

STATE OF NEW YORK

8714

IN SENATE

January 7, 2026

Introduced by Sen. HINCHEY -- 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 limited liability company law, the partnership law and the public health law, in relation to the practice of naturopathy; and to amend the social services law, in relation to the reporting of child abuse

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

1 Section 1. The education law is amended by adding a new article 138 to
2 read as follows:

ARTICLE 138

NATUROPATHIC MEDICINE

Section 6850. Introduction.

6 6851. Definition of the practice of naturopathic medicine.

7 6852. Practice of naturopathic medicine and use of title "Natu-
8 ropathic Doctor".

9 6853. Boundaries of professional competence.

10 6854. State board for naturopathic medicine.

11 6855. Qualifications for licensure.

12 6856. Special provisions.

13 6857. Exempt persons and exemptions.

14 6858. Limited residency permits.

15 6859. Limited permits.

16 6860. Mandatory continuing education.

17 § 6850. Introduction. This article applies to the licensure and regu-
18 lation of naturopathic doctors to practice naturopathic medicine in this
19 state. The general provisions for all professions contained in article
20 one hundred thirty of this title apply to this article.

21 § 6851. Definition of the practice of naturopathic medicine. 1. The
22 practice of naturopathic medicine means a distinct and comprehensive
23 system of primary health care that involves diagnosis, treating, and
24 preventing human health conditions, injuries, and diseases using a range
25 of methods and therapies, including but not limited to, educational,

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

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1 natural medicines and therapies, and manual therapy, to support and
2 stimulate the body's inherent self-healing processes.

3 2. a. In the practice of naturopathic medicine, a naturopathic doctor
4 shall have the authority to practice injection therapy as established by
5 the state board for naturopathic medicine in accordance with the commis-
6 sioner's regulations. For the purposes of this article "injection ther-
7 apy" shall mean administering and prescribing the following medications
8 and other substances by intradermal, subcutaneous, intramuscular,
9 intra-articular and intravenous routes:

10 (i) sterile parenteral products that are chemically identical to
11 substances available without a prescription, limited to vitamins,
12 minerals, amino acids, electrolytes, sugars and diluents;

13 (ii) lidocaine for local infiltration or trigger-point anesthesia, but
14 not regional nerve blocks, neuraxial anesthesia, deep sedation or gener-
15 al anesthesia;

16 (iii) autologous platelet-rich plasma;

17 (iv) drugs authorized in subdivision four of this section; and

18 (v) other substances authorized by the state board for naturopathic
19 medicine in accordance with the commissioner's regulations.

20 b. Nothing in this subdivision authorizes a naturopathic doctor to
21 compound sterile preparations.

22 3. In the practice of naturopathic medicine, a naturopathic doctor may
23 administer and prescribe the following drugs for which a prescription is
24 required under the federal Food, Drug and Cosmetic Act (21 U.S.C. § 301
25 et seq.):

26 a. epinephrine to treat anaphylaxis;

27 b. non-controlled bioidentical endocrine hormones; and

28 c. other drugs authorized by the state board for naturopathic medicine
29 in accordance with the commissioner's regulations.

30 4. In the practice of naturopathic medicine a naturopathic doctor may
31 use medical devices that are exempt or are class i or class ii devices
32 identified under title twenty-one of the code of federal regulations.

33 § 6852. Practice of naturopathic medicine and use of title "Naturopathic
34 Doctor". 1. Only a person licensed under this article may use the
35 title "naturopathic doctor", "licensed naturopath" or "professional
36 naturopath" and hold themselves out as practicing naturopathic medicine.

37 2. No person licensed under this article shall hold themselves out as
38 practicing any other profession regulated by this title, or use a title
39 of any other profession, unless otherwise authorized under this title.

40 § 6853. Boundaries of professional competence. The activities encom-
41 passed within the definition of the practice of naturopathic medicine
42 shall not include:

43 1. administering or prescribing controlled substances;

44 2. diagnostic and therapeutic methods in which bone, viscera, the
45 eyeball, the inner ear, the dorsal body cavity, or the ventral body
46 cavity is penetrated by a physical device;

47 3. surgery as a medical procedure for structurally altering the human
48 body by cutting into live human tissue for the purpose of localized
49 alteration, transportation, or destruction of live human tissue using
50 ionizing radiation or an instrument, such as a laser, scalpel or probe.
51 Nothing in this delimitation of surgery shall preclude injection;

52 4. administering radiological procedures using ionizing radiation
53 above background levels;

54 5. administering or prescribing general or spinal anesthetic drugs;

1 6. obstetric services other than prenatal wellness care and prescrib-
2 ing, ordering, installing, removing or adjusting barrier contraceptive
3 devices;

4 7. acupuncture;

5 8. setting fractures;

6 9. treatment for malignancies other than ancillary therapies provided
7 in collaboration with an oncologist;

8 10. emergency care services for treating injuries or trauma from a
9 serious accident or a violent crime, except as permitted by article
10 thirty of the public health law;

11 11. marital and family therapy, psychoanalysis and creative arts ther-
12 apy; and

13 12. compounding drugs.

14 § 6854. State board for naturopathic medicine. 1. A state board for
15 naturopathic medicine shall be appointed by the board of regents on the
16 recommendation of the commissioner for the purpose of assisting the
17 board of regents and the department on matters of professional licensing
18 and professional conduct in accordance with section sixty-five hundred
19 eight of this title. The board shall be composed of two members of the
20 public who are consumers of naturopathic medicine and not employed by
21 nor practitioners of naturopathic medicine under this article, two
22 licensed physicians who are a doctor of medicine or a doctor of osteopa-
23 thy, and not less than six persons licensed under this article. A
24 naturopathic doctor member of the board shall have been licensed under
25 this article for at least two years prior to being appointed, which two
26 year license requirement is waived for the initial board and replaced
27 with a requirement that the naturopathic doctor obtain a license under
28 this article within one year of appointment or one year of the effective
29 date of this article, whichever comes later. The terms of the first
30 appointed members shall be staggered so that three are appointed for
31 three years, three are appointed for four years, and four are appointed
32 for five years. An executive secretary of the board shall be appointed
33 by the board of regents on the recommendation of the commissioner.

