

ATTACHMENT A- License Qualifications
Board of Acupuncture and Oriental Medicine

Doctor of Oriental Medicine (16.2.4 NMAC) 652 Total (76%)

To be licensed by the board a licensee must:

The board shall grant a license to practice acupuncture and oriental medicine to a person who has:

- (1) the completed application for licensing on the form provided by the board;
- (2) the required documentation as determined by the board;
- (3) the required fees;
- (4) an affidavit stating that the applicant has not been found guilty of unprofessional conduct or incompetency;
- (5) proof, as determined by the board, that the applicant has completed a board-approved educational program in acupuncture and oriental medicine as provided for in the Acupuncture and Oriental Medicine Practice Act [Chapter 61, Article 14A NMSA] and the rules of the board; and proof that he has passed the examinations approved by the board.

Expanded Practice Certifications 4 types listed below (61-14A-8NMSA) Total 9 (2%)

An expanded practice in addition to the prescriptive authority granted to all licensed DOM's.

A. In addition to the scope of practice outlined in section 16.2.2 NMAC for a doctor of oriental medicine in New Mexico, the scope of practice for those certified in expanded practice shall include certification in any or all of the following modules: (61-14A-8.1BNMSA1978) basic injection therapy, injection therapy, intravenous therapy and bio-identical hormone therapy as specified in 16.2.19 NMAC.

The scope of practice for those doctors of oriental medicine certified in expanded practice shall also include the expanded practice and prescriptive authority defined in 61-14A-8.1C NMSA1978.

DOM, Rx Basic Injection (16.2.19.11NMAC) Total 2 (1%)

The board shall issue, to a doctor of oriental medicine, certification for basic injection therapy upon completion of the course prerequisites including 30 hours of Pharmacology as specified in 16.2.18.9 and the following requirements.

- A. The doctor of oriental medicine shall be a doctor of oriental medicine in good standing.
- B. The doctor of oriental medicine shall submit to the board the completed application form provided by the board.
- C. The doctor of oriental medicine shall pay the application fee for expanded practice certification specified in 16.2.10 NMAC.
- D. The doctor of oriental medicine shall submit, with the application, proof of successful completion of the basic injection therapy educational course specified in 16.2.18 NMAC.

DOM, Rx Injection (16.2.19.12) Total 2 (1%)

The board shall issue to a doctor of oriental medicine, certification for injection therapy, upon completion of the following requirements.

- A. The doctor of oriental medicine shall be a doctor of oriental medicine in good standing.
- B. The doctor of oriental medicine shall submit to the board the completed application form provided by the board.
- C. The doctor of oriental medicine shall pay the application fee for expanded practice certification specified in 16.2.10 NMAC.
- D. The doctor of oriental medicine shall submit, with the application, proof of:
 - (1) current certification by the board for basic injection therapy; or
 - (2) any course combining basic injection therapy and injection therapy, as they are specified in the board's rules, or otherwise in accordance with law, must be completed within two (2) years of the start of the course.
- E. The doctor of oriental medicine shall submit, with the application, proof of successful completion of the injection therapy educational course approved by the board.

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DOM, Rx Intravenous (16.2.19.12NMAC) Total 2 (1%)

The board shall issue to a doctor of oriental medicine, certification for intravenous therapy, upon completion of the course prerequisites including board certification in basic injection therapy, and three (3) hours of college level biochemistry, and the following requirements.

- A. The doctor of oriental medicine shall be a doctor of oriental medicine in good standing.
- B. The doctor of oriental medicine shall submit to the board the completed application form provided by the board.
- C. The doctor of oriental medicine shall pay the application fee for expanded practice certification specified in 16.2.10 NMAC.
- D. The doctor of oriental medicine shall submit, with the application, proof of successful completion of an intravenous therapy educational course approved by the board.

DOM, Rx Hormones (16.2.19.15NMAC) Total 2 (1%)

The board shall issue to a doctor of oriental medicine, certification for bioidentical hormone therapy, upon completion of the following requirements:

- A. the doctor of oriental medicine shall be a doctor of oriental medicine in good standing;
- B. the doctor of oriental medicine shall submit to the board the completed application form provided by the board;
- C. the doctor of oriental medicine shall pay the application fee for expanded practice certification specified in 16.2.10 NMAC; and
- D. the doctor of oriental medicine shall submit, with the application, proof of successful completion of the bioidentical hormone therapy educational course approved by the board.

