CORPORATION AND “DOING BUSINESS AS” NAMES

This is to educate you on the interaction between Legal (corporation) names and assumed business names. When a corporation is formed, it has a name listed on the Articles of Incorporation. This name is the name of the legal entity. The legal entity may do business under other names. For example, Smith, Inc. may do business as Smith Home Health Care. Smith Home Health Care is an assumed name of the Corporation. The Corporation files a form with the Indiana Secretary of State stating its assumed business name. This is done to prevent others from using the name and to provide notice the legal entity name of the applicants.

The Company then does business under the assumed name. Its name may appear on licenses, leases, contracts, etc. as Smith, Inc. d/b/a Smith Home Health Care. To the public, the company is simply Smith Home Health Care. The legal entity that owns the licenses, is obligated under the lease, pays the employees, etc., is Smith, Inc. It just goes by Smith Home Health Care.

Some providers will have assumed names for all of their lines of business for example; Smith Home Health, Smith Personal Care, Smith Hospice, etc. Even with all of the names, the company is still just one legal entity.

For application purposes, the entity could simply apply under its corporate name and submit the articles of incorporation. Another option would be to apply under the assumed name and submit the articles of incorporation and the assumed name filing. Each option provides the state with documentation of who the legal entity providing services is as well as the name under which those services are provided.

Attached are examples on how to complete the “doing business as” (dba) and legal names on the “Application For License To Operate A Personal Services Agency” (SF 53391).

♦ Example 1: Legal Name Only
♦ Example 2: Legal and Doing Business As” (dba) Names
CORPORATION (LEGAL) WITH A DOING BUSINESS AS (DBA) NAME
HOW TO COMPLETE LEGAL AND DBA NAMES ON THE APPLICATION

EXAMPLE 2

COMPASSIONATE SERVICES LLC
HELPING PERSONAL SERVICES
171 ENDOWED LANE
NORTH POLK, IA 52311

HELPING PERSONAL SERVICES

APPLICATION FOR LICENSE
TO OPERATE A PERSONAL CARE AGENCY
State of Iowa
Office of the Secretary of State
CORPORATION (LEGAL) WITH A DOING BUSINESS AS (DBA) NAME

EXAMPLE 2D

State of Indiana
Office of the Secretary of State
CERTIFICATE OF ASSUMED BUSINESS NAME
OF

COMPASSIONATE SERVICES, LLC

L. VOICI FORNER, Chairman of the Board, hereby certifies that Certificate of Assumed Business Name of the above corporation has been filed and that the information herein is true and correct and has been prepared in conformity with the provisions of the Indiana Business Corporation Law.

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 Listed as a sole proprietor or by the entity named above will be doing business under the assumed business name.

NOW, THEREFORE, with authority vested in me, as Secretary of State of the State of Indiana, I hereby authorize the above named person to do business

Urth Pooni
Secretary of State

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