34 2. Examinations selected or prepared by the board pursuant to subdivi-
35 sion two of section sixty-five hundred eight of this title shall conform
36 whenever possible to nationally recognized test development standards
37 and test competencies for naturopathic medicine.

38 § 6855. Qualifications for licensure. To qualify for a license to
39 practice the profession of naturopathic medicine, an applicant shall
40 fulfill the following requirements:

41 1. Application: file an application with the department;

42 2. Education: have received an education, including a doctoral degree
43 in naturopathic medicine, granted on the basis of completion of a
44 program of naturopathic medicine registered with the department or the
45 substantial equivalent thereof, in accordance with the commissioner's
46 regulations;

47 3. Experience: have satisfactorily completed a post-graduate residen-
48 cy program of naturopathic medicine of at least twelve months duration
49 approved by the department, or the substantial equivalent thereof, and
50 in accordance with the commissioner's regulations;

51 4. Examination: pass an examination satisfactory to the board and in
52 accordance with the commissioner's regulations;

53 5. Age: be at least twenty-one years of age;

54 6. Character: be of good moral character as determined by the depart-
55 ment; and

1 7. Fee: pay a fee of three hundred fifty dollars to the department for
2 an initial license and a fee of five hundred dollars for each triennial
3 registration period.

4 § 6856. Special provisions. 1. Post-effective date graduates. A person
5 shall qualify for a license to practice the profession of naturopathic
6 medicine without residency experience, provided that within ten years of
7 the effective date of this article, the person meets the following
8 requirements:

9 a. as per section sixty-eight hundred fifty-five of this article,
10 files an application, meets the education, examination, age and charac-
11 ter requirements, and pays the appropriate fees; and

12 b. establishes proof of practice by : (i) providing satisfactory
13 evidence of practice of naturopathic medicine to the department of not
14 less than three years during the five years preceding the filing of the
15 application; or (ii) practicing under a limited permit in the state for
16 at least two of the three years preceding the filing of the application.

17 2. Pre-nineteen hundred eighty-eight graduates. A person shall qualify
18 for a license to practice the profession of naturopathic medicine with-
19 out residency experience or examination, provided that within ten years
20 of the effective date of this article, the person meets the following
21 requirements:

22 a. as per section sixty-eight hundred fifty-five of this article,
23 files an application, meets the age and character requirements, and pays
24 the appropriate fees; and

25 b. has graduated prior to January first, nineteen hundred eighty-eight
26 from a doctoral degree program of naturopathic medical education from
27 John Bastyr College of Naturopathic Medicine, later renamed Bastyr
28 University, or National College of Naturopathic Medicine, later renamed
29 National University of Natural Medicine; and

30 c. establishes proof of practice by: (i) providing satisfactory
31 evidence of practice of naturopathic medicine to the department of not
32 less than three years during the five years preceding the filing of the
33 application; or (ii) practicing under a limited permit in the state for
34 at least two of the three years preceding the filing of the application.

35 3. Post-nineteen hundred eighty-seven pre-effective date graduates. A
36 person shall qualify for a license to practice the profession of naturo-
37 pathic medicine with or without residency experience, provided that
38 within ten years of the effective date of this article, the person meets
39 the following requirements:

40 a. as per section sixty-eight hundred fifty-five of this article,
41 files an application, meets the age and character requirements, and pays
42 the appropriate fees; and

43 b. have graduated from a doctoral degree program of naturopathic
44 medical education that at the time of graduation was accredited by the
45 council on naturopathic medical education; and

46 c. establish proof of practice by: (i) having successfully completed,
47 no more than three years prior to filing the application, a post-gradu-
48 ate residency program of naturopathic medicine of at least twelve months
49 duration sponsored by an institution approved by the council on naturo-
50 pathic medical education to sponsor residency programs; (ii) providing
51 satisfactory evidence of practice of naturopathic medicine to the
52 department of not less than three years during the five years preceding
53 the filing of the application; or (iii) practicing under a limited
54 permit in the state for at least two of the three years preceding the
55 filing of the application; and

1 d. have passed the naturopathic physicians licensing examinations
2 (NPLEX) administered by the North American board of naturopathic examin-
3 ers.

4 4. The "practice of naturopathic medicine" as used in this section
5 includes the practice of naturopathy or naturopathic medicine in a state
6 or territory of the United States, including New York state, or a Cana-
7 dian province, while maintaining a professional license in naturopathy
8 or naturopathic medicine issued by the same or another state or territo-
9 ry or a Canadian province; and includes practice performed before and
10 after the effective date of this article.

11 § 6857. Exempt persons and exemptions. Nothing contained in this arti-
12 cle shall be construed to affect or prevent the following:

13 1. The practice, conduct, activities or services of any person
14 licensed under this title performed incidental to the practice of the
15 person's profession, provided, however, that no such person may use the
16 title naturopathic doctor nor use the words "naturopathic medicine" to
17 describe such person's services, unless licensed under this article.

18 2. A student, intern or resident from engaging in the practice of
19 naturopathic medicine while participating in the education or experience
20 requirements defined in subdivisions two and three of section sixty-
21 eight hundred fifty-five of this article.

22 3. The practice of naturopathic medicine by a salaried employee of the
23 government of the United States while the individual is engaged in the
24 performance of duties prescribed by the laws and regulations of the
25 United States.

