physician
33 assistant within the state pursuant to article one hundred thirty-one-B
34 of this title or by any person licensed or otherwise authorized to prac-
35 tice psychology within this state pursuant to article one hundred
36 fifty-three of this title or by any person licensed or otherwise author-
37 ized to practice social work within this state pursuant to article one
38 hundred fifty-four of this title, or by any person licensed or otherwise
39 authorized to practice nursing as a registered professional nurse or
40 nurse practitioner within this state pursuant to article one hundred
41 thirty-nine of this title or by any person licensed or otherwise author-
42 ized to practice applied behavior analysis within the state pursuant to
43 article one hundred sixty-seven of this title, or by any person licensed
44 or otherwise authorized to practice mental health counseling, marriage
45 and family therapy, creative arts therapy, or psychoanalysis within the
46 state pursuant to article one hundred sixty-three of this title;
47 provided, however, that no physician, physician's assistant, registered
48 professional nurse, nurse practitioner, psychologist, licensed master
49 social worker, licensed clinical social worker, licensed behavior
50 analyst, certified behavior analyst assistant, licensed mental health
51 counselor, licensed marriage and family therapist, licensed creative
52 arts therapist, or licensed psychoanalyst may use the titles "licensed
53 professional music therapist," or "licensed clinical music therapist,"
54 unless licensed under this article.

55 2. Prohibit or limit any individual who is credentialed under any law,
56 including attorneys, rape crisis counselors, certified alcoholism coun-

1 selors and certified substance abuse counselors from providing mental
2 health services within their respective established authorities.

3 3. Prohibit or limit the practice of a profession licensed pursuant to
4 this article by a student, intern or resident in, and as part of, a
5 supervised educational program in an institution approved by the depart-
6 ment.

7 4. Prohibit or limit the provision of pastoral counseling services by
8 any member of the clergy or Christian Science practitioner, within the
9 context of their ministerial charge or obligation.

10 5. Prohibit or limit individuals, churches, schools, teachers, organ-
11 izations, or not-for-profit businesses, from providing instruction,
12 advice, support, encouragement, or information to individuals, families,
13 and relational groups.

14 6. Prohibit or limit an occupational therapist from performing work
15 consistent with article one hundred fifty-six of this title.

16 7. Prohibit or limit any individual whose training and national
17 certification attests to the individual's preparation and ability to
18 practice their certified profession or occupation, if that person does
19 not represent themself as a licensed professional music therapist or
20 licensed clinical music therapist.

21 § 8457. Special provisions. 1. This section shall apply to all
22 professions licensed pursuant to this article, unless otherwise
23 provided.

24 2. Any nonexempt person practicing a profession to be licensed pursu-
25 ant to this article shall apply for a license under this article within
26 one year of the effective date of this article. If such person does not
27 meet the requirements for a license established within this article,
28 such person may meet alternative criteria determined by the department
29 to be the substantial equivalent of such criteria.

30 3. Any person who holds an active board certification credential in
31 music therapy from a national certification body having certification
32 standards acceptable to the commissioner shall be licensed as a licensed
33 professional music therapist on the effective date of this section with-
34 out meeting any additional education, experience, or examination
35 requirements.

36 4. Any person who holds an active board certification credential in
37 music therapy from a national certification body having certification
38 standards acceptable to the commissioner and a master's degree in music
39 therapy or a related field shall be licensed as a licensed clinical
40 music therapist on the effective date of this section without meeting
41 any additional education, experience, or examination requirements.

42 5. Any person who is licensed as a creative arts therapist and who
43 possesses a minimum of a bachelor's degree in music therapy or its
44 equivalent on the effective date of this section shall be licensed as a
45 licensed clinical music therapist without meeting any additional educa-
46 tion, experience, or examination requirements.

47 6. Any person who possesses a minimum of a baccalaureate degree in
48 music therapy on the effective date of this section, who has ten years
49 of post-graduate music therapy employment and holds an active board
50 certification credential in music therapy from a national certification
51 body, and meets the requirements for a license pursuant to this article,
52 except for examination, and who files with the department within one
53 year of the effective date of this section, shall be licensed as a
54 licensed clinical music therapist.

55 7. Any person who possesses a master's degree in music therapy or a
56 related field on the effective date of this section, who has five years

1 of post-graduate music therapy employment and holds an active board
2 certification credential in music therapy from a national certification
3 body, and meets the requirements for a license pursuant to this article,
4 except for examination, and who files with the department within one
5 year of the effective date of this section, shall be licensed as a
6 licensed clinical music therapist.

7 8. Any person licensed pursuant to this article may use accepted clas-
8 sifications of signs, symptoms, dysfunctions and disorders, as approved
9 in accordance with regulations promulgated by the department, in the
10 practice of such licensed profession.

