

# STATE OF NEW YORK

2190

2025-2026 Regular Sessions

## IN ASSEMBLY

January 15, 2025

Introduced by M. of A. LUPARDO, WILLIAMS, COOK, HYNDMAN, BENEDETTO, STECK, EPSTEIN, DE LOS SANTOS, STIRPE, SIMONE, BURDICK, DURSO, BENDETT, SEAWRIGHT, FORREST -- Multi-Sponsored by -- M. of A. BARCLAY, BLANKENBUSH, BRABENEC, COLTON, DAVILA, DINOWITZ, HAWLEY, HEVESI, HUNTER, KIM, LAVINE, MORINELLO, PAULIN, PEOPLES-STOKES, ROSENTHAL, SIMON, WEPRIN -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, the social services law, the limited liability company law and the partnership law, in relation to the licensing of vision impairment specialists; and providing for the repeal of certain provisions upon expiration thereof

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

1 Section 1. The education law is amended by adding a new article 169 to  
2 read as follows:

### ARTICLE 169

#### VISION IMPAIRMENT SPECIALISTS

##### Section 8900. Introduction.

##### 8901. Definitions.

##### 8902. Use of titles.

##### 8903. State board for vision impairment specialists.

##### 8904. Requirements for a license with a specialization as an orientation and mobility specialist.

##### 8905. Requirements for a license with a specialization as a vision rehabilitation therapist.

##### 8906. Limited permits.

##### 8907. Exempt persons.

##### 8908. Special provisions.

##### 8909. Separability.

17 § 8900. Introduction. This article applies to the profession of vision  
18 impairment specialists, and provides for the licensing of orientation  
19 and mobility specialists and vision rehabilitation therapists. The  
20 general provisions for all professions contained in article one hundred  
21 thirty of this title shall apply to this article.

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

LBD00914-01-5

1 § 8901. Definitions. For purposes of this article, the following terms  
2 shall have the following meanings:

3 1. The practice of "vision impairment specialist" shall mean providing  
4 assessment and evaluation of, and training for, persons who are visually  
5 impaired when such assessment, evaluation and training incorporates the  
6 full range of specialized skills and tasks subsumed in the specializa-  
7 tions of the profession defined in this section as: (a) orientation and  
8 mobility training, and (b) vision rehabilitation therapy. Such services  
9 shall be rendered on the prescription or referral which may be directive  
10 as to treatment by a licensed physician, nurse practitioner, ophthalmol-  
11 ogist or optometrist, provided however that no such treatment directive  
12 and low vision examination shall be required when the person being  
13 referred has been diagnosed within the previous twelve months as visual-  
14 ly impaired, blind or legally blind as those terms are defined in subdi-  
15 vision six of this section and such services are being rendered consist-  
16 ent with that diagnosis, prescription or referral. Vision rehabilitation  
17 therapists, and orientation and mobility specialists may not prescribe  
18 optical low vision devices.

19 2. The practice of "vision impairment specialist" shall mean one who  
20 specializes in orientation and mobility training and/or vision rehabili-  
21 tation therapy.

22 3. The practice of "orientation and mobility training" shall mean:

23 (a) the assessment of individual needs of persons who are visually  
24 impaired for skills training in methods of safe movement and in strate-  
25 gies to gather required environmental and spatial information; (b) the  
26 development of appropriate integrated service plans tailored to meet  
27 such individual needs as identified in such assessment process; (c) the  
28 provision of training in, and utilization of (i) equipment and adaptive  
29 devices intended and designed for use by persons who are visually  
30 impaired, and (ii) specialized techniques adapted for persons who are  
31 visually impaired, including but not limited to orientation; sensory  
32 development; systems of safe movement, including long cane techniques;  
33 resource identification and, as appropriate, professional referrals;  
34 and, in applied settings, reinforcing instruction for the use of optical  
35 devices as prescribed by optometrists and ophthalmologists; and (d) the  
36 evaluation of clients receiving such specialized training.

37 4. The practice of "vision rehabilitation therapy" shall mean: (a) the  
38 assessment of individual needs of persons who are visually impaired for  
39 skills training in independent living and communications; (b) the devel-  
40 opment of appropriate integrated service plans tailored to meet such  
41 individual needs as identified in such assessment process; (c) the  
42 provision of training in, and utilization of (i) equipment and adaptive  
43 devices intended and designed for use by persons who are visually  
44 impaired, including, in applied settings, reinforcing instruction for  
45 the use of optical devices as prescribed by optometrists or ophthalmolo-  
46 gists, and (ii) specialized techniques adapted for persons who are visu-  
47 ally impaired, including but not limited to Braille and other communi-  
48 cation skills; adapted computer technology; personal management skills;  
49 home management skills; problem solving skills; resource management and,  
50 as appropriate, professional referrals; and (d) the evaluation of  
51 persons receiving such specialized training.

52 5. "Applied settings" means those locations where persons who are  
53 visually impaired engage in day-to-day activities utilizing the tools  
54 supplied and techniques taught by the licensed practitioners defined in  
55 this article.

1 6. "Visually impaired" means a person who is totally blind, legally  
2 blind or partially sighted. A person who is totally blind is one who has  
3 no useable vision. A person who is legally blind is one who satisfies  
4 the definition set forth in subdivision b of section three of chapter  
5 four hundred fifteen of the laws of nineteen hundred thirteen. A person  
6 who is partially sighted is one who has functional vision impairment  
7 that constitutes a significant limitation of visual capability resulting  
8 from disease, trauma, or congenital condition, that cannot be fully  
9 ameliorated by standard refractive correction, medication, or surgery,  
10 and that is manifested by one or more of the following: insufficient  
11 visual resolution, inadequate field of vision or reduced peak contrast  
12 sensitivity.