26 4. The domestic care of the sick, disabled or injured by any family
27 member, household member or friend, or person employed primarily in a
28 domestic capacity who does not hold themselves out, or accept employment
29 as a person licensed to practice naturopathic medicine under the
30 provisions of this article.

31 5. The care of the sick when done in connection with the practice of
32 the religious tenets of any church.

33 6. The marketing, sale or use of substances or devices governed by the
34 Federal Food, Drug, and Cosmetic Act that do not require a prescription
35 from a qualified healthcare provider.

36 7. The conduct, activities, or services of individuals, churches,
37 schools, teachers, organizations, or not-for-profit businesses in
38 providing instruction, advice, support, encouragement, or information to
39 individuals, families, and relational groups.

40 8. A person who does not hold himself out to be a licensed naturo-
41 pathic doctor from providing general non-medical applications of air,
42 light, water, food and herbs to the body.

43 § 6858. Limited residency permits. 1. Eligibility: For issuance of a
44 limited residency permit, the applicant shall fulfill the following
45 requirements:

46 a. Application: file an application with the department for a limited
47 residency permit;

48 b. Education: have received an education, including a doctoral degree
49 in naturopathic medicine, granted on the basis of completion of a
50 program of naturopathic medicine registered with the department or the
51 substantial equivalent thereof;

52 c. Acceptance: have been accepted into a post-graduate residency
53 program of naturopathic medicine approved by the department;

54 d. Character: be of good moral character as determined by the depart-
55 ment; and

56 e. Age: be at least twenty-one years of age.

1 2. Limits of practice: All practices under a limited residency permit
2 shall be limited to facilities encompassed by the post-graduate residen-
3 cy program of the permit holder, such as a hospital, an incorporated
4 hospital or clinic, a licensed proprietary hospital, a licensed nursing
5 home, a public health agency, a recognized public or non-public school
6 setting, the office of a licensed naturopathic doctor, the office of a
7 licensed physician, or in the civil service of the state or political
8 subdivision thereof. Practice supervision of a permit holder's practice
9 activities shall be direct supervision by a licensed naturopathic doctor
10 or a licensed physician who is professionally responsible for the
11 performance of the procedure, and is capable of responding to a request
12 for assistance within a timeframe that poses no risk to the patient.

13 3. Duration: A limited residency permit shall be valid for one year
14 and may be renewed at the discretion of the department for up to two
15 years at the discretion of the department.

16 4. Fee: The fee for each limited residency permit shall be one hundred
17 dollars. The fee for each renewal shall be fifty dollars.

18 § 6859. Limited permits. 1. Eligibility: A limited permit is issued
19 for the purpose of permitting an applicant to establish proof of prac-
20 tice for purposes of meeting the requirements for licensure under the
21 special provisions of section sixty-eight hundred fifty-eight of this
22 article. For issuance of a limited permit, the applicant shall fulfill
23 the following requirements:

24 a. Application: file an application with the department for a limited
25 permit within nine years of the effective date of this article;

26 b. Character: be of good moral character as determined by the depart-
27 ment;

28 c. Age: be at least twenty-one years of age; and

29 d. Special provision applicability:

30 (i) meet the education and examination requirements of section sixty-
31 eight hundred fifty-five of this article;

32 (ii) have graduated prior to January first, nineteen hundred eighty-
33 eight from a doctoral degree program of naturopathic medical education
34 from John Bastyr College of Naturopathic Medicine, later renamed Bastyr
35 University, or National College of Naturopathic Medicine, later renamed
36 National University of Natural Medicine; or

37 (iii) have graduated from a doctoral degree program of naturopathic
38 medical education that at the time of graduation was accredited by the
39 council on naturopathic medical education, and have passed the naturo-
40 pathic physicians licensing examinations (NPLEX) administered by the
41 North American board of naturopathic examiners.

42 2. Limit of practice: Such limited permit shall authorize the practice
43 of naturopathic medicine only under the supervision of a licensed natu-
44 ropathic doctor or a licensed physician. Supervision of the limited
45 permit holder's practice activities shall be on-site supervision by a
46 licensed naturopathic doctor or a licensed physician.

47 3. Duration: A limited permit shall be valid for a period of two
48 years, and may be renewed periodically at the discretion of the depart-
49 ment for one year periods.

50 4. Fee: The fee for each limited permit shall be two hundred dollars.
51 The fee for each renewal shall be one hundred dollars.

52 § 6860. Mandatory continuing education. 1. a. Each naturopathic doctor
53 licensed pursuant to this article, required to register triennially with
54 the department to practice in this state shall comply with the
55 provisions of the mandatory continuing education requirements prescribed
56 in subdivision two of this section, except as provided in paragraphs b

1 and c of this subdivision. Naturopathic doctors who do not satisfy the
2 mandatory continuing education requirements shall not practice until
3 they have met such requirements, and they have been issued a registra-
4 tion certificate, except that a naturopathic doctor may practice without
5 having met such requirements if such doctor is issued a conditional
6 registration pursuant to subdivision three of this section.

7 b. Naturopathic doctors shall be exempt from the mandatory continuing
8 education requirement for the triennial registration period during which
9 they are first licensed. In accord with the intent of this section,
10 adjustments to the mandatory continuing education requirements may be
11 granted by the department for reasons of health certified by an appro-
12 priate health care professional, for extended active duty with the armed
13 forces of the United States, or for other good cause acceptable to the
14 department, which may prevent compliance.

15 c. A licensed naturopathic doctor not engaged in professional prac-
16 tice, as determined by the department, shall be exempt from the mandato-
17 ry continuing education requirement upon the filing of a statement with
18 the department declaring such status. Any licensee who returns to the
19 practice of naturopathic medicine during the triennial registration
20 period shall notify the department prior to reentering the profession
21 and shall meet such mandatory education requirements as shall be
22 prescribed by regulations of the commissioner.

