



**TO:** The Professional Practice Committee  
**FROM:** Douglas E. Lentivech

**SUBJECT:** Proposed Amendment to the Rules of the Board of Regents Relating to the Authorization of Degrees: Adding Doctor of Acupuncture and Oriental Medicine (D.A.O.M.) Degree in New York

**DATE:** June 10, 2013

**AUTHORIZATION(S):**

#### SUMMARY

##### Issue for Decision

Should the Board of Regents approve adding a Doctor of Acupuncture and Oriental Medicine (D.A.O.M.) degree in New York?

##### Reason(s) for Consideration

Review of policy.

##### Proposed Handling

This item will come before the Professional Practice Committee for recommendation and to the Full Board for action at its June 2013 meeting for adoption as a permanent rule.

##### Procedural History

A Notice of Proposed Rule Making was published in the State Register on March 20, 2013. Supporting materials for the proposed amendment are available upon request from the Secretary to the Board of Regents.

## Background Information

The D.A.O.M. degree is recognized by the Accreditation Commission for Acupuncture and Oriental Medicine (ACAOM) and is an authorized degree in California, Washington, and Oregon. One of the institutions of higher education in New York requested permission to offer the D.A.O.M. degree. Adding this degree will benefit students in New York by affording them the opportunity to earn a doctoral-level degree in acupuncture and oriental medicine. It will also provide greater opportunities for the graduates to undertake research and become more competent practitioners. Ultimately, adding the D.A.O.M. degree in New York will help the public. Because the D.A.O.M. degree is a new degree in New York, it is necessary to amend sections 3.47 and 3.50 of the Rules of the Board of Regents related to requirements for earned degrees and registered degrees.

The proposed rule has been shared with the parties who have an interest in this topic. On December 5, 2012, a memo soliciting comments on the proposal to add the D.A.O.M. degree in New York was sent to the following interested parties: the faculty and administrators of acupuncture programs in New York; professional associations representing acupuncture; and members of the State Board for Acupuncture. The State Board for Acupuncture supports the authorization of this new degree title. We received four (4) comments about the proposed amendments. See Attachment B for a summary of the comments from the interested parties.

## Recommendation

VOTED: That paragraph (2) of subdivision (d) of section 3.47 of the Rules of the Board of Regents and paragraph (36) of subdivision (b) of section 3.50 of the Rules of the Board of Regents, as submitted, effective July 3, 2013.

## Timetable for Implementation

If adopted at the June 2013 Regents meeting, the proposed amendment will become effective on July 3, 2013.

## **ATTACHMENT A: AMENDMENT TO THE RULES OF THE BOARD OF REGENTS**

### **AMENDMENT TO THE RULES OF THE BOARD OF REGENTS**

Pursuant to sections 207, 210, 218, 224, and 305 of the Education Law.

1. Paragraph (2) of subdivision (d) of section 3.47 of the Rules of the Board of Regents is amended, effective July 3, 2013, as follows:

(2). Professional degrees. Graduate professional degree programs must be comprised of advanced studies in professional or vocational fields. While they may have strong theoretical underpinnings, they must have as their primary purpose knowledge for application in professional practice. Master's degree programs of this type are primarily terminal in nature. They may serve as preparation for advanced studies at the doctoral level, but they shall not be designed primarily for this purpose. The doctorate in such studies is likewise practical, insofar as it prepares the student to train or supervise others in the field, to discover new knowledge that has practical application in the field, or to prepare the student for a life of practice in the student's particular profession. Only the following degrees may be conferred upon the completion of a professionally oriented graduate program:

Bachelor of Divinity (B.D.)

Bachelor of Laws (LL.B.)

-----Engineer (-- -- E.)

Master of Architecture (M.Arch.)

Master of Arts in Teaching (M.A.T.)

Master of Business Administration (M.B.A.)

Master of Comparative Jurisprudence (M.C.J.)

Master of Comparative Law (M.C.L.)

Master of Divinity (M.Div.)

Master of Education (Ed.M. or M.Ed.)

Master of Engineering (M.E.)

Master of Fine Arts (M.F.A.)

Master of Food Science (M.F.S.)

Master of Forestry (M.F.)

Master of Health Administration (M.H.A.)

Master of Hebrew Literature (M.H.L.)

Master of Industrial and Labor Relations (M.I.L.R.)

Master of Industrial Design (M.I.D.)

Master of International Affairs (M.I.A.)

Master of Landscape Architecture (M.L.A.)

Master of Laws (LL.M.)

Master of Library Science (M.L.S.)

Master of Management in Hospitality (M.M.H.)

Master of Music (Mus.M.)

Master of Nutritional Science (M.N.S.)

Master of Physical Therapy (M.P.T.)

Master of Professional Studies (M.P.S.)

Master of Public Administration (M.P.A.)

Master of Public Health (M.P.H.)

Master of Regional Planning (M.R.P.)

Master of Religious Education (M.R.E.)

Master of Sacred Music (S.M.M.)

Master of Sacred Theology (S.T.M.)

Master of Science for Teachers (M.S.T.)