13 7. "Board" shall mean the state board for vision impairment special-  
14 ists as provided for in section eighty-nine hundred three of this arti-  
15 cle.

16 § 8902. Use of titles. Only a person licensed or otherwise authorized  
17 under this article shall be authorized to practice as a vision impair-  
18 ment specialist or use the title "licensed orientation and mobility  
19 specialist" or "licensed vision rehabilitation therapist" in connection  
20 with their name or with any trade name in the conduct of their profes-  
21 sion.

22 § 8903. State board for vision impairment specialists. A state board  
23 for vision impairment specialists shall be appointed by the board of  
24 regents upon the recommendation of the commissioner for the purpose of  
25 assisting the board of regents and the department on matters of profes-  
26 sional licensing and professional conduct in accordance with section  
27 sixty-five hundred eight of this title. The board shall consist of not  
28 less than nine individuals, two of whom shall be licensed orientation  
29 and mobility specialists, two of whom shall be licensed vision rehabili-  
30 tation therapists, one ophthalmologist, one optometrist, one public  
31 representative as defined in paragraph b of subdivision one of section  
32 sixty-five hundred eight of this title and two of whom shall be blind  
33 representatives of the public at large whose names will be placed in  
34 nomination for the board from organizations of the blind or visually  
35 impaired. Members of the initial board need not be licensed or certified  
36 prior to their appointment to the board, so long as they are certified  
37 by a national certifying or accrediting board, acceptable to the depart-  
38 ment. Of the members first appointed, two shall be appointed for a  
39 three-year term, three shall be appointed for a four-year term, and  
40 three shall be appointed for a five-year term. Thereafter all members  
41 shall serve for five-year terms. In the event that more than eight  
42 members are appointed, a majority of the additional members shall be  
43 licensed orientation and mobility specialists and licensed vision reha-  
44 bilitation therapists. The members of the board shall select one of  
45 themselves as chair to serve for a one-year term. An executive secretary  
46 shall be appointed by the board of regents upon the recommendation of  
47 the commissioner.

48 § 8904. Requirements for a license with a specialization as an orien-  
49 tation and mobility specialist. To qualify for a license as an orien-  
50 tation and mobility specialist, an applicant shall fulfill the following  
51 requirements:

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

53 2. Education: have satisfactorily completed an approved curriculum in  
54 orientation and mobility services including visual disabilities, vision  
55 education, vision impairment or other equivalent program in a baccalau-

1 reate or graduate level program or a foreign equivalent, satisfactory to  
2 the department and in accordance with the commissioner's regulations;

3 3. Examination: pass an examination satisfactory to the department in  
4 accordance with the commissioner's regulations;

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

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

8 6. Registration: all licensed orientation and mobility specialists  
9 shall register triennially with the department in accordance with the  
10 commissioner's regulation.

11 7. Fee: a fee of two hundred dollars for an initial license and a fee  
12 of one hundred fifty dollars for each triennial registration period.

13 § 8905. Requirements for a license with a specialization as a vision  
14 rehabilitation therapist. To qualify for a license as a vision rehabili-  
15 tation therapist an applicant shall fulfill the following requirements:

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

17 2. Education: have satisfactorily completed an approved curriculum in  
18 vision rehabilitation therapy including visual disabilities, vision  
19 education, vision impairment or other equivalent program in a baccalau-  
20 reate or graduate level program, or a foreign equivalent, satisfactory  
21 to the department and in accordance with the commissioner's regulations;

22 3. Examination: pass an examination satisfactory to the department in  
23 accordance with the commissioner's regulations;

24 4. Age: be at least twenty-one years of age;

25 5. Character: be of good moral character as determined by the depart-  
26 ment; and

27 6. Registration: all licensed vision rehabilitation therapists shall  
28 register triennially with the department in accordance with the commis-  
29 sioner's regulations.

30 7. Fee: a fee of two hundred dollars for an initial license and a fee  
31 of one hundred fifty dollars for each triennial registration period.

32 § 8906. Limited permits. The following requirements for a limited  
33 permit shall apply to all professions licensed or certified pursuant to  
34 this article:

35 1. On the recommendation of the board, the department may issue a  
36 limited permit to an applicant who meets the education requirements for  
37 licensure, except the examination and/or experience requirements, in  
38 accordance with regulations promulgated therefor.

39 2. Limited permits shall be for one year and may be renewed, at the  
40 discretion of the department, for one additional year.

41 3. The fee for each limited permit and for each renewal shall be  
42 seventy dollars.

43 4. A limited permit holder shall practice only under supervision as  
44 determined in accordance with the commissioner's regulations.

45 § 8907. Exempt persons. This article shall not be construed to affect  
46 or prevent the following, provided that no title, sign, card or device  
47 shall be used in such manner as to tend to convey the impression that  
48 the person rendering such service is a licensed vision impairment  
49 specialist:

50 1. The practice of licensed vision impairment specialist as an inte-  
51 gral part of a program of study by students enrolled in approved educa-  
52 tional or training programs in (a) orientation and mobility training or  
53 (b) vision rehabilitation therapy.

54 2. Nothing contained in this article shall be construed to limit the  
55 scopes of practice of any other profession licensed under this title;  
56 provided, however, that such practitioners may not hold themselves out

1 under the titles "licensed vision impairment specialist", and/or  
2 "licensed vision impairment specialist with a specialization in orien-  
3 tation and mobility", and/or "licensed vision impairment specialist with  
4 a specialization in vision rehabilitation therapy".

5 3. Nothing in this article shall be construed as prohibiting a person  
6 from performing the duties of a licensed vision impairment specialist,  
7 in the course of such employment, if such person is employed by a feder-  
8 al, state, county, town, city or village agency or other political  
9 subdivision except that this exception from licensure shall not apply to  
10 persons employed by institutions regulated primarily by the education  
11 department.