23 2. During each triennial registration period an applicant for regis-
24 tration shall complete sixty hours of acceptable formal continuing
25 education. Any licensed naturopathic doctor whose first registration
26 date following the effective date of this section occurs less than three
27 years from such effective date, shall complete continuing education
28 hours on a prorated basis at the rate of one and one-half hours per
29 month for the number of months between the effective date and the first
30 registration date. Thereafter, a licensee who has not satisfied the
31 mandatory continuing education requirements shall not be issued a trien-
32 ennial registration certificate by the department and shall not practice
33 unless and until a conditional registration certificate is issued as
34 provided in subdivision three of this section. Continuing education
35 hours taken during one triennium may not be carried over or otherwise
36 credited or transferred to a subsequent triennium.

37 3. The department, in its discretion, may issue a conditional regis-
38 tration to a licensee who fails to meet the continuing education
39 requirements established in subdivision two of this section but who
40 agrees to make up any deficiencies and take any additional education
41 which the department may require. The fee for such a conditional regis-
42 tration shall be the same as, and in addition to, the fee for the trien-
43 ennial registration. The duration of such conditional registration shall
44 be determined by the department but shall not exceed one year. Any
45 licensee who is notified of the denial of registration for failure to
46 complete the required continued education and who continues to practice
47 naturopathic medicine without such registration, shall be subject to
48 disciplinary proceedings pursuant to section sixty-five hundred ten of
49 this title.

50 4. The mandatory continuing education fee shall be forty-five dollars.
51 Such fee shall be payable on or before the first day of each triennial
52 registration period in addition to the triennial registration fee
53 required by section sixty-eight hundred fifty-five of this article.

54 § 2. Subdivision (a) of section 1203 of the limited liability company
55 law, as amended by chapter 475 of the laws of 2014, is amended to read
56 as follows:

1 (a) Notwithstanding the education law or any other provision of law,
2 one or more professionals each of whom is authorized by law to render a
3 professional service within the state, or one or more professionals, at
4 least one of whom is authorized by law to render a professional service
5 within the state, may form, or cause to be formed, a professional
6 service limited liability company for pecuniary profit under this arti-
7 cle for the purpose of rendering the professional service or services as
8 such professionals are authorized to practice. With respect to a
9 professional service limited liability company formed to provide medical
10 services as such services are defined in article 131 of the education
11 law, each member of such limited liability company must be licensed
12 pursuant to article 131 of the education law to practice medicine in
13 this state. With respect to a professional service limited liability
14 company formed to provide naturopathic services as such services are
15 defined in article 138 of the education law, each member of such limited
16 liability company must be licensed pursuant to article 138 of the educa-
17 tion law to practice naturopathy in this state. With respect to a
18 professional service limited liability company formed to provide dental
19 services as such services are defined in article 133 of the education
20 law, each member of such limited liability company must be licensed
21 pursuant to article 133 of the education law to practice dentistry in
22 this state. With respect to a professional service limited liability
23 company formed to provide veterinary services as such services are
24 defined in article 135 of the education law, each member of such limited
25 liability company must be licensed pursuant to article 135 of the educa-
26 tion law to practice veterinary medicine in this state. With respect to
27 a professional service limited liability company formed to provide
28 professional engineering, land surveying, architectural, landscape
29 architectural and/or geological services as such services are defined in
30 article 145, article 147 and article 148 of the education law, each
31 member of such limited liability company must be licensed pursuant to
32 article 145, article 147 and/or article 148 of the education law to
33 practice one or more of such professions in this state. With respect to
34 a professional service limited liability company formed to provide
35 licensed clinical social work services as such services are defined in
36 article 154 of the education law, each member of such limited liability
37 company shall be licensed pursuant to article 154 of the education law
38 to practice licensed clinical social work in this state. With respect to
39 a professional service limited liability company formed to provide crea-
40 tive arts therapy services as such services are defined in article 163
41 of the education law, each member of such limited liability company must
42 be licensed pursuant to article 163 of the education law to practice
43 creative arts therapy in this state. With respect to a professional
44 service limited liability company formed to provide marriage and family
45 therapy services as such services are defined in article 163 of the
46 education law, each member of such limited liability company must be
47 licensed pursuant to article 163 of the education law to practice
48 marriage and family therapy in this state. With respect to a profes-
49 sional service limited liability company formed to provide mental health
50 counseling services as such services are defined in article 163 of the
51 education law, each member of such limited liability company must be
52 licensed pursuant to article 163 of the education law to practice mental
53 health counseling in this state. With respect to a professional service
54 limited liability company formed to provide psychoanalysis services as
55 such services are defined in article 163 of the education law, each
56 member of such limited liability company must be licensed pursuant to

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

19 § 3. Subdivision (b) of section 1207 of the limited liability company
20 law, as amended by chapter 701 of the laws of 2023, is amended to read
21 as follows:

22 (b) With respect to a professional service limited liability company
23 formed to provide medical services as such services are defined in arti-
24 cle 131 of the education law, each member of such limited liability
25 company must be licensed pursuant to article 131 of the education law to
26 practice medicine in this state. With respect to a professional service
27 limited liability company formed to provide naturopathic services as
28 such services are defined in article 138 of the education law, each
29 member of such limited liability company must be licensed pursuant to
30 article 138 of the education law to practice naturopathy in this state.
31 With respect to a professional service limited liability company formed
32 to provide dental services as such services are defined in article 133
33 of the education law, each member of such limited liability company must
34 be licensed pursuant to article 133 of the education law to practice
35 dentistry in this state. With respect to a professional service limited
36 liability company formed to provide veterinary services as such services
37 are defined in article 135 of the education law, each member of such
38 limited liability company must be licensed pursuant to article 135 of
39 the education law to practice veterinary medicine in this state. With
40 respect to a professional service limited liability company formed to
41 provide professional engineering, land surveying, architectural, land-
42 scape architectural and/or geological services as such services are
43 defined in article 145, article 147 and article 148 of the education
44 law, each member of such limited liability company must be licensed
45 pursuant to article 145, article 147 and/or article 148 of the education
46 law to practice one or more of such professions in this state. With
47 respect to a professional service limited liability company formed to
48 provide public accountancy services as such services are defined in
49 article 149 of the education law each member of such limited liability
50 company whose principal place of business is in this state and who
51 provides public accountancy services, must be licensed pursuant to arti-
52 cle 149 of the education law to practice public accountancy in this
53 state. With respect to a professional service limited liability company
54 formed to provide licensed clinical social work services as such
55 services are defined in article 154 of the education law, each member of
56 such limited liability company shall be licensed pursuant to article 154

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

1 § 4. Subdivision (a) of section 1301 of the limited liability company
2 law, as amended by chapter 701 of the laws of 2023, is amended to read
3 as follows:

4 (a) "Foreign professional service limited liability company" means a
5 professional service limited liability company, whether or not denomi-
6 nated as such, organized under the laws of a jurisdiction other than
7 this state, (i) each of whose members and managers, if any, is a profes-
8 sional authorized by law to render a professional service within this
9 state and who is or has been engaged in the practice of such profession
10 in such professional service limited liability company or a predecessor
11 entity, or will engage in the practice of such profession in the profes-
12 sional service limited liability company within thirty days of the date
13 such professional becomes a member, or each of whose members and manag-
14 ers, if any, is a professional at least one of such members is author-
15 ized by law to render a professional service within this state and who
16 is or has been engaged in the practice of such profession in such
17 professional service limited liability company or a predecessor entity,
18 or will engage in the practice of such profession in the professional
19 service limited liability company within thirty days of the date such
20 professional becomes a member, or (ii) authorized by, or holding a
21 license, certificate, registration or permit issued by the licensing
22 authority pursuant to, the education law to render a professional
23 service within this state; except that all members and managers, if any,
24 of a foreign professional service limited liability company that
25 provides health services in this state shall be licensed in this state.
26 With respect to a foreign professional service limited liability company
27 which provides veterinary services as such services are defined in arti-
28 cle 135 of the education law, each member of such foreign professional
29 service limited liability company shall be licensed pursuant to article
30 135 of the education law to practice veterinary medicine. With respect
31 to a professional service limited liability company formed to provide
32 naturopathic services as such services are defined in article 138 of the
33 education law, each member of such limited liability company must be
34 licensed pursuant to article 138 of the education law to practice natu-
35 ropathy in this state. With respect to a foreign professional service
36 limited liability company which provides medical services as such
37 services are defined in article 131 of the education law, each member of
38 such foreign professional service limited liability company must be
39 licensed pursuant to article 131 of the education law to practice medi-
40 cine in this state. With respect to a foreign professional service
41 limited liability company which provides dental services as such
42 services are defined in article 133 of the education law, each member of
43 such foreign professional service limited liability company must be
44 licensed pursuant to article 133 of the education law to practice
45 dentistry in this state. With respect to a foreign professional service
46 limited liability company which provides professional engineering, land
47 surveying, geologic, architectural and/or landscape architectural
48 services as such services are defined in article 145, article 147 and
49 article 148 of the education law, each member of such foreign profes-
50 sional service limited liability company must be licensed pursuant to
51 article 145, article 147 and/or article 148 of the education law to
52 practice one or more of such professions in this state. With respect to
53 a foreign professional service limited liability company which provides
54 public accountancy services as such services are defined in article 149
55 of the education law, each member of such foreign professional service
56 limited liability company whose principal place of business is in this

1 state and who provides public accountancy services, shall be licensed
2 pursuant to article 149 of the education law to practice public accoun-
3 tancy in this state. With respect to a foreign professional service
4 limited liability company which provides licensed clinical social work
5 services as such services are defined in article 154 of the education
6 law, each member of such foreign professional service limited liability
7 company shall be licensed pursuant to article 154 of the education law
8 to practice clinical social work in this state. With respect to a
9 foreign professional service limited liability company which provides
10 creative arts therapy services as such services are defined in article
11 163 of the education law, each member of such foreign professional
12 service limited liability company must be licensed pursuant to article
13 163 of the education law to practice creative arts therapy in this
14 state. With respect to a foreign professional service limited liability
15 company which provides marriage and family therapy services as such
16 services are defined in article 163 of the education law, each member of
17 such foreign professional service limited liability company must be
18 licensed pursuant to article 163 of the education law to practice
19 marriage and family therapy in this state. With respect to a foreign
20 professional service limited liability company which provides mental
21 health counseling services as such services are defined in article 163
22 of the education law, each member of such foreign professional service
23 limited liability company must be licensed pursuant to article 163 of
24 the education law to practice mental health counseling in this state.
25 With respect to a foreign professional service limited liability company
26 which provides psychoanalysis services as such services are defined in
27 article 163 of the education law, each member of such foreign profes-
28 sional service limited liability company must be licensed pursuant to
29 article 163 of the education law to practice psychoanalysis in this
30 state. With respect to a foreign professional service limited liability
31 company which provides applied behavior analysis services as such
32 services are defined in article 167 of the education law, each member of
33 such foreign professional service limited liability company must be
34 licensed or certified pursuant to article 167 of the education law to
35 practice applied behavior analysis in this state. A foreign professional
36 service limited liability company formed to lawfully engage in the prac-
37 tice of public accountancy as a firm, as such practice is defined under
38 article 149 of the education law shall be required to show (1) that a
39 simple majority of the ownership of the firm, in terms of financial
40 interests and voting rights held by the firm's owners, belongs to indi-
41 viduals licensed to practice public accountancy in some state, and (2)
42 that all members of a foreign limited professional service limited
43 liability company, whose principal place of business is in this state,
44 and who are engaged in the practice of public accountancy in this state,
45 hold a valid license issued under section seventy-four hundred four of
46 the education law. For purposes of this subdivision, "financial inter-
47 est" means capital stock, capital accounts, capital contributions, capi-
48 tal interest, or interest in undistributed earnings of a business enti-
49 ty. Although firms registered with the education department may include
50 non-licensee owners, a registered firm and its owners must comply with
51 rules promulgated by the state board of regents. Notwithstanding the
52 foregoing, a firm registered with the education department may not have
53 non-licensee owners if the firm's name includes the words "certified
54 public accountant," or "certified public accountants," or the abbrevi-
55 ations "CPA" or "CPAs". Each non-licensee owner of a firm that is regis-
56 tered under this section shall be (1) a natural person who actively