11 § 8458. Boundaries of professional competency. 1. It shall be deemed
12 practicing outside the boundaries of their professional competence for a
13 person licensed pursuant to this article, in the case of treatment of
14 any serious mental illness, to provide any mental health service for
15 such illness on a continuous and sustained basis without a medical eval-
16 uation of the illness by, and in consultation with, a physician regard-
17 ing such illness. Such medical evaluation and consultation shall be to
18 determine and advise whether any medical care is indicated for such
19 illness. For purposes of this section, "serious mental illness" means
20 schizophrenia, schizoaffective disorder, bipolar disorder, major depres-
21 sive disorder, panic disorder, and obsessive-compulsive disorder.

22 2. (a) Any individual whose license or authority to practice derives
23 from the provisions of this article shall be prohibited from:

24 (i) prescribing or administering drugs as defined in this chapter as a
25 treatment, therapy, or professional service in the practice of their
26 profession; or

27 (ii) using invasive procedures as a treatment, therapy, or profes-
28 sional service in the practice of their profession. For purposes of this
29 subdivision, "invasive procedure" means any procedure in which human
30 tissue is cut, altered, or otherwise infiltrated by mechanical or other
31 means. Invasive procedure includes surgery, lasers, ionizing radiation,
32 therapeutic ultrasound, or electroconvulsive therapy.

33 (b) (i) Unless authorized to practice speech-language pathology, music
34 therapists shall not evaluate, examine, instruct, or counsel on speech,
35 language, communication, and swallowing disorders and conditions. When
36 providing educational or healthcare services, a music therapist shall
37 not replace the services provided by an audiologist or a speech-language
38 pathologist.

39 (ii) An individual licensed as a professional music therapist shall
40 not represent to the public that the individual is authorized to treat a
41 communication disorder. This shall not prohibit an individual licensed
42 as a professional music therapist from representing to the public that
43 the individual may work with clients who have a communication disorder
44 and address communication skills.

45 (iii) Before providing music therapy services to a client for an iden-
46 tified clinical or developmental need, the licensee shall review with
47 the healthcare provider or providers involved in the client's care, the
48 client's diagnosis, treatment needs, and treatment plan.

49 (iv) Before providing music therapy services to a student for an iden-
50 tified educational need, the licensee shall review with the individual
51 family support plan or individualized education program team, the
52 student's diagnosis, treatment needs, and treatment plan.

53 (v) During the provision of music therapy services to a client, the
54 licensee shall collaborate, as applicable, with the client's treatment
55 team, including physicians, psychologists, licensed clinical social
56 workers, or other mental health professionals.

1 (vi) During the provision of music therapy services to a client with a
2 communication disorder, the licensed professional music therapist shall
3 collaborate and discuss the music therapy treatment plan with the
4 client's audiologist or speech-language pathologist.

5 § 8459. Mandatory continuing competency. 1. (a) Each licensed profes-
6 sional music therapist or licensed clinical music therapist shall regis-
7 ter triennially with the department to practice in the state and must
8 comply with the provisions of the mandatory continuing competency
9 requirements prescribed in this section, except as provided in para-
10 graphs (b) and (c) of this subdivision. Those who do not satisfy the
11 mandatory continuing competency requirements shall not be authorized to
12 practice until they have met such requirements, and they have been
13 issued a registration certificate, except that a person may practice
14 without having met such requirements if such person is issued a condi-
15 tional registration pursuant to subdivision four of this section.

16 (b) Each licensed professional music therapist or licensed clinical
17 music therapist shall be exempt from the mandatory continuing competency
18 requirement for the triennial registration period during which they are
19 first licensed. Adjustment to the mandatory continuing competency
20 requirements may be granted by the department for reasons of health of
21 the licensee where certified by an appropriate health care professional,
22 for extended active duty with the armed forces of the United States, or
23 for other good cause acceptable to the department which may prevent
24 compliance.

25 (c) A licensed professional music therapist or licensed clinical music
26 therapist not engaged in practice, as determined by the department,
27 shall be exempt from the mandatory continuing competency requirement
28 upon the filing of a statement with the department declaring such
29 status. Any licensee who returns to the practice of music therapy during
30 the triennial registration period shall notify the department prior to
31 reentering the profession and shall meet such mandatory continuing
32 competency requirements as shall be prescribed by regulations of the
33 commissioner.

34 2. At the end of each triennial registration period, an applicant for
35 re-registration as a licensed professional music therapist or licensed
36 clinical music therapist must provide proof of holding an active board
37 certification credential in music therapy from a national certification
38 body having certification standards acceptable to the commissioner.

39 3. (a) During each triennial registration period an applicant for
40 registration as a licensed professional music therapist or licensed
41 clinical music therapist shall complete a minimum of thirty-six hours of
42 acceptable learning activities which contribute to continuing compe-
43 tence, as specified in subdivision four of this section. A maximum of
44 twelve hours of the thirty-six hours may be self-instructional course-
45 work acceptable to the department. At least twenty-four hours of the
46 thirty-six hours shall be in areas of study pertinent to the scope of
47 practice of music therapy. With the exception of continuing education
48 hours taken during the registration period immediately preceding the
49 effective date of this section, continuing education hours taken during
50 one triennium may not be transferred to a subsequent triennium.