12 4. This article shall not be construed to prohibit care delivered by  
13 any family member, household member or friend, or person employed prima-  
14 rily in a domestic capacity who does not hold themself out, or accept  
15 employment, as a person licensed to practice as a vision impairment  
16 specialist under the provisions of this article; provided, however, that  
17 if such person is remunerated, the person does not hold themself out as  
18 one who accepts employment for performing such care.

19 5. The instruction in the use of a dog guide.

20 6. Nothing in this article shall be construed as prohibiting a  
21 licensed teacher of the visually impaired from performing any of the  
22 duties, tasks or responsibilities within that scope of practice.

23 7. The instruction in the use of Braille.

24 § 8908. Special provisions. An individual who meets the requirements  
25 for a license as a licensed vision impairment specialist with a special-  
26 ization in orientation and mobility and/or vision rehabilitation, except  
27 for examination, experience and education, and who is certified or  
28 registered by a national certifying body having certification or regis-  
29 tration standards acceptable to the commissioner, or an individual who  
30 has worked as a vision impairment specialist focused on vision rehabili-  
31 tation therapy and/or orientation and mobility in a workplace setting  
32 which is primarily devoted to the treatment of individuals with vision  
33 loss and blindness for at least three years, may be licensed, without  
34 meeting additional requirements as to examination, experience and educa-  
35 tion, provided that such individual submits an application to the  
36 department within three years of the effective date of this section.

37 § 8909. Separability. If any section of this article, or part thereof,  
38 shall be adjudged by any court of competent jurisdiction to be invalid,  
39 such judgment shall not affect, impair or invalidate the remainder of  
40 any other section or part thereof.

41 § 2. Subparagraph (i) of paragraph a of subdivision 1 of section  
42 6503-a of the education law, as amended by chapter 554 of the laws of  
43 2013, is amended to read as follows:

44 (i) services provided under article one hundred fifty-four, one  
45 hundred sixty-three [e\*], one hundred sixty-seven or article one hundred  
46 sixty-nine of this title for which licensure would be required, or

47 § 3. Paragraph a of subdivision 3 of section 6507 of the education  
48 law, as amended by chapter 479 of the laws of 2022, is amended to read  
49 as follows:

50 a. Establish standards for preprofessional and professional education,  
51 experience and licensing examinations as required to implement the arti-  
52 cle for each profession. Notwithstanding any other provision of law, the  
53 commissioner shall establish standards requiring that all persons apply-  
54 ing, on or after January first, nineteen hundred ninety-one, initially,  
55 or for the renewal of, a license, registration or limited permit to be a  
56 physician, chiropractor, dentist, registered nurse, podiatrist, optome-

1 trist, psychiatrist, psychologist, licensed master social worker,  
2 licensed clinical social worker, licensed creative arts therapist,  
3 licensed marriage and family therapist, licensed mental health counse-  
4 lor, licensed psychoanalyst, dental hygienist, licensed behavior  
5 analyst, [~~or~~] certified behavior analyst assistant, or licensed vision  
6 impairment specialist shall, in addition to all the other licensure,  
7 certification or permit requirements, have completed two hours of  
8 coursework or training regarding the identification and reporting of  
9 child abuse and maltreatment. The coursework or training shall be  
10 obtained from an institution or provider which has been approved by the  
11 department to provide such coursework or training. The coursework or  
12 training shall include information regarding the physical and behavioral  
13 indicators of child abuse and maltreatment and the statutory reporting  
14 requirements set out in sections four hundred thirteen through four  
15 hundred twenty of the social services law, including but not limited to,  
16 when and how a report must be made, what other actions the reporter is  
17 mandated or authorized to take, the legal protections afforded repor-  
18 ters, and the consequences for failing to report. Such coursework or  
19 training may also include information regarding the physical and behav-  
20 ioral indicators of the abuse of individuals with developmental disabil-  
21 ities and voluntary reporting of abused or neglected adults to the  
22 office for people with developmental disabilities or the local adult  
23 protective services unit. Each applicant shall provide the department  
24 with documentation showing that [~~he or she has~~] they have completed the  
25 required training. The department shall provide an exemption from the  
26 child abuse and maltreatment training requirements to any applicant who  
27 requests such an exemption and who shows, to the department's satisfac-  
28 tion, that there would be no need because of the nature of [~~his or her~~]  
29 their practice for [~~him or her~~] them to complete such training;

30 § 3-a. Paragraph a of subdivision 3 of section 6507 of the education  
31 law, as amended by chapter 733 of the laws of 2023, is amended to read  
32 as follows:

33 a. Establish standards for preprofessional and professional education,  
34 experience and licensing examinations as required to implement the arti-  
35 cle for each profession. Notwithstanding any other provision of law, the  
36 commissioner shall establish standards requiring that all persons apply-  
37 ing, on or after January first, nineteen hundred ninety-one, initially,  
38 or for the renewal of, a license, registration or limited permit to be a  
39 physician, chiropractor, dentist, registered nurse, podiatrist, optome-  
40 trist, psychiatrist, psychologist, licensed master social worker,  
41 licensed clinical social worker, licensed creative arts therapist,  
42 licensed marriage and family therapist, licensed mental health counse-  
43 lor, licensed psychoanalyst, dental hygienist, licensed behavior  
44 analyst, certified behavior analyst assistant, [~~or~~] athletic trainer, or  
45 licensed vision impairment specialist shall, in addition to all the  
46 other licensure, certification or permit requirements, have completed  
47 two hours of coursework or training regarding the identification and  
48 reporting of child abuse and maltreatment. The coursework or training  
49 shall be obtained from an institution or provider which has been  
50 approved by the department to provide such coursework or training. The  
51 coursework or training shall include information regarding the physical  
52 and behavioral indicators of child abuse and maltreatment and the statu-  
53 tory reporting requirements set out in sections four hundred thirteen  
54 through four hundred twenty of the social services law, including but  
55 not limited to, when and how a report must be made, what other actions  
56 the reporter is mandated or authorized to take, the legal protections