1 participates in the business of the firm or its affiliated entities, or
2 (2) an entity, including, but not limited to, a partnership or profes-
3 sional corporation, provided each beneficial owner of an equity interest
4 in such entity is a natural person who actively participates in the
5 business conducted by the firm or its affiliated entities. For purposes
6 of this subdivision, "actively participate" means to provide services to
7 clients or to otherwise individually take part in the day-to-day busi-
8 ness or management of the firm or an affiliated entity.

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

12 (q) Each partner of a registered limited liability partnership formed
13 to provide medical services in this state must be licensed pursuant to
14 article 131 of the education law to practice medicine in this state and
15 each partner of a registered limited liability partnership formed to
16 provide dental services in this state must be licensed pursuant to arti-
17 cle 133 of the education law to practice dentistry in this state. Each
18 partner of a registered limited liability partnership formed to provide
19 naturopathic services in this state must be licensed pursuant to article
20 138 of the education law to practice naturopathy 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 public accountancy services as a firm, whose principal place of
29 business is in this state and who provides public accountancy services,
30 must be licensed pursuant to article 149 of the education law to prac-
31 tice public accountancy in this state. Each partner of a registered
32 limited liability partnership formed to provide professional engineer-
33 ing, land surveying, geological services, architectural and/or landscape
34 architectural services in this state must be licensed pursuant to arti-
35 cle 145, article 147 and/or article 148 of the education law to practice
36 one or more of such professions in this state. Each partner of a regis-
37 tered limited liability partnership formed to provide licensed clinical
38 social work services in this state must be licensed pursuant to article
39 154 of the education law to practice clinical social work in this state.
40 Each partner of a registered limited liability partnership formed to
41 provide creative arts therapy services in this state must be licensed
42 pursuant to article 163 of the education law to practice creative arts
43 therapy in this state. Each partner of a registered limited liability
44 partnership formed to provide marriage and family therapy services in
45 this state must be licensed pursuant to article 163 of the education law
46 to practice marriage and family therapy in this state. Each partner of a
47 registered limited liability partnership formed to provide mental health
48 counseling services in this state must be licensed pursuant to article
49 163 of the education law to practice mental health counseling in this
50 state. Each partner of a registered limited liability partnership formed
51 to provide psychoanalysis services in this state must be licensed pursu-
52 ant to article 163 of the education law to practice psychoanalysis in
53 this state. Each partner of a registered limited liability partnership
54 formed to provide applied behavior analysis service in this state must
55 be licensed or certified pursuant to article 167 of the education law to
56 practice applied behavior analysis in this state. A registered limited

1 liability partnership formed to lawfully engage in the practice of
2 public accountancy as a firm, as such practice is defined under article
3 149 of the education law, shall be required to show (1) that a simple
4 majority of the ownership of the firm, in terms of financial interests
5 and voting rights held by the firm's owners, belongs to individuals
6 licensed to practice public accountancy in some state, and (2) that all
7 partners of a limited liability partnership whose principal place of
8 business is in this state, and who are engaged in the practice of public
9 accountancy in this state, hold a valid license issued under section
10 seventy-four hundred four of the education law. For purposes of this
11 subdivision, "financial interest" means capital stock, capital accounts,
12 capital contributions, capital interest, or interest in undistributed
13 earnings of a business entity. Although firms registered with the educa-
14 tion department may include non-licensee owners, the firm and its owners
15 must comply with rules promulgated by the state board of regents.
16 Notwithstanding the foregoing, a firm registered with the education
17 department may not have non-licensee owners if the firm's name includes
18 the words "certified public accountant," or "certified public accounts,"
19 or the abbreviations "CPA" or "CPAs". Each non-licensee owner of a firm
20 that is formed under this section shall be (1) a natural person who
21 actively participates in the business of the firm or its affiliated
22 entities, or (2) an entity, including, but not limited to, a partnership
23 or professional corporation, provided each beneficial owner of an equity
24 interest in such entity is a natural person who actively participates in
25 the business conducted by the firm or its affiliated entities. For
26 purposes of this subdivision, "actively participate" means to provide
27 services to clients or to otherwise individually take part in the day-
28 to-day business or management of the firm or an affiliated entity.