51 (b) Thereafter, a licensee who has not satisfied the mandatory contin-
52 uing competency requirements shall not be issued a triennial registra-
53 tion certificate by the department and shall not practice unless and
54 until a conditional registration certificate is issued as provided for
55 in subdivision four of this section.

1 4. The department, in its discretion, may issue a conditional regis-
2 tration to a licensee who fails to meet the continuing competency
3 requirements established in subdivision three of this section, but who
4 agrees to make up any deficiencies and complete any additional learning
5 activities which the department may require. The fee for such a condi-
6 tional registration shall be the same as, and in addition to, the fee
7 for the triennial registration. The duration of such conditional regis-
8 tration shall be determined by the department but shall not exceed one
9 year. Any licensee who is notified of the denial of registration for
10 failure to submit evidence, satisfactory to the department, of required
11 continuing competency learning activities and who practices without such
12 registration may be subject to disciplinary proceedings pursuant to
13 section sixty-five hundred ten of this title.

14 5. As used in subdivision three of this section, "acceptable learning
15 activities" shall mean activities which contribute to professional prac-
16 tice in music therapy, and which meet the standards prescribed in the
17 regulations of the commissioner. Such learning activities shall include,
18 but not be limited to, collegiate level credit and non-credit courses,
19 self-study activities, independent study, formal mentoring activities,
20 professional development programs and technical sessions, publications
21 in professional journals and professional development programs; such
22 learning activities may be offered and sponsored by national, state,
23 regional, and local professional associations and other organizations or
24 parties acceptable to the department, and any other organized educa-
25 tional and technical learning activities acceptable to the department.
26 Providers (other than those indicated below as exempt from the approval
27 process) must submit an application to the state board for music thera-
28 py. Types of approved providers include:

29 (a) any higher education institution that offers programs that are
30 registered in New York state as leading to licensure in music therapy;

31 (b) a national, regional, state, or local sponsor or provider of
32 coursework or training that is approved by the American Music Therapy
33 Association (AMTA) or the Certification Board for Music Therapists, Inc.
34 (CBMT); postsecondary institutions, or a consortium of such insti-
35 tutions, that offer programs that are registered as leading to either
36 licensure in music therapy or authorization to practice as a music ther-
37 apist, or equivalent professional education programs accredited by an
38 acceptable accrediting agency, for credit and non-credit offerings;

39 (c) an entity, hospital or health facility defined in section two
40 thousand eight hundred one of the public health law;

41 (d) or an equivalent organization as determined by the department.

42 Organizations that fall under the first three paragraphs listed above do
43 not have to submit a fee or an application for approval as a provider of
44 continuing education for music therapists. However, they must register
45 with the state board for music therapy by completing an approved provid-
46 er registration form. Educational institutions which provide education
47 as part of a licensure qualifying program or sponsors who have had their
48 course approved by the Certification Board for Music Therapists, Inc.
49 (CBMT) do not need to submit an application. Courses approved by the
50 CBMT automatically qualify for approval in New York state. The depart-
51 ment may, in its discretion and as needed to contribute to the health
52 and welfare of the public, require the completion of continuing compe-
53 tency learning activities in specific subjects to fulfill this mandatory
54 continuing competency requirement. Learning activities must be taken
55 from a sponsor approved by the department, pursuant to the regulations
56 of the commissioner.

1 6. A licensed professional music therapist or licensed clinical music
2 therapist shall maintain adequate documentation of completion of accept-
3 able continuing competency activities and shall provide such documenta-
4 tion at the request of the department. Failure to provide such documen-
5 tation upon request of the department shall be an act of misconduct
6 subject to the disciplinary proceedings pursuant to section sixty-five
7 hundred ten of this title.

8 7. The mandatory continuing competency fee shall be forty-five
9 dollars, payable on or before the first day of each triennial registra-
10 tion period, and shall be paid in addition to the triennial registration
11 fee.

12 § 2. Subdivision 13 of section 700 of the county law, as added by
13 chapter 358 of the laws of 2012, is amended to read as follows:

14 13. In order to provide services to crime victims, witnesses, and
15 other persons involved in the criminal justice system, and to support
16 crime prevention programs, the district attorney may employ or contract
17 with persons licensed and registered to practice or otherwise authorized
18 under article one hundred fifty-three, one hundred fifty-four, [~~or~~] one
19 hundred sixty-three, or one hundred sixty-three-A of the education law,
20 or contract with entities authorized to provide the services specified
21 in such articles, in connection with the provision of any services that
22 such persons or entities are authorized to provide and that are author-
23 ized by the district attorney.