1 afforded reporters, and the consequences for failing to report. Such  
2 coursework or training may also include information regarding the phys-  
3 ical and behavioral indicators of the abuse of individuals with develop-  
4 mental disabilities and voluntary reporting of abused or neglected  
5 adults to the office for people with developmental disabilities or the  
6 local adult protective services unit. Each applicant shall provide the  
7 department with documentation showing that [~~he or she has~~] they have  
8 completed the required training. The department shall provide an  
9 exemption from the child abuse and maltreatment training requirements to  
10 any applicant who requests such an exemption and who shows, to the  
11 department's satisfaction, that there would be no need because of the  
12 nature of [~~his or her~~] their practice for [~~him or her~~] them to complete  
13 such training;

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

17 (a) The following persons and officials are required to report or  
18 cause a report to be made in accordance with this title when they have  
19 reasonable cause to suspect that a child coming before them in their  
20 professional or official capacity is an abused or maltreated child, or  
21 when they have reasonable cause to suspect that a child is an abused or  
22 maltreated child where the parent, guardian, custodian or other person  
23 legally responsible for such child comes before them in their profes-  
24 sional or official capacity and states from personal knowledge facts,  
25 conditions or circumstances which, if correct, would render the child an  
26 abused or maltreated child: any physician; registered physician assist-  
27 ant; surgeon; medical examiner; coroner; dentist; dental hygienist;  
28 osteopath; optometrist; chiropractor; podiatrist; resident; intern;  
29 psychologist; registered nurse; social worker; emergency medical techni-  
30 cian; licensed creative arts therapist; licensed marriage and family  
31 therapist; licensed mental health counselor; licensed psychoanalyst;  
32 licensed behavior analyst; certified behavior analyst assistant;  
33 licensed vision impairment specialist; hospital personnel engaged in the  
34 admission, examination, care or treatment of persons; a Christian  
35 Science practitioner; school official, which includes but is not limited  
36 to school teacher, school guidance counselor, school psychologist,  
37 school social worker, school nurse, school administrator or other school  
38 personnel required to hold a teaching or administrative license or  
39 certificate; full or part-time compensated school employee required to  
40 hold a temporary coaching license or professional coaching certificate;  
41 social services worker; employee of a publicly-funded emergency shelter  
42 for families with children; director of a children's overnight camp,  
43 summer day camp or traveling summer day camp, as such camps are defined  
44 in section thirteen hundred ninety-two of the public health law; day  
45 care center worker; school-age child care worker; provider of family or  
46 group family day care; employee or volunteer in a residential care  
47 facility for children that is licensed, certified or operated by the  
48 office of children and family services; or any other child care or  
49 foster care worker; mental health professional; substance abuse counse-  
50 lor; alcoholism counselor; all persons credentialed by the office of  
51 [~~alcoholism and substance abuse services~~] addiction services and  
52 supports; employees, who are expected to have regular and substantial  
53 contact with children, of a health home or health home care management  
54 agency contracting with a health home as designated by the department of  
55 health and authorized under section three hundred sixty-five-1 of this  
56 chapter or such employees who provide home and community based services

1 under a demonstration program pursuant to section eleven hundred fifteen  
2 of the federal social security act who are expected to have regular and  
3 substantial contact with children; peace officer; police officer;  
4 district attorney or assistant district attorney; investigator employed  
5 in the office of a district attorney; or other law enforcement official.

6 § 4-a. Paragraph (a) of subdivision 1 of section 413 of the social  
7 services law, as amended by chapter 733 of the laws of 2023, is amended  
8 to read as follows:

9 (a) The following persons and officials are required to report or  
10 cause a report to be made in accordance with this title when they have  
11 reasonable cause to suspect that a child coming before them in their  
12 professional or official capacity is an abused or maltreated child, or  
13 when they have reasonable cause to suspect that a child is an abused or  
14 maltreated child where the parent, guardian, custodian or other person  
15 legally responsible for such child comes before them in their profes-  
16 sional or official capacity and states from personal knowledge facts,  
17 conditions or circumstances which, if correct, would render the child an  
18 abused or maltreated child: any physician; registered physician assist-  
19 ant; surgeon; medical examiner; coroner; dentist; dental hygienist;  
20 osteopath; optometrist; chiropractor; podiatrist; resident; intern;  
21 athletic trainer; psychologist; registered nurse; social worker; emer-  
22 gency medical technician; licensed creative arts therapist; licensed  
23 marriage and family therapist; licensed mental health counselor;  
24 licensed psychoanalyst; licensed behavior analyst; certified behavior  
25 analyst assistant; licensed vision impairment specialist; hospital  
26 personnel engaged in the admission, examination, care or treatment of  
27 persons; a Christian Science practitioner; school official, which  
28 includes but is not limited to school teacher, school guidance counse-  
29 lor, school psychologist, school social worker, school nurse, school  
30 administrator or other school personnel required to hold a teaching or  
31 administrative license or certificate; full or part-time compensated  
32 school employee required to hold a temporary coaching license or profes-  
33 sional coaching certificate; social services worker; employee of a publ-  
34 ically-funded emergency shelter for families with children; director of a  
35 children's overnight camp, summer day camp or traveling summer day camp,  
36 as such camps are defined in section thirteen hundred ninety-two of the  
37 public health law; day care center worker; school-age child care worker;  
38 provider of family or group family day care; employee or volunteer in a  
39 residential care facility for children that is licensed, certified or  
40 operated by the office of children and family services; or any other  
41 child care or foster care worker; mental health professional; substance  
42 abuse counselor; alcoholism counselor; all persons credentialed by the  
43 office of [~~alcoholism and substance abuse services~~] addiction services  
44 and supports; employees, who are expected to have regular and substan-  
45 tial contact with children, of a health home or health home care manage-  
46 ment agency contracting with a health home as designated by the depart-  
47 ment of health and authorized under section three hundred sixty-five-1  
48 of this chapter or such employees who provide home and community based  
49 services under a demonstration program pursuant to section eleven  
50 hundred fifteen of the federal social security act who are expected to  
51 have regular and substantial contact with children; peace officer;  
52 police officer; district attorney or assistant district attorney; inves-  
53 tigator employed in the office of a district attorney; or other law  
54 enforcement official.