29 § 6. Subdivision (q) of section 121-1502 of the partnership law, as
30 amended by chapter 701 of the laws of 2023, is amended to read as
31 follows:

32 (q) Each partner of a foreign limited liability partnership which
33 provides medical services in this state must be licensed pursuant to
34 article 131 of the education law to practice medicine in the state and
35 each partner of a foreign limited liability partnership which provides
36 dental services in the state must be licensed pursuant to article 133 of
37 the education law to practice dentistry in this state. Each partner of
38 a foreign limited liability partnership which provides naturopathic
39 services in this state must be licensed pursuant to article 138 of the
40 education law to practice naturopathy in this state. Each partner of a
41 foreign limited liability partnership which provides veterinary service
42 in the state shall be licensed pursuant to article 135 of the education
43 law to practice veterinary medicine in this state. Each partner of a
44 foreign limited liability partnership which provides professional engi-
45 neering, land surveying, geological services, architectural and/or land-
46 scape architectural services in this state must be licensed pursuant to
47 article 145, article 147 and/or article 148 of the education law to
48 practice one or more of such professions. Each partner of a foreign
49 limited liability partnership formed to provide public accountancy
50 services as a firm, whose principal place of business is in this state
51 and who provides public accountancy services, must be licensed pursuant
52 to article 149 of the education law to practice public accountancy in
53 this state. Each partner of a foreign limited liability partnership
54 which provides licensed clinical social work services in this state must
55 be licensed pursuant to article 154 of the education law to practice
56 licensed clinical social work in this state. Each partner of a foreign

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

47 § 7. Paragraph (a) of subdivision 1 of section 413 of the social
48 services law, as amended by section 7 of part C of chapter 57 of the
49 laws of 2018, is amended to read as follows:

50 (a) The following persons and officials are required to report or
51 cause a report to be made in accordance with this title when they have
52 reasonable cause to suspect that a child coming before them in their
53 professional or official capacity is an abused or maltreated child, or
54 when they have reasonable cause to suspect that a child is an abused or
55 maltreated child where the parent, guardian, custodian or other person
56 legally responsible for such child comes before them in their profes-

1 sional or official capacity and states from personal knowledge facts,
2 conditions or circumstances which, if correct, would render the child an
3 abused or maltreated child: any physician; registered physician assist-
4 ant; surgeon; medical examiner; coroner; dentist; dental hygienist;
5 osteopath; optometrist; chiropractor; podiatrist; naturopathic doctor;
6 resident; intern; psychologist; registered nurse; social worker; emer-
7 gency medical technician; licensed creative arts therapist; licensed
8 marriage and family therapist; licensed mental health counselor;
9 licensed psychoanalyst; licensed behavior analyst; certified behavior
10 analyst assistant; hospital personnel engaged in the admission, examina-
11 tion, care or treatment of persons; a Christian Science practitioner;
12 school official, which includes but is not limited to school teacher,
13 school guidance counselor, school psychologist, school social worker,
14 school nurse, school administrator or other school personnel required to
15 hold a teaching or administrative license or certificate; full or part-
16 time compensated school employee required to hold a temporary coaching
17 license or professional coaching certificate; social services worker;
18 employee of a publicly-funded emergency shelter for families with chil-
19 dren; director of a children's overnight camp, summer day camp or trav-
20 eling summer day camp, as such camps are defined in section thirteen
21 hundred ninety-two of the public health law; day care center worker;
22 school-age child care worker; provider of family or group family day
23 care; employee or volunteer in a residential care facility for children
24 that is licensed, certified or operated by the office of children and
25 family services; or any other child care or foster care worker; mental
26 health professional; substance abuse counselor; alcoholism counselor;
27 all persons credentialed by the office of [~~alcoholism and substance~~
28 ~~abuse~~] addiction services and supports; employees, who are expected to
29 have regular and substantial contact with children, of a health home or
30 health home care management agency contracting with a health home as
31 designated by the department of health and authorized under section
32 three hundred sixty-five-1 of this chapter or such employees who provide
33 home and community based services under a demonstration program pursuant
34 to section eleven hundred fifteen of the federal social security act who
35 are expected to have regular and substantial contact with children;
36 peace officer; police officer; district attorney or assistant district
37 attorney; investigator employed in the office of a district attorney; or
38 other law enforcement official.

39 § 7-a. Paragraph (a) of subdivision 1 of section 413 of the social
40 services law, as amended by chapter 733 of the laws of 2023, is amended
41 to read as follows:

42 (a) The following persons and officials are required to report or
43 cause a report to be made in accordance with this title when they have
44 reasonable cause to suspect that a child coming before them in their
45 professional or official capacity is an abused or maltreated child, or
46 when they have reasonable cause to suspect that a child is an abused or
47 maltreated child where the parent, guardian, custodian or other person
48 legally responsible for such child comes before them in their profes-
49 sional or official capacity and states from personal knowledge facts,
50 conditions or circumstances which, if correct, would render the child an
51 abused or maltreated child: any physician; registered physician assist-
52 ant; surgeon; medical examiner; coroner; dentist; dental hygienist;
53 osteopath; optometrist; chiropractor; podiatrist; naturopathic doctor;
54 resident; intern; athletic trainer; psychologist; registered nurse;
55 social worker; emergency medical technician; licensed creative arts
56 therapist; licensed marriage and family therapist; licensed mental

1 health counselor; licensed psychoanalyst; licensed behavior analyst;
2 certified behavior analyst assistant; hospital personnel engaged in the
3 admission, examination, care or treatment of persons; a Christian
4 Science practitioner; school official, which includes but is not limited
5 to school teacher, school guidance counselor, school psychologist,
6 school social worker, school nurse, school administrator or other school
7 personnel required to hold a teaching or administrative license or
8 certificate; full or part-time compensated school employee required to
9 hold a temporary coaching license or professional coaching certificate;
10 social services worker; employee of a publicly-funded emergency shelter
11 for families with children; director of a children's overnight camp,
12 summer day camp or traveling summer day camp, as such camps are defined
13 in section thirteen hundred ninety-two of the public health law; day
14 care center worker; school-age child care worker; provider of family or
15 group family day care; employee or volunteer in a residential care
16 facility for children that is licensed, certified or operated by the
17 office of children and family services; or any other child care or
18 foster care worker; mental health professional; substance abuse counse-
19 lor; alcoholism counselor; all persons credentialed by the office of
20 [~~alcoholism and substance abuse~~] addiction services and supports;
21 employees, who are expected to have regular and substantial contact with
22 children, of a health home or health home care management agency
23 contracting with a health home as designated by the department of health
24 and authorized under section three hundred sixty-five-1 of this chapter
25 or such employees who provide home and community based services under a
26 demonstration program pursuant to section eleven hundred fifteen of the
27 federal social security act who are expected to have regular and
28 substantial contact with children; peace officer; police officer;
29 district attorney or assistant district attorney; investigator employed
30 in the office of a district attorney; or other law enforcement official.