24 § 3. Subparagraph (i) of paragraph a and paragraph d of subdivision 1
25 of section 6503-a of the education law, subparagraph (i) of paragraph a
26 as amended by chapter 554 of the laws of 2013, and paragraph d as added
27 by chapter 130 of the laws of 2010, are amended to read as follows:

28 (i) services provided under article one hundred fifty-four, one
29 hundred sixty-three, one hundred sixty-three-A, or one hundred sixty-
30 seven of this title for which licensure would be required, or

31 d. Such waiver shall provide that services rendered pursuant to this
32 section, directly or indirectly, shall be provided only by a person
33 appropriately licensed to provide such services pursuant to article one
34 hundred thirty-one, one hundred thirty-nine, one hundred fifty-three,
35 one hundred fifty-four, [~~or~~] one hundred sixty-three, or one hundred
36 sixty-three-A of this title, or by a person otherwise authorized to
37 provide such services under such articles, or by a professional entity
38 authorized by law to provide such services.

39 § 4. Paragraph c of subdivision 2 of section 6503-a of the education
40 law, as added by chapter 130 of the laws of 2010, is amended to read as
41 follows:

42 c. an institution of higher education authorized to provide a program
43 leading to licensure in a profession defined under article one hundred
44 thirty-one, one hundred thirty-nine, one hundred fifty-three, one
45 hundred fifty-four [~~or~~] one hundred sixty-three, or one hundred sixty-
46 three-A of this title, to the extent that the scope of such services is
47 limited to the services authorized to be provided within such registered
48 program; or

49 § 5. Subdivision 4 of section 7605 of the education law, as amended by
50 chapter 554 of the laws of 2013, is amended to read as follows:

51 4. The practice, conduct, activities, or services by any person
52 licensed or otherwise authorized to practice nursing as a registered
53 professional nurse or nurse practitioner within the state pursuant to
54 article one hundred thirty-nine of this title or by any person licensed
55 or otherwise authorized to practice social work within the state pursu-
56 ant to article one hundred fifty-four of this title, or by any person

1 licensed or otherwise authorized to practice mental health counseling,
2 marriage and family therapy, creative arts therapy, or psychoanalysis
3 within the state pursuant to article one hundred sixty-three of this
4 title, or by any person licensed or otherwise authorized to practice
5 music therapy within the state pursuant to article one hundred sixty-
6 three-A of this title, or any person licensed or otherwise authorized to
7 practice applied behavior analysis within the state pursuant to article
8 one hundred sixty-seven of this title or any individual who is creden-
9 tialled under any law, including attorneys, rape crisis counselors,
10 certified alcoholism counselors, and certified substance abuse counse-
11 lers from providing mental health services within their respective
12 established authorities.

13 § 6. Subdivision 1 of section 7706 of the education law, as amended by
14 chapter 554 of the laws of 2013, is amended to read as follows:

15 1. Apply to the practice, conduct, activities, services or use of any
16 title by any person licensed or otherwise authorized to practice medi-
17 cine within the state pursuant to article one hundred thirty-one of this
18 title or by any person registered to perform services as a physician
19 assistant within the state pursuant to article one hundred thirty-one-B
20 of this title or by any person licensed or otherwise authorized to prac-
21 tice psychology within this state pursuant to article one hundred
22 fifty-three of this title or by any person licensed or otherwise author-
23 ized to practice nursing as a registered professional nurse or nurse
24 practitioner within this state pursuant to article one hundred thirty-
25 nine of this title or by any person licensed or otherwise authorized to
26 practice occupational therapy within this state pursuant to article one
27 hundred fifty-six of this title or by any person licensed or otherwise
28 authorized to practice mental health counseling, marriage and family
29 therapy, creative arts therapy, or psychoanalysis within the state
30 pursuant to article one hundred sixty-three of this title, or by any
31 person licensed or otherwise authorized to practice music therapy within
32 the state pursuant to article one hundred sixty-three-A of this title,
33 or by any person licensed or otherwise authorized to practice applied
34 behavior analysis within the state pursuant to article one hundred
35 sixty-seven of this title; provided, however, that no physician, physi-
36 cian assistant, registered professional nurse, nurse practitioner,
37 psychologist, occupational therapist, licensed mental health counselor,
38 licensed marriage and family therapist, licensed creative arts thera-
39 pist, licensed psychoanalyst, licensed professional music therapist,
40 licensed clinical music therapist, licensed behavior analyst or certi-
41 fied behavior analyst assistant may use the titles "licensed clinical
42 social worker" or "licensed master social worker", unless licensed under
43 this article.

44 § 7. Subdivision 1 of section 8410 of the education law, as amended by
45 chapter 554 of the laws of 2013, is amended to read as follows:

46 1. Apply to the practice, conduct, activities, services or use of any
47 title by any person licensed or otherwise authorized to practice medi-
48 cine within the state pursuant to article one hundred thirty-one of this
49 title or by any person registered to perform services as a physician
50 assistant within the state pursuant to article one hundred thirty-one-B
51 of this title or by any person licensed or otherwise authorized to prac-
52 tice psychology within this state pursuant to article one hundred
53 fifty-three of this title or by any person licensed or otherwise author-
54 ized to practice social work within this state pursuant to article one
55 hundred fifty-four of this title, or by any person licensed or otherwise
56 authorized to practice nursing as a registered professional nurse or