55 § 5. Section 6505-b of the education law, as amended by chapter 10 of  
56 the laws of 2018, is amended to read as follows:

1 § 6505-b. Course work or training in infection control practices.  
2 Every dentist, registered nurse, licensed practical nurse, vision  
3 impairment specialist, podiatrist, optometrist and dental hygienist  
4 practicing in the state shall, on or before July first, nineteen hundred  
5 ninety-four and every four years thereafter, complete course work or  
6 training appropriate to the professional's practice approved by the  
7 department regarding infection control, which shall include sepsis, and  
8 barrier precautions, including engineering and work practice controls,  
9 in accordance with regulatory standards promulgated by the department,  
10 in consultation with the department of health, which shall be consist-  
11 ent, as far as appropriate, with such standards adopted by the depart-  
12 ment of health pursuant to section two hundred thirty-nine of the public  
13 health law to prevent the transmission of HIV, HBV, HCV and infections  
14 that could lead to sepsis in the course of professional practice. Each  
15 such professional shall document to the department at the time of regis-  
16 tration commencing with the first registration after July first, nine-  
17 teen hundred ninety-four that the professional has completed course work  
18 or training in accordance with this section, provided, however that a  
19 professional subject to the provisions of paragraph (f) of subdivision  
20 one of section twenty-eight hundred five-k of the public health law  
21 shall not be required to so document. The department shall provide an  
22 exemption from this requirement to anyone who requests such an exemption  
23 and who (i) clearly demonstrates to the department's satisfaction that  
24 there would be no need for [~~him or her~~] them to complete such course  
25 work or training because of the nature of [~~his or her~~] their practice or  
26 (ii) that [~~he or she has~~] they have completed course work or training  
27 deemed by the department to be equivalent to the course work or training  
28 approved by the department pursuant to this section. The department  
29 shall consult with organizations representative of professions, insti-  
30 tutions and those with expertise in infection control and HIV, HBV, HCV  
31 and infections that could lead to sepsis with respect to the regulatory  
32 standards promulgated pursuant to this section.

33 § 5-a. Section 6505-b of the education law, as amended by chapter 733  
34 of the laws of 2023, is amended to read as follows:

35 § 6505-b. Course work or training in infection control practices.  
36 Every dentist, registered nurse, licensed practical nurse, licensed  
37 vision impairment specialist, podiatrist, optometrist, athletic trainer,  
38 and dental hygienist practicing in the state shall, on or before July  
39 first, nineteen hundred ninety-four and every four years thereafter,  
40 complete course work or training appropriate to the professional's prac-  
41 tice approved by the department regarding infection control, which shall  
42 include sepsis, and barrier precautions, including engineering and work  
43 practice controls, in accordance with regulatory standards promulgated  
44 by the department, in consultation with the department of health, which  
45 shall be consistent, as far as appropriate, with such standards adopted  
46 by the department of health pursuant to section two hundred thirty-nine  
47 of the public health law to prevent the transmission of HIV, HBV, HCV  
48 and infections that could lead to sepsis in the course of professional  
49 practice. Each such professional shall document to the department at the  
50 time of registration commencing with the first registration after July  
51 first, nineteen hundred ninety-four that the professional has completed  
52 course work or training in accordance with this section, provided,  
53 however that a professional subject to the provisions of paragraph (f)  
54 of subdivision one of section twenty-eight hundred five-k of the public  
55 health law shall not be required to so document. The department shall  
56 provide an exemption from this requirement to anyone who requests such

1 an exemption and who (i) clearly demonstrates to the department's satis-  
2 faction that there would be no need for [~~him or her~~] them to complete  
3 such course work or training because of the nature of [~~his or her~~] their  
4 practice or (ii) that [~~he or she has~~] they have completed course work or  
5 training deemed by the department to be equivalent to the course work or  
6 training approved by the department pursuant to this section. The  
7 department shall consult with organizations representative of  
8 professions, institutions and those with expertise in infection control  
9 and HIV, HBV, HCV and infections that could lead to sepsis with respect  
10 to the regulatory standards promulgated pursuant to this section.