Temporary License (16.2.5.10NMAC) Total 1 (1%)

Upon approval of an application for a temporary license that fulfills the requirements listed below, the board shall issue a temporary license that will be valid for the dates specified on the license but shall not exceed six (6) months. The temporary license shall include the name of the temporary licensee, the effective dates of the license, the name of the sponsoring New Mexico doctor of oriental medicine or New Mexico educational program, and a statement that the license shall be for the exclusive purpose of one or more of the following: teaching acupuncture and oriental medicine; consulting, in association with the sponsoring doctor of oriental medicine, regarding the sponsoring doctor's patients; performing specialized diagnostic or treatment techniques in association with the sponsoring doctor of oriental medicine regarding the sponsoring doctor's patients; assisting in the conducting of research in acupuncture and oriental medicine; or assisting in the implementation of new techniques and technology related to acupuncture and oriental medicine. The application requirements for a limited temporary license shall be receipt of the following by the board.

- A. The fee for application for temporary license specified in 16.2.10 NMAC (Part 10 of the rules).
- B. A application for temporary license that is complete and in English on a form provided by the board that shall include the applicant's name, address, date of birth, social security number, if available, and the name of the sponsoring and associating New Mexico doctor of oriental medicine or New Mexico educational program.
- C. One (1) passport-type photograph of the applicant taken not more than six months prior to the submission of the application.
- D. An affidavit as provided on the "temporary license application" from the sponsoring and associating New Mexico doctor of oriental medicine or New Mexico educational program attesting to the qualifications of the applicant and the activities the applicant will perform.
- E. An affidavit as provided on the "temporary license application" as to whether the applicant:
 - (1) has been subject to any disciplinary action in any jurisdiction related to the practice of acupuncture and oriental medicine, or related to any other profession including other health care professions for which the applicant is licensed, certified, registered or legally recognized to practice including resignation from practice, withdrawal or surrender of applicants license, certificate or registration during the pendency of disciplinary proceedings or investigation for potential disciplinary proceedings; or
 - (2) has been a party to litigation in any jurisdiction related to the applicants practice of acupuncture and oriental medicine, or related to any other profession including other health care professions for which the applicant is licensed, certified, registered or legally recognized to practice; or

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(3) has been convicted of a felony in any jurisdiction, including any finding of guilt by a court or jury, or any plea of guilty, or any plea of nolo contendere or no contest, or plea or disposition of conditional discharge, and including any such proceeding in which a sentence was imposed, suspended or deferred; or

(4) is in arrears on a court-ordered child support payment.

F. An official license history, which is a certificate from each jurisdiction stating the disciplinary record of the applicant, from each jurisdiction where the applicant has been licensed, certified, registered or legally recognized to practice any other profession, including other health care professions, in any jurisdiction, pursuant to any authority other than the New Mexico Acupuncture and Oriental Medicine Practice Act.

G. An affidavit as provided on the “temporary license application” stating that the applicant understands that:

(1) an applicant who has been subject to any action or proceeding comprehended by Subsection E of 16.2.5.10 NMAC (Subsection 10.E of Part 5 of the rules) may be subject to disciplinary action at any time, including denial, suspension or revocation of licensure, pursuant to the provisions of the act, NMSA 1978, Section 61-14A-17; and subject to the Uniform Licensing Act, NMSA 1978, Section 61-1-1, et seq., and subject to the Criminal Offender Employment Act, NMSA 1978, Section 28-2-1, et seq.; and

(2) an applicant who provides the board with false information or makes a false statement to the board may be subject to disciplinary action, including denial, suspension or revocation of licensure, pursuant to the provisions of the act, NMSA 1978, Section 61-14A-17, and the Uniform Licensing Act, NMSA 1978, Section 61-1-1, et seq.

