



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY,  
NY 12234

**TO:** The Honorable the Members of the Board of Regents

**FROM:** Douglas E. Lentivech

**SUBJECT:** PCOM NY, LLC (a.k.a. Pacific College of Oriental  
Medicine): Authorization to Award Degrees

**DATE:** July 5, 2011

**AUTHORIZATION(S):**

### Summary

#### Issue for Decision (Consent Agenda)

Should the Board of Regents authorize PCOM NY, LLC (a.k.a. Pacific College of Oriental Medicine) to confer the Associate in Occupational Studies (A.O.S.), Bachelor of Professional Studies (B.P.S.), and Master of Science (M.S.) degrees on duly qualified students successfully completing registered programs, effective December 5, 2008, and to confer the Bachelor of Science degree on duly qualified students successfully completing registered programs, effective July 18, 2011?

#### Reason(s) for Consideration

Required by State statute.

#### Proposed Handling

This question will come before the full Board at its July 2011 meeting where it will be voted on and action taken.

#### Background Information

On September 16, 2008, the Board of Regents authorized Pacific College of Oriental Medicine (New York), Inc. under its new owner, Quad Partners, to award Associate in Occupational Studies (A.O.S.), Bachelor of Professional Studies (B.P.S.), and Master of Science (M.S.) degrees on duly qualified students successfully completing registered programs beginning upon execution of the final phase of the purchase agreement.

On December 5, 2008, the final phase of the purchase agreement was executed with Quad Partners as the majority shareholder. Concurrent with the change of ownership, Pacific College of Oriental Medicine (New York), Inc. merged into PCOM NY, LLC with PCOM NY, LLC as the surviving entity. The merger into the LLC entity provided a tax benefit to the College which it would not have had under a corporate structure. However, the Board of Regents approval in 2008 granted authority to award degrees only to the business corporation, Pacific College of Oriental Medicine (New York), Inc.

When Pacific College submitted its request for degree authorization under the 2008 new ownership arrangement, it listed Quad Partners as the new owner and provided a copy of a merger agreement dated December 6, 2007 within the appendices to the application. Page 3 of that merger agreement indicated that Pacific College of Oriental Medicine (New York), Inc. would merge with and into PCOM NY, LLC in accordance with Section 904 (a) of the New York Business Corporation Law with PCOM NY, LLC surviving. However, the application did not include a narrative discussion of the merger. This was an inadvertent omission on the College's part. At the time the College submitted the application, the College did not anticipate that the merger would require approval separate and apart from the approval of the change of ownership. Since the Regents granted degree authorization power to that incorporated entity, that authorization ceased upon the merger even though Quad Partners continued to be the primary owners. The College is now requesting that the surviving entity PCOM NY, LLC, following the merger with Pacific College of Oriental Medicine (New York), Inc., obtain the degree granting authority which was granted to Pacific College of Oriental Medicine (New York), Inc. on September 16, 2008. This approval is requested retroactively to the date of the merger, December 5, 2008, to correct the inadvertent loss of degree authorization powers resulting from the merger. PCOM NY, LLC has submitted a Certificate of Assumed Name with the New York State Department of Education for consent to conduct business under the name of Pacific College of Oriental Medicine.

In addition, PCOM NY, LLC is requesting initial authorization to award the Bachelor of Science (B.S.) degree. Degree authorization is necessary as the award represents Pacific College of Oriental Medicine's first use of the B.S. degree title. Board of Regents approval of this authorization will allow the registration of acceptable programs leading to the B.S. degree.

Pacific College of Oriental Medicine has a long history of involvement in holistic health care education. Currently, the College offers a massage therapy program leading to the Associate of Occupational Studies degree; Health Sciences and Asian Holistic Health and Massage Therapy programs leading to the Bachelor of Professional Studies degree; an Acupuncture program leading to the Master of Science degree; and a Herbology program leading to an Advanced Certificate.

The College is proposing an upper division nursing program leading to a Bachelor of Science degree with a focus on holistic nursing. This program is specifically designed for registered professional nurses licensed in New York State who have graduated from an approved diploma or associate degree nursing program. There are no schools in the New York City area that uniquely offer a holistic nursing focus rooted

in oriental medicine and eastern philosophy. There are approximately 17 associate degree nursing programs that will provide a pool of potential applicants.

Students will transfer a total of 60 credits, of which 27-30 are foundational nursing course credits from their associate degree or diploma program. An additional 30 credits in upper-division nursing coursework and 30 credits in the liberal arts and sciences will be required. The program includes 75 campus laboratory hours and 225 clinical agency hours. Clinical contracts with public health and centers for holistic care throughout the Metropolitan area have been executed. Subject matter includes nursing theory, community and population-based nursing, leadership, professional legal issues and trends, nursing research and nurse as facilitator of healing. The curriculum plan is for four semesters of full-time study or three years of part-time study. The College plans to admit an initial cohort of 15 students (5 full-time and 10 part-time) with modest growth projected to approximately 80 students in five years, 85 percent enrolled in part-time study. The baccalaureate degree will provide nurses with leadership opportunities in a variety of healthcare settings as well as preparation for graduate level nursing education.

### Recommendation

It is recommended that the Board of Regents authorize PCOM NY, LLC (a.k.a. Pacific College of Oriental Medicine) to confer the Associate in Occupational Studies (A.O.S.), Bachelor of Professional Studies (B.P.S.), and Master of Science (M.S.) degrees on duly qualified students successfully completing registered programs, effective December 5, 2008, and to confer the Bachelor of Science degree on duly qualified students successfully completing registered programs, effective July 18, 2011.

### Timetable for Implementation

If the Board authorizes PCOM NY, LLC to confer the A.O.S., B.P.S., and M.S. degrees, that authority will be retroactive to December 5, 2008. If the Board authorizes PCOM NY, LLC to confer the B.S. degree, the Department will proceed to register the proposed upper-division nursing program and the College will proceed to recruit and enroll students.