11 § 6. Subdivision (a) of section 1203 of the limited liability company  
12 law, as amended by chapter 475 of the laws of 2014, is amended to read  
13 as follows:

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

1 professional service limited liability company formed to provide mental  
2 health counseling services as such services are defined in article 163  
3 of the education law, each member of such limited liability company must  
4 be licensed pursuant to article 163 of the education law to practice  
5 mental health counseling in this state. With respect to a professional  
6 service limited liability company formed to provide psychoanalysis  
7 services as such services are defined in article 163 of the education  
8 law, each member of such limited liability company must be licensed  
9 pursuant to article 163 of the education law to practice psychoanalysis  
10 in this state. With respect to a professional service limited liability  
11 company formed to provide applied behavior analysis services as such  
12 services are defined in article 167 of the education law, each member of  
13 such limited liability company must be licensed or certified pursuant to  
14 article 167 of the education law to practice applied behavior analysis  
15 in this state. With respect to a professional service limited liability  
16 company formed to provide vision impairment specialist services as such  
17 services are defined in article 169 of the education law, each member of  
18 such limited liability company must be licensed pursuant to article 169  
19 of the education law to practice as a vision impairment specialist in  
20 this state. In addition to engaging in such profession or professions, a  
21 professional service limited liability company may engage in any other  
22 business or activities as to which a limited liability company may be  
23 formed under section two hundred one of this chapter. Notwithstanding  
24 any other provision of this section, a professional service limited  
25 liability company (i) authorized to practice law may only engage in  
26 another profession or business or activities or (ii) which is engaged in  
27 a profession or other business or activities other than law may only  
28 engage in the practice of law, to the extent not prohibited by any other  
29 law of this state or any rule adopted by the appropriate appellate divi-  
30 sion of the supreme court or the court of appeals.

31 § 7. Subdivision (b) of section 1207 of the limited liability company  
32 law, as amended by chapter 701 of the laws of 2023, is amended to read  
33 as follows:

34 (b) With respect to a professional service limited liability company  
35 formed to provide medical services as such services are defined in arti-  
36 cle 131 of the education law, each member of such limited liability  
37 company must be licensed pursuant to article 131 of the education law to  
38 practice medicine in this state. With respect to a professional service  
39 limited liability company formed to provide dental services as such  
40 services are defined in article 133 of the education law, each member of  
41 such limited liability company must be licensed pursuant to article 133  
42 of the education law to practice dentistry in this state. With respect  
43 to a professional service limited liability company formed to provide  
44 veterinary services as such services are defined in article 135 of the  
45 education law, each member of such limited liability company must be  
46 licensed pursuant to article 135 of the education law to practice veter-  
47 inary medicine in this state. With respect to a professional service  
48 limited liability company formed to provide professional engineering,  
49 land surveying, architectural, landscape architectural and/or geological  
50 services as such services are defined in article 145, article 147 and  
51 article 148 of the education law, each member of such limited liability  
52 company must be licensed pursuant to article 145, article 147 and/or  
53 article 148 of the education law to practice one or more of such  
54 professions in this state. With respect to a professional service limit-  
55 ed liability company formed to provide public accountancy services as  
56 such services are defined in article 149 of the education law each

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

1 sional corporation, provided each beneficial owner of an equity interest  
2 in such entity is a natural person who actively participates in the  
3 business conducted by the firm or its affiliated entities. For purposes  
4 of this subdivision, "actively participate" means to provide services to  
5 clients or to otherwise individually take part in the day-to-day busi-  
6 ness or management of the firm or an affiliated entity. With respect to  
7 a professional service limited liability company formed to provide  
8 vision impairment specialist services as such services are defined in  
9 article 169 of the education law, each member of such limited liability  
10 company must be licensed pursuant to article 169 of the education law to  
11 practice as a vision impairment specialist in this state.

12 § 8. Subdivision (a) of section 1301 of the limited liability company  
13 law, as amended by chapter 701 of the laws of 2023, is amended to read  
14 as follows:

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

1 licensed pursuant to article 145, article 147 and/or article 148 of the  
2 education law to practice one or more of such professions in this state.  
3 With respect to a foreign professional service limited liability company  
4 which provides public accountancy services as such services are defined  
5 in article 149 of the education law, each member of such foreign profes-  
6 sional service limited liability company whose principal place of busi-  
7 ness is in this state and who provides public accountancy services,  
8 shall be licensed pursuant to article 149 of the education law to prac-  
9 tice public accountancy in this state. With respect to a foreign profes-  
10 sional service limited liability company which provides licensed clin-  
11 ical social work services as such services are defined in article 154 of  
12 the education law, each member of such foreign professional service  
13 limited liability company shall be licensed pursuant to article 154 of  
14 the education law to practice clinical social work in this state. With  
15 respect to a foreign professional service limited liability company  
16 which provides creative arts therapy services as such services are  
17 defined in article 163 of the education law, each member of such foreign  
18 professional service limited liability company must be licensed pursuant  
19 to article 163 of the education law to practice creative arts therapy in  
20 this state. With respect to a foreign professional service limited  
21 liability company which provides marriage and family therapy services as  
22 such services are defined in article 163 of the education law, each  
23 member of such foreign professional service limited liability company  
24 must be licensed pursuant to article 163 of the education law to prac-  
25 tice marriage and family therapy in this state. With respect to a  
26 foreign professional service limited liability company which provides  
27 mental health counseling services as such services are defined in arti-  
28 cle 163 of the education law, each member of such foreign professional  
29 service limited liability company must be licensed pursuant to article  
30 163 of the education law to practice mental health counseling in this  
31 state. With respect to a foreign professional service limited liability  
32 company which provides psychoanalysis services as such services are  
33 defined in article 163 of the education law, each member of such foreign  
34 professional service limited liability company must be licensed pursuant  
35 to article 163 of the education law to practice psychoanalysis in this  
36 state. With respect to a foreign professional service limited liability  
37 company which provides applied behavior analysis services as such  
38 services are defined in article 167 of the education law, each member of  
39 such foreign professional service limited liability company must be  
40 licensed or certified pursuant to article 167 of the education law to  
41 practice applied behavior analysis in this state. A foreign professional  
42 service limited liability company formed to lawfully engage in the prac-  
43 tice of public accountancy as a firm, as such practice is defined under  
44 article 149 of the education law shall be required to show (1) that a  
45 simple majority of the ownership of the firm, in terms of financial  
46 interests and voting rights held by the firm's owners, belongs to indi-  
47 viduals licensed to practice public accountancy in some state, and (2)  
48 that all members of a foreign limited professional service limited  
49 liability company, whose principal place of business is in this state,  
50 and who are engaged in the practice of public accountancy in this state,  
51 hold a valid license issued under section seventy-four hundred four of  
52 the education law. For purposes of this subdivision, "financial inter-  
53 est" means capital stock, capital accounts, capital contributions, capi-  
54 tal interest, or interest in undistributed earnings of a business enti-  
55 ty. Although firms registered with the education department may include  
56 non-licensee owners, a registered firm and its owners must comply with

