

# STATE OF NEW YORK

5145

2025-2026 Regular Sessions

## IN ASSEMBLY

February 12, 2025

Introduced by M. of A. SOLAGES, WOERNER, BRABENEC, BRONSON, MILLER, McMAHON, McDONOUGH, LUNSFORD, STIRPE, BURDICK, SEAWRIGHT, DeSTEFANO, EPSTEIN, CLARK -- read once and referred to the Committee on Higher Education

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

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

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

3 ARTICLE 163-A

4 MUSIC THERAPY

5 Section 8450. Introduction.

6 8451. Definitions.

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

10 8453. State board for music therapy.

11 8454. Requirements for a license.

12 8455. Limited permits.

13 8456. Exemptions.

14 8457. Special provisions.

15 8458. Boundaries of professional competency.

16 8459. Mandatory continuing competency.

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

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

LBD08322-01-5

1 § 8451. Definitions. 1. (a) The practice of licensed professional  
2 music therapy shall mean the clinical and evidence-based use of music  
3 interventions to accomplish individualized goals for people of all ages  
4 and ability levels within a therapeutic relationship, through the devel-  
5 opment of music therapy treatment plans specific to the needs and  
6 strengths of the client who may be seen individually and/or in groups.

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

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

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

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

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

32 § 8452. Authorized practice and the use of the titles "licensed  
33 professional music therapist" and "licensed clinical music therapist".

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

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

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

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

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

1 appointed for four years, and four are appointed for five years. An  
2 executive secretary to the board shall be appointed by the board of  
3 regents on recommendation of the commissioner and shall be licensed  
4 pursuant to this article.

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

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

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

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

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

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

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

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

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

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

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

39 (i) human growth and development;

40 (ii) theories in music therapy;

41 (iii) group dynamics;

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

43 (v) research and program evaluation;

44 (vi) professional orientation and ethics;

45 (vii) foundations of music therapy and psychopathology;

46 (viii) clinical instruction;

47 (c) Experience: have completed at least fifteen hundred hours of post-  
48 master's supervised experience in music therapy satisfactory to the  
49 department and in accordance with the commissioner's regulations. Satis-  
50 factory experience obtained in an entity operating under a waiver issued  
51 by the department pursuant to section sixty-five hundred three-a of this  
52 title may be accepted by the department, notwithstanding that such expe-  
53 rience may have been obtained prior to the effective date of such  
54 section and/or prior to the entity having obtained a waiver. The  
55 department may, for good cause shown, accept satisfactory experience  
56 that was obtained in a setting that would have been eligible for a waiv-

1 er but which has not obtained a waiver from the department or experience  
2 that was obtained in good faith by the applicant under the belief that  
3 appropriate authorization had been obtained for the experience, provided  
4 that such experience meets all other requirements for acceptable experi-  
5 ence;

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

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

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

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

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

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

29 § 8456. Exemptions. Nothing contained in this article shall be  
30 construed to:

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

1 2. Prohibit or limit any individual who is credentialed under any law,  
2 including attorneys, rape crisis counselors, certified alcoholism coun-  
3 selors and certified substance abuse counselors from providing mental  
4 health services within their respective established authorities.

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

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

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

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

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

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

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

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

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

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

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

1 7. Any person who possesses a master's degree in music therapy or a  
2 related field on the effective date of this section, who has five years  
3 of post-graduate music therapy employment and holds an active board  
4 certification credential in music therapy from a national certification  
5 body, and meets the requirements for a license pursuant to this article,  
6 except for examination, and who files with the department within one  
7 year of the effective date of this section, shall be licensed as a  
8 licensed clinical music therapist.

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

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

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

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

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

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

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

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

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

55 (v) During the provision of music therapy services to a client, the  
56 licensee shall collaborate, as applicable, with the client's treatment

1 team, including physicians, psychologists, licensed clinical social  
2 workers, or other mental health professionals.

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

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

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

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

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

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

53 (b) Thereafter, a licensee who has not satisfied the mandatory contin-  
54 uing competency requirements shall not be issued a triennial registra-  
55 tion certificate by the department and shall not practice unless and

1 until a conditional registration certificate is issued as provided for  
2 in subdivision four of this section.

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

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

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

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

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

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

1 from a sponsor approved by the department, pursuant to the regulations  
2 of the commissioner.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 ipates in the business conducted by the firm or its affiliated entities.  
2 For purposes of this subdivision, "actively participate" means to  
3 provide services to clients or to otherwise individually take part in  
4 the day-to-day business or management of the firm or an affiliated enti-  
5 ty.  
6 § 13. This act shall take effect twenty-four months after it shall  
7 have become a law. Effective immediately the addition, amendment and/or  
8 repeal of any rule or regulation necessary for the implementation of  
9 this act on its effective date are authorized to be made and completed  
10 on or before such date.