H. An affidavit as provided on the “temporary license application” stating that the applicant understands that:

(1) the applicant is responsible for reading, understanding and complying with the state of New Mexico laws and rules regarding this application as well as the practice of acupuncture and oriental medicine; and

(2) the applicant must notify the board within ten (10) days if the applicant’s address changes or the circumstances of the applicant’s relationship to the sponsoring and associating New Mexico doctor of oriental medicine or New Mexico educational program change; and

(3) the applicant may only engage in those activities authorized on the temporary license and only in association with the sponsoring and associating New Mexico doctor of oriental medicine or New Mexico educational program for the limited time specified on the temporary license.

I. A copy of the applicant’s license, certification or registration or other document proving that the applicant is legally recognized in another state or country to practice acupuncture and oriental medicine or another health care profession and who possesses knowledge and skill that are included in the scope of practice of doctors of oriental medicine. The copy shall include on it an affidavit by the applicant certifying that it is a true copy of the original. For applicants in the United States who practice in a state in which there is no legal recognition, a copy of the certification document in acupuncture, Chinese herbal medicine or Asian body work, whichever is appropriate for the type of material they will be teaching or studying, by the national certification commission for acupuncture and oriental medicine (NCCAOM) shall be sufficient. The copy shall include on it an affidavit by the applicant certifying that it is a true copy of the original. For applicants outside the United States who practice in a country in which there is no specific legal recognition document but where graduation from an appropriate educational program is the legal requirement for practice, the above provisions in this paragraph shall not apply.

J. A copy of the applicant’s diploma for graduation from the educational program that is required to be licensed, certified, registered or legally recognized to practice in the state or country where the applicant practices. This copy shall include on it an affidavit by the applicant certifying that it is a true copy of the original.

K. An official copy of the applicant’s transcript that shall be sent directly to the board in a sealed envelope by the educational program from which the applicant received the certificate or diploma, and that shall verify the applicant’s satisfactory completion of the required academic and clinical education and that shall designate the completed subjects and the hours of study completed in each subject. This copy of the transcript shall remain in the closed envelope secured with the official seal of the educational program and shall be sent by the applicant to the board along with the applicant’s application for licensure.

L. An affidavit stating that the applicant has been officially informed by the board in writing that either of the following two requirements has been fulfilled:

(1) the educational program in acupuncture and oriental medicine from which the applicant graduated has been approved by the board as an educational program; or

(2) the board, by a vote of the majority of the members of the board acting at a duly convened meeting of the board, has determined not to require the applicant for temporary licensure to have graduated from an approved educational program as provided for in Subsection B of 16.2.5.9 NMAC (Subsection 9.B of Part 5 of the rules).

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M. An accurate translation in English of all documents submitted in a foreign language. Each translated document shall bear the affidavit of the translator certifying that he or she is competent in both the language of the document and the English language and that the translation is a true and faithful translation of the foreign language original. Each translated document shall also bear the affidavit of the applicant certifying that the translation is a true and faithful translation of the original. Each affidavit shall be signed before a notary public. The translation of any document relevant to an application shall be at the expense of the applicant.

Limited Temporary License (16.2.5.12NMAC) Total 3 (1%)

Upon approval of an application for a limited temporary license that fulfills the requirements listed below, the board shall issue a limited temporary license that will be valid for the dates specified on the license but shall not exceed twelve (12) consecutive months from the date of issuance and is not renewable. A limited temporary license shall be for the exclusive purpose of teaching a single complete course in acupuncture and oriental medicine, and assisting in the implementation of new techniques in acupuncture and oriental medicine including the study of such techniques by licensed, registered, certified or legally recognized health care practitioners from jurisdictions other than New Mexico. A limited temporary license shall be required for any person who demonstrates, practices or performs diagnostic and treatment techniques on another person as part of teaching or assisting in the implementation of new techniques, if they are not a licensee or temporary licensee. Limited temporary licenses shall not be issued to teachers for the purpose of teaching full semester courses that are part of an approved educational program. The limited temporary license shall include the name of the limited temporary license holder, the effective dates of the license, the name of the sponsoring New Mexico doctor of oriental medicine or New Mexico educational program, and a statement that the license shall be for the exclusive purpose of teaching acupuncture and oriental medicine, and assisting in the implementation of new techniques in acupuncture and oriental medicine including the study of such techniques by licensed, registered, certified or legally recognized health care practitioners from jurisdictions other than New Mexico. The requirements for a limited temporary license shall be:

- A. the fee for application for a limited temporary license specified in 16.2.10 NMAC (Part 10 of the rules);
- B. an application for limited temporary license that is complete and in English on a form provided by the board that shall include the applicant's name, address, date of birth, social security number, if available, and the name of the sponsoring and associating New Mexico doctor of oriental medicine or New Mexico educational program;
- C. an affidavit as provided on the "temporary license application" from the sponsoring and associating New Mexico doctor of oriental medicine or New Mexico educational program attesting to the qualifications of the applicant and the activities the applicant will perform; and
- D. an affidavit as to whether the applicant:
 - (1) has been subject to any disciplinary action in any jurisdiction related to the practice of acupuncture and oriental medicine, or related to any other profession including other health care professions for which the applicant is licensed, certified, registered or legally recognized to practice including resignation from practice, withdrawal or surrender of applicants license, certificate or registration during the pendency of disciplinary proceedings or investigation for potential disciplinary proceedings; or
 - (2) has been a party to litigation in any jurisdiction related to the applicants practice of acupuncture and oriental medicine, or related to any other profession including other health care professions for which the applicant is licensed, certified, registered or legally recognized to practice; or
 - (3) has been convicted of a felony in any jurisdiction, including any finding of guilt by a court or jury, or any plea of guilty, or any plea of nolo contendere or no contest, or plea or disposition of conditional discharge, and including any such proceeding in which a sentence was imposed, suspended or deferred; or
 - (4) is in arrears on a court-ordered child support payment; and
- E. an affidavit as provided on the "temporary license application" stating that the applicant understands that:
 - (1) an applicant who has been subject to any action or proceeding comprehended by Subsection D of 16.2.5.12 NMAC (Subsection 12.D of Part 5 of the rules), may be subject to disciplinary action at any time, including denial, suspension or revocation of licensure, pursuant to the provisions of the act, NMSA 1978, Section 61-14A-17; and subject to the Uniform Licensing Act, NMSA 1978, Section 61-1-1, et seq., and subject to the Criminal Offender Employment Act, NMSA 1978, Section 28-2-1, et seq.; and
 - (2) an applicant who provides the board with false information or makes a false statement to the board may be subject to disciplinary action, including denial, suspension or revocation of licensure, pursuant to the provisions of the act, NMSA 1978, Section 61-14A-17, and the Uniform Licensing Act, NMSA 1978, Section 61-1-1, et seq.; and
- F. an affidavit as provided on the "temporary license application" stating that the applicant understands that:
 - (1) the applicant is responsible for reading, understanding and complying with the state of New Mexico laws and rules regarding this application as well as the practice of acupuncture and oriental medicine; and

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(2) the applicant must notify the board within ten (10) days if the applicant's address changes or the circumstances of the applicant's relationship to the sponsoring and associating New Mexico doctor of oriental medicine or New Mexico educational program change; and

(3) the applicant may only engage in those activities authorized on the temporary license and only in association with the sponsoring and associating New Mexico doctor of oriental medicine or New Mexico educational program for the limited time specified on the temporary license; and

G. a copy of the applicant's license, certification or registration or other document proving that the applicant is legally recognized in another state or country to practice acupuncture and oriental medicine or another health care profession and who possesses knowledge and skill that are included in the scope of practice of doctors of oriental medicine; the copy shall include on it an affidavit by the applicant certifying that it is a true copy of the original; for applicants in the United States who practice in a state in which there is no legal recognition, a copy of the certification document in acupuncture, Chinese herbal medicine or Asian body work, whichever is appropriate for the type of material they will be teaching or studying, by the national certification commission for acupuncture and oriental medicine (NCCAOM) shall be sufficient; the copy shall include on it an affidavit by the applicant certifying that it is a true copy of the original; for applicants outside the United States who practice in a country in which there is no specific legal recognition document but where graduation from an appropriate educational program is the legal requirement for practice, the above provisions in this paragraph shall not apply; and

H. a copy of the applicant's diploma for graduation from the educational program that is required to be licensed, certified, registered or legally recognized to practice in the state or country where the applicant practices; this copy shall include on it an affidavit by the applicant certifying that it is a true copy of the original; and

I. an accurate translation in English of all documents submitted in a foreign language; each translated document shall bear the affidavit of the translator certifying that he or she is competent in both the language of the document and the English language and that the translation is a true and faithful translation of the foreign language original; each translated document shall also bear the affidavit of the applicant certifying that the translation is a true and faithful translation of the original; each affidavit shall be signed before a notary public; the translation of any document relevant to an application shall be at the expense of the applicant.