31 § 8. Subdivision 6 of section 571 of the public health law, as amended
32 by section 1 of part C of chapter 57 of the laws of 2022, is amended to
33 read as follows:

34 6. "Qualified health care professional" means a physician, dentist,
35 podiatrist, naturopathic doctor, optometrist performing a clinical labo-
36 ratory test that does not use an invasive modality as defined in section
37 seventy-one hundred one of the education law, pharmacist administering
38 COVID-19 and influenza tests pursuant to subdivision seven of section
39 sixty-eight hundred one of the education law, physician assistant,
40 specialist assistant, nurse practitioner, or midwife, who is licensed
41 and registered with the state education department.

42 § 8-a. Subdivision 6 of section 571 of the public health law, as
43 amended by chapter 444 of the laws of 2013, is amended to read as
44 follows:

45 6. "Qualified health care professional" means a physician, dentist,
46 podiatrist, naturopathic doctor, optometrist performing a clinical labo-
47 ratory test that does not use an invasive modality as defined in section
48 seventy-one hundred one of the education law, physician assistant,
49 specialist assistant, nurse practitioner, or midwife, who is licensed
50 and registered with the state education department.

51 § 9. Subdivision 1 of section 585 of the public health law, as added
52 by chapter 803 of the laws of 1992, is amended to read as follows:

53 1. "Health services purveyor" means any person, firm, partnership,
54 group, association, corporation or professional corporation, or any
55 agent, employee, fiduciary, employer or representative thereof, includ-
56 ing but not limited to a physician, dentist, podiatrist, naturopathic

1 doctor or chiropractor, either in individual practice, group practice or
2 employed in a facility owned by any person, group, association, firm,
3 partnership or corporation hiring any of the aforementioned practition-
4 ers, who provide health or health related services.

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

7 4. The practice, conduct, activities, or services by any person
8 licensed or otherwise authorized to practice nursing as a registered
9 professional nurse or nurse practitioner within the state pursuant to
10 article one hundred thirty-nine of this title, or by any person licensed
11 to practice naturopathic medicine within the state pursuant to article
12 one hundred thirty-eight of this title or by any person licensed or
13 otherwise authorized to practice social work within the state pursuant
14 to article one hundred fifty-four of this title, or by any person
15 licensed or otherwise authorized to practice mental health counseling,
16 marriage and family therapy, creative arts therapy, or psychoanalysis
17 within the state pursuant to article one hundred sixty-three of this
18 title, or any person licensed or otherwise authorized to practice
19 applied behavior analysis within the state pursuant to article one
20 hundred sixty-seven of this title or any individual who is credentialed
21 under any law, including attorneys, rape crisis counselors, certified
22 alcoholism counselors, and certified substance abuse counselors from
23 providing mental health services within their respective established
24 authorities.

25 § 11. Subdivision 1 of section 8410 of the education law, as amended
26 by chapter 554 of the laws of 2013, is amended to read as follows:

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

51 § 12. Subdivision 1 of section 7805 of the education law, as amended
52 by chapter 230 of the laws of 1997, is amended to read as follows:

53 1. The practice of massage therapy by any person who is authorized to
54 practice medicine, nursing, osteopathy, naturopathic medicine, physioth-
55 erapy, chiropractic, or podiatry in accordance with the provisions of
56 this title.

1 § 13. Subdivision 1 of section 579 of the public health law, as
2 amended by chapter 376 of the laws of 2015, is amended to read as
3 follows:

4 1. This title is applicable to all clinical laboratories and blood
5 banks operating within the state, except clinical laboratories and blood
6 banks operated by the federal government and clinical laboratories oper-
7 ated by a licensed physician, osteopath, dentist, midwife, nurse practi-
8 tioner, naturopathic doctor solely as an adjunct to the treatment of
9 such person's own patients, optometrist performing a clinical laboratory
10 test that does not use an invasive modality as defined in section seven-
11 ty-one hundred one of the education law or podiatrist who performs labo-
12 ratory tests or procedures, personally or through [~~his or her~~] such
13 person's employees, solely as an adjunct to the treatment of [~~his or~~
14 ~~her~~] such person's own patients; to the extent authorized by federal and
15 state law, including the education law.

16 § 14. This act shall take effect on the five hundred fortieth day
17 after it shall have become a law; provided, however, that the amendments
18 to paragraph (a) of subdivision 1 of section 413 of the social services
19 law made by section seven-a of this act shall take effect on the later
20 of the effective date of this act or the date section 12 of chapter 733
21 of the laws of 2023 takes effect; and provided further, that the amend-
22 ments to subdivision 6 of section 571 of the public health law made by
23 section eight of this act shall be subject to the expiration and rever-
24 sion of such subdivision pursuant to section 8 of part C of chapter 57
25 of the laws of 2022, as amended, when upon such date the provisions of
26 section eight-a of this act shall take effect. Effective immediately,
27 the addition, amendment and/or repeal of any rule or regulation neces-
28 sary for the implementation of this act on its effective date are
29 authorized to be made and completed on or before such effective date.