1 nurse practitioner within this state pursuant to article one hundred
2 thirty-nine of this title or by any person licensed or otherwise author-
3 ized to practice applied behavior analysis within the state pursuant to
4 article one hundred sixty-seven of this title or by any person licensed
5 or otherwise authorized to practice music therapy within this state
6 pursuant to article one hundred sixty-three-A of this title; provided,
7 however, that no physician, physician's assistant, registered profes-
8 sional nurse, nurse practitioner, psychologist, licensed master social
9 worker, licensed clinical social worker, licensed behavior analyst ~~[ex]~~,
10 certified behavior analyst assistant, licensed professional music thera-
11 pist, or licensed clinical music therapist may use the titles "licensed
12 mental health counselor", "licensed marriage and family therapist",
13 "licensed creative arts therapist", or "licensed psychoanalyst", unless
14 licensed under this article.

15 § 8. Subdivision (a) of section 1203 of the limited liability company
16 law, as amended by chapter 475 of the laws of 2014, is amended to read
17 as follows:

18 (a) Notwithstanding the education law or any other provision of law,
19 one or more professionals each of whom is authorized by law to render a
20 professional service within the state, or one or more professionals, at
21 least one of whom is authorized by law to render a professional service
22 within the state, may form, or cause to be formed, a professional
23 service limited liability company for pecuniary profit under this arti-
24 cle for the purpose of rendering the professional service or services as
25 such professionals are authorized to practice. With respect to a profes-
26 sional service limited liability company formed to provide medical
27 services as such services are defined in article 131 of the education
28 law, each member of such limited liability company must be licensed
29 pursuant to article 131 of the education law to practice medicine in
30 this state. With respect to a professional service limited liability
31 company formed to provide dental services as such services are defined
32 in article 133 of the education law, each member of such limited liabil-
33 ity company must be licensed pursuant to article 133 of the education
34 law to practice dentistry in this state. With respect to a professional
35 service limited liability company formed to provide veterinary services
36 as such services are defined in article 135 of the education law, each
37 member of such limited liability company must be licensed pursuant to
38 article 135 of the education law to practice veterinary medicine in this
39 state. With respect to a professional service limited liability company
40 formed to provide professional engineering, land surveying, architec-
41 tural, landscape architectural and/or geological services as such
42 services are defined in article 145, article 147 and article 148 of the
43 education law, each member of such limited liability company must be
44 licensed pursuant to article 145, article 147 and/or article 148 of the
45 education law to practice one or more of such professions in this state.
46 With respect to a professional service limited liability company formed
47 to provide licensed clinical social work services as such services are
48 defined in article 154 of the education law, each member of such limited
49 liability company shall be licensed pursuant to article 154 of the
50 education law to practice licensed clinical social work in this state.
51 With respect to a professional service limited liability company formed
52 to provide creative arts therapy services as such services are defined
53 in article 163 of the education law, each member of such limited liabil-
54 ity company must be licensed pursuant to article 163 of the education
55 law to practice creative arts therapy in this state. With respect to a
56 professional service limited liability company formed to provide

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

35 § 9. Subdivision (b) of section 1207 of the limited liability company
36 law, as amended by chapter 701 of the laws of 2023, is amended to read
37 as follows:

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

1 article 148 of the education law to practice one or more of such
2 professions in this state. With respect to a professional service limit-
3 ed liability company formed to provide public accountancy services as
4 such services are defined in article 149 of the education law each
5 member of such limited liability company whose principal place of busi-
6 ness is in this state and who provides public accountancy services, must
7 be licensed pursuant to article 149 of the education law to practice
8 public accountancy in this state. With respect to a professional service
9 limited liability company formed to provide licensed clinical social
10 work services as such services are defined in article 154 of the educa-
11 tion law, each member of such limited liability company shall be
12 licensed pursuant to article 154 of the education law to practice
13 licensed clinical social work in this state. With respect to a profes-
14 sional service limited liability company formed to provide creative arts
15 therapy services as such services are defined in article 163 of the
16 education law, each member of such limited liability company must be
17 licensed pursuant to article 163 of the education law to practice crea-
18 tive arts therapy in this state. With respect to a professional service
19 limited liability company formed to provide marriage and family therapy
20 services as such services are defined in article 163 of the education
21 law, each member of such limited liability company must be licensed
22 pursuant to article 163 of the education law to practice marriage and
23 family therapy in this state. With respect to a professional service
24 limited liability company formed to provide mental health counseling
25 services as such services are defined in article 163 of the education
26 law, each member of such limited liability company must be licensed
27 pursuant to article 163 of the education law to practice mental health
28 counseling in this state. With respect to a professional service limited
29 liability company formed to provide psychoanalysis services as such
30 services are defined in article 163 of the education law, each member of
31 such limited liability company must be licensed pursuant to article 163
32 of the education law to practice psychoanalysis in this state. With
33 respect to a professional service limited liability company formed to
34 provide music therapy services as such services are defined in article
35 163-A of the education law, each member of such limited liability compa-
36 ny must be licensed pursuant to article 163-A of the education law to
37 practice music therapy in this state. With respect to a professional
38 service limited liability company formed to provide applied behavior
39 analysis services as such services are defined in article 167 of the
40 education law, each member of such limited liability company must be
41 licensed or certified pursuant to article 167 of the education law to
42 practice applied behavior analysis in this state. A professional service
43 limited liability company formed to lawfully engage in the practice of
44 public accountancy as a firm, as such practice is defined under article
45 149 of the education law shall be required to show (1) that a simple
46 majority of the ownership of the firm, in terms of financial interests
47 and voting rights held by the firm's owners, belongs to individuals
48 licensed to practice public accountancy in some state, and (2) that all
49 members of a limited professional service limited liability company,
50 whose principal place of business is in this state, and who are engaged
51 in the practice of public accountancy in this state, hold a valid
52 license issued under section seventy-four hundred four of the education
53 law. For purposes of this subdivision, "financial interest" means capi-
54 tal stock, capital accounts, capital contributions, capital interest, or
55 interest in undistributed earnings of a business entity. Although firms
56 registered with the education department may include non-licensee