Extern (16.2.14.8NMAC) Total 10 (1%)

An Extern applicant who has been subject to any action or proceeding described in Subsection C of 16.2.14.10 NMAC (Part 14 of the Rules) or who has violated the Act or the Rules, may be subject to disciplinary action, including denial, suspension or revocation of licensure, pursuant to the provisions of Section 61-14A-17 NMSA 1978, and subject to the Uniform Licensing Act, NMSA 1978, Section 61-1-1, et seq., and subject to the Criminal Offender Employment Act, NMSA 1978, Section 28-2-1, et seq.

B. An applicant who provides the Board with false information or makes a false statement to the Board may be subject to disciplinary action, including denial, suspension or revocation of licensure, pursuant to the provisions of the Act, NMSA 1978, Section 61-14A-17, and the Uniform Licensing Act, NMSA 1978, Section 61-1-1, et seq.; and

C. An Extern applicant must be an Applicant for licensure.

Externship Supervisor (16.2.14.11NMAC) Total 16 (2%)

The externship supervisor shall:

(1) provide a clinical environment where the extern is able to further his or her knowledge and apply acupuncture and oriental medicine theory and techniques; and

(2) directly supervise the extern on the premises of the treating facility at all times and be available for consultation, intervention, and decisions about patient care; and

(3) supervise no more than two externs at any given time and have no more than a total of two externs in his or her overall externship program at a time; and

(4) inform patients with a written signed consent form outlining the responsibility of the extern and the scope and limits of practice; and

(5) prescribe all herbal, nutritional, homeopathic and any natural substances. Any recommendations of these substances by the extern must be signed by the externship supervisor; and

(6) approve the diagnosis and treatment plan and oversee the techniques of oriental medicine and delivery of patient care; and

(7) notify the board in writing, within five (5) days working days, when the extern enters into an extern supervisory contract with the externship supervisor or terminates the externship participation.

B. The externship supervisor shall be responsible for the delivery of competent professional services, obtaining patient consents, and maintaining patient records.

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C. The externship supervisor shall document approval and oversight of diagnosis, treatment, and patient care in the patient's permanent file.

D. The externship supervisor shall terminate the externship relationship if the externship supervisor has the reasonable belief that the extern has violated the act or the rules. The externship supervisor shall notify the board, in writing, within five (5) working days that the externship relationship is terminated and give the reasons for the termination.

Expanded Practice Educational Course Certifications (16.2.18NMAC) Total 3 (1%)

The board shall approve an educational course for a specific category of expanded practice upon completion of the following general requirements and the specific requirements listed for the specific category of expanded practice educational course approval. All courses shall adhere to ICE credentialing standards. All references to application in this section refer to the educational course application.

A. The educational course shall provide at least the minimum number of hours of education in the areas listed for the specific category of educational course hours. One (1) hour of education shall be equal to that defined by the accreditation commission for acupuncture and oriental medicine (ACAOM). The education shall be in addition to the education required to meet the minimum educational program requirements for licensure as a doctor of oriental medicine.

B. The educational course application shall include a description of the education being provided as required by the educational course general curriculum defined in 16.2.18.11 NMAC and the educational course curriculum defined for the specific category of expanded practice for which the educational course is applying for approval.

C. The educational course application shall include the curriculum vitae for all teachers, and proposed substitute teachers all classes shall be taught by qualified teachers approved by the board, provided the following conditions are met:

(1) the education in the pharmacology of the authorized substances shall be taught by a licensed pharmacist, Pharm D or a Ph.D. in pharmacology; and

(2) the education in the clinical therapeutic use of the authorized substances shall be taught by a licensed health care practitioner with appropriate training and a minimum of five (5) years' experience using the authorized substances.

D. The educational course application shall include documentation that all required clinical practice hours shall have a teacher to student ratio of at least one (1) teacher to no more than eight (8) students.

