

MN PROFESSIONAL FIRMS ACT ([Minn. Stat. Chapter 319B](#)) – Minnesota has had a Professional Firms Act in statute for twenty-five years. The MPFA is a business statute that regulates corporations involved in the delivery of health care services in Minnesota. The MPFA’s general purpose is to protect consumers of health care services from interference by non-professionals with the judgment and decision-making authority of the health care professional.

Generally, to practice certain specific health care professions in Minnesota, including the practice of marriage and family therapy, psychology, social work, and clinical counseling, in any form other than sole proprietorship or general partnership, professionals must comply with the Professional Firms Act. The Professional Firms Act defines “firm” to include a corporation, limited liability company, and limited liability partnership. See [Minn. Stat. 319B.02, Subd. 10](#). Further, the MPFA requires that these firms, when created, may only be created and owned by a licensed professional. Therefore, applicant or LAMFT status – neither of which is defined as a mental health professional in MN – would not allow that individual to create or own a professional firm from which to provide MFT services.

When an LMFT creates a professional firm, the MPFA requires the LMFT to make an initial and annual filing with the MN Board of MFT; these required forms are available on the Board’s [website](#). The MPFA requires that a corporation which provides multiple types of health care services (for example, psychology and marriage and family therapy), must file the required forms with all licensing boards (e.g., the Board of Psychology and Board of MFT). The MPFA is a business statute that applies to corporations providing health-related services; the Board is simply charged with receiving and maintaining the filings required by the Act. As such, Board staff are unable to provide guidance or assistance re: statutory interpretation and consultation with a business or corporate law attorney is recommended.

When the Board becomes aware of an applicant or LAMFT who may hold an ownership interest in a professional firm, the Board provides information to this individual regarding the statutory requirements and recommends the individual consult with appropriate legal counsel for assistance in bringing their practice into compliance with MN law. Similarly, when the Board becomes aware of an LMFT owning or operating a corporate MFT practice, information is provided regarding the required initial and annual filings so that the LMFT can bring the corporation into compliance with the MPFA. Currently, the Board addresses both types of MPFA noncompliance with education and information. A complaint investigation is not opened and would not occur absent evidence of repeated noncompliance after receiving information about statutory requirements.

Questions regarding formation of a corporation and compliance with the MPFA should be directed to legal counsel. Questions regarding filing of the required initial and annual forms may be emailed to the Board at [mft.board@state.mn.us](mailto:mft.board@state.mn.us).