1 owners, a registered firm and its owners must comply with rules promul-
2 gated by the state board of regents. Notwithstanding the foregoing, a
3 firm registered with the education department may not have non-licensure
4 owners if the firm's name includes the words "certified public account-
5 ant," or "certified public accountants," or the abbreviations "CPA" or
6 "CPAs". Each non-licensure owner of a firm that is registered under this
7 section shall be (1) a natural person who actively participates in the
8 business of the firm or its affiliated entities, or (2) an entity,
9 including, but not limited to, a partnership or professional corpo-
10 ration, provided each beneficial owner of an equity interest in such
11 entity is a natural person who actively participates in the business
12 conducted by the firm or its affiliated entities. For purposes of this
13 subdivision, "actively participate" means to provide services to clients
14 or to otherwise individually take part in the day-to-day business or
15 management of the firm or an affiliated entity.

16 § 10. Subdivision (a) of section 1301 of the limited liability company
17 law, as amended by chapter 701 of the laws of 2023, is amended to read
18 as follows:

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

1 sional engineering, land surveying, geologic, architectural and/or land-
2 scape architectural services as such services are defined in article
3 145, article 147 and article 148 of the education law, each member of
4 such foreign professional service limited liability company must be
5 licensed pursuant to article 145, article 147 and/or article 148 of the
6 education law to practice one or more of such professions in this state.
7 With respect to a foreign professional service limited liability company
8 which provides public accountancy services as such services are defined
9 in article 149 of the education law, each member of such foreign profes-
10 sional service limited liability company whose principal place of busi-
11 ness is in this state and who provides public accountancy services,
12 shall be licensed pursuant to article 149 of the education law to prac-
13 tice public accountancy in this state. With respect to a foreign profes-
14 sional service limited liability company which provides licensed clin-
15 ical social work services as such services are defined in article 154 of
16 the education law, each member of such foreign professional service
17 limited liability company shall be licensed pursuant to article 154 of
18 the education law to practice clinical social work in this state. With
19 respect to a foreign professional service limited liability company
20 which provides creative arts therapy services as such services are
21 defined in article 163 of the education law, each member of such foreign
22 professional service limited liability company must be licensed pursuant
23 to article 163 of the education law to practice creative arts therapy in
24 this state. With respect to a foreign professional service limited
25 liability company which provides marriage and family therapy services as
26 such services are defined in article 163 of the education law, each
27 member of such foreign professional service limited liability company
28 must be licensed pursuant to article 163 of the education law to prac-
29 tice marriage and family therapy in this state. With respect to a
30 foreign professional service limited liability company which provides
31 mental health counseling services as such services are defined in arti-
32 cle 163 of the education law, each member of such foreign professional
33 service limited liability company must be licensed pursuant to article
34 163 of the education law to practice mental health counseling in this
35 state. With respect to a foreign professional service limited liability
36 company which provides psychoanalysis services as such services are
37 defined in article 163 of the education law, each member of such foreign
38 professional service limited liability company must be licensed pursuant
39 to article 163 of the education law to practice psychoanalysis in this
40 state. With respect to a foreign professional service limited liability
41 company which provides music therapy services as such services are
42 defined in article 163-A of the education law, each member of such
43 foreign professional service limited liability company must be licensed
44 pursuant to article 163-A of the education law to practice music therapy
45 in this state. With respect to a foreign professional service limited
46 liability company which provides applied behavior analysis services as
47 such services are defined in article 167 of the education law, each
48 member of such foreign professional service limited liability company
49 must be licensed or certified pursuant to article 167 of the education
50 law to practice applied behavior analysis in this state. A foreign
51 professional service limited liability company formed to lawfully engage
52 in the practice of public accountancy as a firm, as such practice is
53 defined under article 149 of the education law shall be required to show
54 (1) that a simple majority of the ownership of the firm, in terms of
55 financial interests and voting rights held by the firm's owners, belongs
56 to individuals licensed to practice public accountancy in some state,