E. The educational course application shall include examples of the test questions that students enrolled in the course are required to successfully pass in order to ensure competence in all required areas. Testing methodology shall be approved by the board and testing shall be administered, subject to approval by a credentialed PhD psychometrician, as described in the ICE credentialing standards and as approved by the board. The educational course shall send all student test scores and evaluation scores directly to the board.

F. The educational course application shall include an example of the certificate that shall be given for successful completion of the educational course.

G. Each educational course shall be completed within two (2) years of commencement of that course.

H. A student who is allergic or hypersensitive to an authorized substance may be excused from participating in clinical practice when such an authorized substance is being used.

I. A board member or an agent of the board has the authority to observe, audit and evaluate educational courses at any time after an application has been filed. A course audit or evaluation may result in denial, suspension or revocation of the course's approval by the board in accordance with law.

J. The educational course provider shall specify whether the organization offering the educational course is a sole proprietorship, partnership, LLC, corporation or non-profit corporation and shall provide proof of such legal business status.

K. An educational course shall submit a new application on the form approved by the board, pay the appropriate fee defined in 16.2.10 NMAC and comply with all other new application requirements if any of the following changes:

- (1) ownership;
- (2) faculty; and
- (3) curriculum.

L. An educational course shall inform the board in writing, provided that the educational course certifies that all factors defined in Subsection J of 16.2.18.8 NMAC remain unchanged, if any of the following changes:

- (1) name;
- (2) address; and
- (3) phone number.

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Educational Program (16.2.7NMAC) Total 82 (9%)

All educational programs shall be approved by the board. Using the requirements of 16.2.7.8 NMAC and 16.2.7.9 NMAC (Sections 8 and 9 of Part 7 of the rules), the board will evaluate whether or not an educational program shall be approved. If a visit is necessary to evaluate the educational program, the cost of the visit, including any administrative costs, shall be paid in advance by the educational program.

A. The foundation educational program requirement shall be the four academic year masters of oriental medicine program that meets the national certification commission for acupuncture and oriental medicine (NCCAOM) accreditation/equivalent education policy as defined here. Graduation/education must be obtained from a formal education program that has met the standards of the accreditation commission for acupuncture and oriental medicine (ACAOM) or an equivalent educational body. A program may be established as having satisfied this requirement by demonstration of one of the following:

- (1) accreditation or candidacy for accreditation by ACAOM; or
- (2) approval by a foreign government's ministry of education, ministry of health, or equivalent foreign government agency; each candidate must submit their documents for approval by a foreign credential equivalency service approved by the NCCAOM for that purpose; programs attempting to meet the eligibility requirement under this method must also meet the curricular requirements of ACAOM in effect at the time of application; or
- (3) approval by a foreign private accreditation agency that has an accreditation process and standards substantially equivalent to that of ACAOM, and that is recognized for that purpose by the appropriate government entity in that foreign country; each candidate must submit their documents for approval by a foreign credential equivalency service approved by the NCCAOM for that purpose; programs attempting to meet the eligibility requirement under this method must also meet the curricular requirements of ACAOM in effect at the time of application.

B. The educational program shall provide a program that shall be at least four academic years and shall include in-class education that comprises a minimum of 2,400 clock hours of classes including a minimum of 1,100 hours of didactic education in acupuncture and oriental medicine and a minimum of 900 hours of supervised clinical practice, instruction and observation in acupuncture and oriental medicine. The curriculum shall provide the knowledge and skills required to maintain appropriate standards of acupuncture and oriental medical care.

C. The educational program shall include a didactic curriculum that educates and graduates physicians who are competent to practice acupuncture and oriental medicine and who are able to diagnose, prescribe, and treat accurately and that specifically includes, in addition to the requirements of the act, oriental principles of life therapy, including the prescription of herbal medicine, diet and nutrition, manual therapy/physical medicine and counseling, not to exceed 900 hours of the required 2,400 hours specified in Subsection B of 16.2.7.8 NMAC (Subsection 8.B. of Part 7 of the rules) and that includes a minimum of 450 hours of education in herbal medicine.