1 rules promulgated by the state board of regents. Notwithstanding the  
2 foregoing, a firm registered with the education department may not have  
3 non-licensee owners if the firm's name includes the words "certified  
4 public accountant," or "certified public accountants," or the abbrevi-  
5 ations "CPA" or "CPAs". Each non-licensee owner of a firm that is regis-  
6 tered under this section shall be (1) a natural person who actively  
7 participates in the business of the firm or its affiliated entities, or  
8 (2) an entity, including, but not limited to, a partnership or profes-  
9 sional corporation, provided each beneficial owner of an equity interest  
10 in such entity is a natural person who actively participates in the  
11 business conducted by the firm or its affiliated entities. For purposes  
12 of this subdivision, "actively participate" means to provide services to  
13 clients or to otherwise individually take part in the day-to-day busi-  
14 ness or management of the firm or an affiliated entity. With respect to  
15 a foreign professional service limited liability company which provides  
16 vision impairment specialist services as such services are defined in  
17 article 169 of the education law, each member of such foreign profes-  
18 sional service limited liability company must be licensed pursuant to  
19 article 169 of the education law to practice as a vision impairment  
20 specialist in this state.

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

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

1 to provide psychoanalysis services in this state must be licensed pursu-  
2 ant to article 163 of the education law to practice psychoanalysis in  
3 this state. Each partner of a registered limited liability partnership  
4 formed to provide applied behavior analysis service in this state must  
5 be licensed or certified pursuant to article 167 of the education law to  
6 practice applied behavior analysis in this state. A registered limited  
7 liability partnership formed to lawfully engage in the practice of  
8 public accountancy as a firm, as such practice is defined in article  
9 149 of the education law, shall be required to show (1) that a simple  
10 majority of the ownership of the firm, in terms of financial interests  
11 and voting rights held by the firm's owners, belongs to individuals  
12 licensed to practice public accountancy in some state, and (2) that all  
13 partners of a limited liability partnership whose principal place of  
14 business is in this state, and who are engaged in the practice of public  
15 accountancy in this state, hold a valid license issued under section  
16 seventy-four hundred four of the education law. For purposes of this  
17 subdivision, "financial interest" means capital stock, capital accounts,  
18 capital contributions, capital interest, or interest in undistributed  
19 earnings of a business entity. Although firms registered with the educa-  
20 tion department may include non-licensee owners, the firm and its owners  
21 must comply with rules promulgated by the state board of regents.  
22 Notwithstanding the foregoing, a firm registered with the education  
23 department may not have non-licensee owners if the firm's name includes  
24 the words "certified public accountant," or "certified public accounts,"  
25 or the abbreviations "CPA" or "CPAs". Each non-licensee owner of a firm  
26 that is formed under this section shall be (1) a natural person who  
27 actively participates in the business of the firm or its affiliated  
28 entities, or (2) an entity, including, but not limited to, a partnership  
29 or professional corporation, provided each beneficial owner of an equity  
30 interest in such entity is a natural person who actively participates in  
31 the business conducted by the firm or its affiliated entities. For  
32 purposes of this subdivision, "actively participate" means to provide  
33 services to clients or to otherwise individually take part in the day-  
34 to-day business or management of the firm or an affiliated entity. Each  
35 partner of a registered limited liability partnership formed to provide  
36 vision impairment specialist services in this state must be licensed or  
37 certified pursuant to article 169 of the education law to practice as a  
38 vision impairment specialist in this state.

39 § 10. Subdivision (q) of section 121-1502 of the partnership law, as  
40 amended by chapter 701 of the laws of 2023, is amended to read as  
41 follows:

42 (q) Each partner of a foreign limited liability partnership which  
43 provides medical services in this state must be licensed pursuant to  
44 article 131 of the education law to practice medicine in the state and  
45 each partner of a foreign limited liability partnership which provides  
46 dental services in the state must be licensed pursuant to article 133 of  
47 the education law to practice dentistry in this state. Each partner of a  
48 foreign limited liability partnership which provides veterinary service  
49 in the state shall be licensed pursuant to article 135 of the education  
50 law to practice veterinary medicine in this state. Each partner of a  
51 foreign limited liability partnership which provides professional engi-  
52 neering, land surveying, geological services, architectural and/or land-  
53 scape architectural services in this state must be licensed pursuant to  
54 article 145, article 147 and/or article 148 of the education law to  
55 practice one or more of such professions. Each partner of a foreign  
56 limited liability partnership formed to provide public accountancy