1 and (2) that all members of a foreign limited professional service
2 limited liability company, whose principal place of business is in this
3 state, and who are engaged in the practice of public accountancy in this
4 state, hold a valid license issued under section seventy-four hundred
5 four of the education law. For purposes of this subdivision, "financial
6 interest" means capital stock, capital accounts, capital contributions,
7 capital interest, or interest in undistributed earnings of a business
8 entity. Although firms registered with the education department may
9 include non-licensee owners, a registered firm and its owners must
10 comply with rules promulgated by the state board of regents. Notwith-
11 standing the foregoing, a firm registered with the education department
12 may not have non-licensee owners if the firm's name includes the words
13 "certified public accountant," or "certified public accountants," or the
14 abbreviations "CPA" or "CPAs". Each non-licensee owner of a firm that is
15 registered under this section shall be (1) a natural person who actively
16 participates in the business of the firm or its affiliated entities, or
17 (2) an entity, including, but not limited to, a partnership or profes-
18 sional corporation, provided each beneficial owner of an equity interest
19 in such entity is a natural person who actively participates in the
20 business conducted by the firm or its affiliated entities. For purposes
21 of this subdivision, "actively participate" means to provide services to
22 clients or to otherwise individually take part in the day-to-day busi-
23 ness or management of the firm or an affiliated entity.

24 § 11. Subdivision (q) of section 121-1500 of the partnership law, as
25 amended by chapter 701 of the laws of 2023, is amended to read as
26 follows:

27 (q) Each partner of a registered limited liability partnership formed
28 to provide medical services in this state must be licensed pursuant to
29 article 131 of the education law to practice medicine in this state and
30 each partner of a registered limited liability partnership formed to
31 provide dental services in this state must be licensed pursuant to arti-
32 cle 133 of the education law to practice dentistry in this state. Each
33 partner of a registered limited liability partnership formed to provide
34 veterinary services in this state must be licensed pursuant to article
35 135 of the education law to practice veterinary medicine in this state.
36 Each partner of a registered limited liability partnership formed to
37 provide public accountancy services as a firm, whose principal place of
38 business is in this state and who provides public accountancy services,
39 must be licensed pursuant to article 149 of the education law to prac-
40 tice public accountancy in this state. Each partner of a registered
41 limited liability partnership formed to provide professional engineer-
42 ing, land surveying, geological services, architectural and/or landscape
43 architectural services in this state must be licensed pursuant to arti-
44 cle 145, article 147 and/or article 148 of the education law to practice
45 one or more of such professions in this state. Each partner of a regis-
46 tered limited liability partnership formed to provide licensed clinical
47 social work services in this state must be licensed pursuant to article
48 154 of the education law to practice clinical social work in this state.
49 Each partner of a registered limited liability partnership formed to
50 provide creative arts therapy services in this state must be licensed
51 pursuant to article 163 of the education law to practice creative arts
52 therapy in this state. Each partner of a registered limited liability
53 partnership formed to provide marriage and family therapy services in
54 this state must be licensed pursuant to article 163 of the education law
55 to practice marriage and family therapy in this state. Each partner of a
56 registered limited liability partnership formed to provide mental health

1 counseling services in this state must be licensed pursuant to article
2 163 of the education law to practice mental health counseling in this
3 state. Each partner of a registered limited liability partnership formed
4 to provide psychoanalysis services in this state must be licensed pursu-
5 ant to article 163 of the education law to practice psychoanalysis in
6 this state. Each partner of a registered limited liability partnership
7 formed to provide music therapy services in this state must be licensed
8 pursuant to article 163-A of the education law to practice music therapy
9 in this state. Each partner of a registered limited liability partner-
10 ship formed to provide applied behavior analysis service in this state
11 must be licensed or certified pursuant to article 167 of the education
12 law to practice applied behavior analysis in this state. A registered
13 limited liability partnership formed to lawfully engage in the practice
14 of public accountancy as a firm, as such practice is defined under arti-
15 cle 149 of the education law, shall be required to show (1) that a
16 simple majority of the ownership of the firm, in terms of financial
17 interests and voting rights held by the firm's owners, belongs to indi-
18 viduals licensed to practice public accountancy in some state, and (2)
19 that all partners of a limited liability partnership whose principal
20 place of business is in this state, and who are engaged in the practice
21 of public accountancy in this state, hold a valid license issued under
22 section seventy-four hundred four of the education law. For purposes of
23 this subdivision, "financial interest" means capital stock, capital
24 accounts, capital contributions, capital interest, or interest in undis-
25 tributed earnings of a business entity. Although firms registered with
26 the education department may include non-licensee owners, the firm and
27 its owners must comply with rules promulgated by the state board of
28 regents. Notwithstanding the foregoing, a firm registered with the
29 education department may not have non-licensee owners if the firm's name
30 includes the words "certified public accountant," or "certified public
31 accounts," or the abbreviations "CPA" or "CPAs". Each non-licensee owner
32 of a firm that is formed under this section shall be (1) a natural
33 person who actively participates in the business of the firm or its
34 affiliated entities, or (2) an entity, including, but not limited to, a
35 partnership or professional corporation, provided each beneficial owner
36 of an equity interest in such entity is a natural person who actively
37 participates in the business conducted by the firm or its affiliated
38 entities. For purposes of this subdivision, "actively participate" means
39 to provide services to clients or to otherwise individually take part in
40 the day-to-day business or management of the firm or an affiliated enti-
41 ty.