Master of Science in Education (M.S. in Ed.)

Master of Science in Pharmacy (M.S. in Pharm.)

Master of Social Science (M.S.Sc.)

Master of Social Work (M.S.W.)

Master of Studies in Law (M.S.L.)

Master of Theology (Th.M.)

Master of Urban Planning (M.U.P.)

Doctor of Acupuncture and Oriental Medicine (D.A.O.M)

Doctor of Arts (D.A.)

Doctor of Audiology (Au.D.)

Doctor of Chiropractic (D.C.)

Doctor of Dental Surgery (D.D.S.)

Doctor of Education (Ed.D.)

Doctor of Engineering (D.Eng.)

Doctor of Engineering Science (Eng.Sc.D.)

Doctor of Hebrew Literature (D.H.L.)

Doctor of Juridical Science (S.J.D.)

Doctor of Law (J.D.)

Doctor of Library Science (L.S.D.)

Doctor of Medical Science (Med. Sc.D.)

Doctor of Medicine (M.D.)

Doctor of Ministry (D.Min.)

Doctor of Musical Arts (D.M.A.)

Doctor of Nursing Practice (D.N.P.)

Doctor of Nursing Science (D.N.S.)  
Doctor of Optometry (O.D.)  
Doctor of Osteopathic Medicine (D.O.)  
Doctor of Pharmacy (Pharm.D.)  
Doctor of Podiatric Medicine (D.P.M.)  
Doctor of Physical Therapy (D.P.T.)  
Doctor of Professional Studies (D.P.S.)  
Doctor of Psychology (Psy.D.)  
Doctor of Public Administration (D.P.A.)  
Doctor of Public Health (D.P.H.)  
Doctor of Religious Education (D.R.E.)  
Doctor of Sacred Music (S.M.D.)  
Doctor of Science in Veterinary Medicine (D.Sc. in V.M.)  
Doctor of Social Science (D.S.Sc.)  
Doctor of Social Welfare (D.S.W.)  
Doctor of the Science of Law (J.S.D.)  
Doctor of Theology (Th.D.)  
Doctor of Veterinary Medicine (D.V.M.)

2. Paragraph (36) of subdivision (b) of section 3.50 of the Rules of the Board of Regents is added, effective July 3, 2013, to read as follows:

(36) Acupuncture:

Doctor of Acupuncture and Oriental Medicine (D.A.O.M)

**ATTACHMENT B: SUMMARY OF COMMENTS ON  
THE PROPOSED AMENDMENT TO THE RULES OF BOARD OF REGENTS**

Since distributing a memo to interested parties on December 5, 2012, the State Education Department received comments about the proposed amendments relating to adding the Doctor of Acupuncture and Oriental Medicine (D.A.O.M.) degree. The following is a summary of the comments and the responses of the Education Department.

1. COMMENT: Some supported the proposal to add the Doctor of Acupuncture and Oriental Medicine degree to the list of registered degrees. However they also stated that the Master of Science in Acupuncture and Master of Science in Acupuncture and Oriental Medicine degrees should also be added to the list of registered degrees.

DEPARTMENT RESPONSE: The Master of Science in Acupuncture and Master of Science in Acupuncture and Oriental Medicine are Master of Science degrees in the fields of Acupuncture and Acupuncture and Oriental Medicine. If implemented, they would not represent distinct new degrees/degree levels like the Doctor of Acupuncture and Oriental Medicine, and, as the Master of Science degree is already on the list of registered degrees, there is no immediate need to add these two degrees. The current Master of Science degree programs are currently recognized as first professional degree programs by the nationally recognized accrediting body for acupuncture – the Accreditation Commission for Acupuncture and Oriental Medicine (ACAOM), and as licensure-qualifying programs by the New York State Education Department.

2. COMMENT: It was suggested that the State Education Department should recognize those licensed to practice acupuncture on the basis of having a Chinese Bachelor's Degree in Traditional Chinese Medicine as being master's level practitioners

in order to allow these practitioners to enter the doctoral program without completing a master's degree.

DEPARTMENT RESPONSE: Admissions decisions are made at the discretion of the academic program and institution. The Department does not feel it is appropriate to require a doctoral program to consider a foreign bachelor's degree to be the equivalent of a master's degree.

3. COMMENT: There was concern expressed that a post-licensure Doctor of Acupuncture and Oriental Medicine degree could mislead the public concerning the professional qualifications of its holder compared to licensed master's level practitioners. It was proposed that the degree name be changed to a Doctor of Professional Studies in Acupuncture and Oriental Medicine.

DEPARTMENT RESPONSE: The Doctor of Acupuncture and Oriental Medicine degree is awarded in other states, and there are currently New York State licensed acupuncturists who hold the Doctor of Acupuncture and Oriental Medicine degree. The Doctor of Acupuncture and Oriental Medicine degree is a post-licensure professional credential that would not impact perception of master's level licensed practitioners. The accrediting body for acupuncture programs (ACAOM) has designated the D.A.O.M. degree as the recognized post-licensure degree and has created standards for accrediting such programs, separate and apart from the standards for the first professional Masters programs.