1 services as a firm, whose principal place of business is in this state  
2 and who provides public accountancy services, must be licensed pursuant  
3 to article 149 of the education law to practice public accountancy in  
4 this state. Each partner of a foreign limited liability partnership  
5 which provides licensed clinical social work services in this state must  
6 be licensed pursuant to article 154 of the education law to practice  
7 licensed clinical social work in this state. Each partner of a foreign  
8 limited liability partnership which provides creative arts therapy  
9 services in this state must be licensed pursuant to article 163 of the  
10 education law to practice creative arts therapy in this state. Each  
11 partner of a foreign limited liability partnership which provides  
12 marriage and family therapy services in this state must be licensed  
13 pursuant to article 163 of the education law to practice marriage and  
14 family therapy in this state. Each partner of a foreign limited liabil-  
15 ity partnership which provides mental health counseling services in this  
16 state must be licensed pursuant to article 163 of the education law to  
17 practice mental health counseling in this state. Each partner of a  
18 foreign limited liability partnership which provides psychoanalysis  
19 services in this state must be licensed pursuant to article 163 of the  
20 education law to practice psychoanalysis in this state. Each partner of  
21 a foreign limited liability partnership which provides applied behavior  
22 analysis services in this state must be licensed or certified pursuant  
23 to article 167 of the education law to practice applied behavior analy-  
24 sis in this state. A foreign limited liability partnership formed to  
25 lawfully engage in the practice of public accountancy as a firm, as such  
26 practice is defined under article 149 of the education law, shall be  
27 required to show (1) that a simple majority of the ownership of the  
28 firm, in terms of financial interests and voting rights held by the  
29 firm's owners, belongs to individuals licensed to practice public  
30 accountancy in some state, and (2) that all partners of the foreign  
31 limited liability partnership whose principal place of business is in  
32 this state, and who are engaged in the practice of public accountancy in  
33 this state, hold a valid license issued under section seventy-four  
34 hundred four of the education law. For purposes of this subdivision,  
35 "financial interest" means capital stock, capital accounts, capital  
36 contributions, capital interest, or interest in undistributed earnings  
37 of a business entity. Although firms registered with the education  
38 department may include non-licensee owners, a registered firm and its  
39 owners must comply with rules promulgated by the state board of regents.  
40 Notwithstanding the foregoing, a firm registered with the education  
41 department may not have non-licensee owners if the firm's name includes  
42 the words "certified public accountant," or "certified public account-  
43 ants," or the abbreviations "CPA" or "CPAs". Each non-licensee owner of  
44 a firm that is formed under this section shall be (1) a natural person  
45 who actively participates in the business of the firm or its affiliated  
46 entities, or (2) an entity, including, but not limited to, a partnership  
47 or professional corporation, provided that each beneficial owner of an  
48 equity interest in such entity is a natural person who actively partic-  
49 ipates in the business conducted by the firm or its affiliated entities.  
50 For purposes of this subdivision, "actively participate" means to  
51 provide services to clients or to otherwise individually take part in  
52 the day-to-day business or management of the firm or an affiliated enti-  
53 ty. Each partner of a foreign limited liability partnership which  
54 provides vision impairment specialist services in this state must be  
55 licensed pursuant to article 169 of the education law to practice as a  
56 vision impairment specialist in this state.

1 § 11. a. Nothing in this act shall be construed as prohibiting a  
2 person from performing the duties of a licensed vision impairment  
3 specialist, in the course of such employment, if such person is employed  
4 by programs licensed, certified, operated, or funded and regulated by  
5 the office of children and family services including the commission for  
6 the blind and visually impaired, the state education department or the  
7 department of health; provided, however, that this section shall not  
8 authorize the use of any title authorized pursuant to article 169 of the  
9 education law.

10 b. On or before September 1, 2026, each office identified in subdivi-  
11 sion a of this section that licenses, certifies, operates or funds and  
12 regulates programs that employ individuals to provide services that  
13 would otherwise be restricted to individuals licensed or authorized  
14 under article 169 of the education law, shall submit to the commissioner  
15 of education, in such form and detail as requested by such commissioner,  
16 data in relation to: the number of individuals employed in exempt  
17 programs licensed, certified, operated, or funded and regulated by each  
18 office identified in subdivision a of this section on September 1, 2025  
19 who are providing services that would otherwise be restricted to those  
20 licensed or authorized under article 169 of the education law; and the  
21 occupational title of individuals who on July 1, 2026 are not licensed  
22 or otherwise authorized under title 8 of the education law, and who are  
23 engaged in the practice of vision impairment specialist for the purpose  
24 of providing vision impairment specialist services to persons who are  
25 blind or visually impaired.

26 c. The commissioner of education, after receipt of this data and in  
27 consultation with the offices identified in subdivision a of this  
28 section, in consultation with not-for-profit providers, professional  
29 associations, consumers and other key stakeholders, shall prepare a  
30 report that recommends changes in any laws, rules or regulations neces-  
31 sary to ensure appropriate licensure or other authorization of individ-  
32 uals providing services that are within the restricted practice of  
33 professions licensed or otherwise authorized under article 169 of the  
34 education law. Such report shall include an estimate of the fiscal  
35 impact of any such recommended changes and, to the extent practicable,  
36 how such recommendations will result in improved outcomes. The commis-  
37 sioner of education shall submit the report to the governor, the speaker  
38 of the assembly, the temporary president of the senate, and the chairs  
39 of the senate and assembly higher education committees by January 1,  
40 2027. The commissioners of the agencies identified in subdivision a of  
41 this section shall be provided an opportunity to include statements or  
42 alternative recommendations in such report.

43 § 12. This act shall take effect eighteen months after it shall have  
44 become a law; provided, however, that if chapter 733 of the laws of 2023  
45 shall not have taken effect on or before such date then sections  
46 three-a, four-a and five-a of this act shall take effect on the same  
47 date and in the same manner as such chapter of the laws of 2023 takes  
48 effect; provided, further, that the provisions of subdivision a of  
49 section eleven of this act shall expire July 1, 2027 when upon such date  
50 the provisions of such subdivision shall be deemed repealed. The  
51 commissioner of education and the board of regents are authorized to  
52 promulgate such rules and regulations and take any other measures as may  
53 be necessary for the timely implementation of this act on or before its  
54 effective date, including but not limited to the appointment of the  
55 state board for vision rehabilitation services, the acceptance and proc-  
56 essing of applications for licensure, and the issuance of licenses.