42 § 12. Subdivision (q) of section 121-1502 of the partnership law, as
43 amended by chapter 701 of the laws of 2023, is amended to read as
44 follows:

45 (q) Each partner of a foreign limited liability partnership which
46 provides medical services in this state must be licensed pursuant to
47 article 131 of the education law to practice medicine in the state and
48 each partner of a foreign limited liability partnership which provides
49 dental services in the state must be licensed pursuant to article 133 of
50 the education law to practice dentistry in this state. Each partner of a
51 foreign limited liability partnership which provides veterinary service
52 in the state shall be licensed pursuant to article 135 of the education
53 law to practice veterinary medicine in this state. Each partner of a
54 foreign limited liability partnership which provides professional engi-
55 neering, land surveying, geological services, architectural and/or land-
56 scape architectural services in this state must be licensed pursuant to

1 article 145, article 147 and/or article 148 of the education law to
2 practice one or more of such professions. Each partner of a foreign
3 limited liability partnership formed to provide public accountancy
4 services as a firm, whose principal place of business is in this state
5 and who provides public accountancy services, must be licensed pursuant
6 to article 149 of the education law to practice public accountancy in
7 this state. Each partner of a foreign limited liability partnership
8 which provides licensed clinical social work services in this state must
9 be licensed pursuant to article 154 of the education law to practice
10 licensed clinical social work in this state. Each partner of a foreign
11 limited liability partnership which provides creative arts therapy
12 services in this state must be licensed pursuant to article 163 of the
13 education law to practice creative arts therapy in this state. Each
14 partner of a foreign limited liability partnership which provides
15 marriage and family therapy services in this state must be licensed
16 pursuant to article 163 of the education law to practice marriage and
17 family therapy in this state. Each partner of a foreign limited liabil-
18 ity partnership which provides mental health counseling services in this
19 state must be licensed pursuant to article 163 of the education law to
20 practice mental health counseling in this state. Each partner of a
21 foreign limited liability partnership which provides psychoanalysis
22 services in this state must be licensed pursuant to article 163 of the
23 education law to practice psychoanalysis in this state. Each partner of
24 a registered limited liability partnership formed to provide music ther-
25 apy services in this state must be licensed pursuant to article 163-A of
26 the education law to practice music therapy in this state. Each partner
27 of a foreign limited liability partnership which provides applied behav-
28 ior analysis services in this state must be licensed or certified pursu-
29 ant to article 167 of the education law to practice applied behavior
30 analysis in this state. A foreign limited liability partnership formed
31 to lawfully engage in the practice of public accountancy as a firm, as
32 such practice is defined under article 149 of the education law, shall
33 be required to show (1) that a simple majority of the ownership of the
34 firm, in terms of financial interests and voting rights held by the
35 firm's owners, belongs to individuals licensed to practice public
36 accountancy in some state, and (2) that all partners of the foreign
37 limited liability partnership whose principal place of business is in
38 this state, and who are engaged in the practice of public accountancy in
39 this state, hold a valid license issued under section seventy-four
40 hundred four of the education law. For purposes of this subdivision,
41 "financial interest" means capital stock, capital accounts, capital
42 contributions, capital interest, or interest in undistributed earnings
43 of a business entity. Although firms registered with the education
44 department may include non-licensee owners, a registered firm and its
45 owners must comply with rules promulgated by the state board of regents.
46 Notwithstanding the foregoing, a firm registered with the education
47 department may not have non-licensee owners if the firm's name includes
48 the words "certified public accountant," or "certified public account-
49 ants," or the abbreviations "CPA" or "CPAs". Each non-licensee owner of
50 a firm that is formed under this section shall be (1) a natural person
51 who actively participates in the business of the firm or its affiliated
52 entities, or (2) an entity, including, but not limited to, a partnership
53 or professional corporation, provided that each beneficial owner of an
54 equity interest in such entity is a natural person who actively partic-
55 ipates in the business conducted by the firm or its affiliated entities.
56 For purposes of this subdivision, "actively participate" means to

1 provide services to clients or to otherwise individually take part in
2 the day-to-day business or management of the firm or an affiliated enti-
3 ty.

4 § 13. This act shall take effect twenty-four months after it shall
5 have become a law. Effective immediately the addition, amendment and/or
6 repeal of any rule or regulation necessary for the implementation of
7 this act on its effective date are authorized to be made and completed
8 on or before such date.