D. The educational program shall include a clinical curriculum that includes clinical instruction and direct patient contact. This clinical part of the educational program shall include at least 900 hours of supervised clinical practice, instruction and observation in the following areas:

- (1) the observation of and assistance in the application of principles and techniques of oriental medicine including diagnosis, acupuncture, moxibustion, manual therapy/physical medicine, diet and nutrition, counseling and the prescription of herbal medicine; and
- (2) a minimum of 400 hours of actual treatment in which the student is required to perform complete treatment as the primary student practitioner.

E. The educational program shall include a curriculum that educates and graduates physicians who are competent to demonstrate a clinically relevant, complementary and integrative knowledge of biomedicine and biomedical diagnosis sufficient to treat and refer patients when appropriate.

F. The educational program may honor credit from other educational programs.

G. The names and educational qualifications of all teaching supervisors, resident teachers, and visiting teachers of acupuncture and oriental medicine shall be submitted to the board and shall meet the following:

(1) all teachers of acupuncture and oriental medicine in New Mexico shall have a license or temporary license to practice acupuncture and oriental medicine in New Mexico issued by the board; any educational program in violation of this provision shall be subject to suspension or revocation of the educational program approval or subject to disciplinary proceedings, including fines as defined in 16.2.12 NMAC (Part 12 of the rules);

(2) all teachers of acupuncture and oriental medicine at educational programs outside New Mexico shall be licensed, certified, registered or legally recognized to practice acupuncture and oriental medicine in the state or country in which he or she practices and teaches; any educational program in violation of this provision shall be subject to suspension or revocation of the educational program approval or subject to disciplinary proceedings, including fines as defined in 16.2.12 NMAC (Part 12 of the rules);

(3) exceptions may be made at the board's discretion and for good cause.

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H. Educational programs may employ or contract with tutors to teach components of the educational program. Educational programs may honor credit from tutors. A tutor is defined in the act as “a doctor of oriental medicine with at least ten years of clinical experience who is a teacher of acupuncture and oriental medicine.”

I. The educational program may be subject to inspection by the board.

Auricular Detoxification Specialist (CADS) (16.2.16.8NMAC) Total 62 (7%)

A certified auricular detoxification specialist applicant shall provide satisfactory proof that he or she has successfully completed a board approved auricular detoxification specialist training program as defined in 16.2.16.26 NMAC (Section 26 of Part 16 of the rules) that specifies successful completion of:

- A. clean needle technique training; and
- B. a board approved clean needle technique examination; and
- C. the board approved jurisprudence examination covering the act and the rules with a score of not less than ninety percent (90%).

Auricular Detoxification Specialist Supervisor (16.2.16.17NMAC) Total 25 (3%)

The auricular detoxification specialist supervisor shall:

- (1) be a licensed doctor of oriental medicine;
 - (2) be registered with the board as an auricular detoxification specialist supervisor;
 - (3) supervise no more than thirty (30) certified auricular detoxification specialists;
 - (4) be accessible for consultation directly or by telephone to a certified auricular detoxification specialist under his or her supervision;
 - (5) directly visit each certified auricular detoxification specialist under his supervision at the treatment program site at intervals of not more than six weeks with the first visit occurring not more than two weeks after supervision has begun for the first year, then at least once per year thereafter at the supervisor’s discretion with regular meetings by electronic methods (telephone, email, teleconferencing as examples) at intervals to be determined by the supervisor;
 - (6) be responsible for having each certified auricular detoxification specialist under their supervision require each patient to complete a written, signed consent form outlining the responsibilities of the certified auricular detoxification specialist, the nature of the treatment, expected outcomes, and the scope and limits of practice;
 - (7) ensure that the certified auricular detoxification specialist is following a board approved treatment protocol; and
 - (8) notify the board in writing, within five working days, when a certified auricular detoxification specialist enters into a supervisory relationship with the auricular detoxification specialist supervisor or the supervisory relationship is terminated; and
- B. an auricular detoxification specialist supervisor shall be responsible for the delivery of competent, professional services and ensuring that patient consents are obtained; and
 - C. the auricular detoxification specialist supervisor shall terminate the supervisory relationship if the auricular detoxification specialist supervisor has the reasonable belief that the certified auricular detoxification specialist has violated the act or the rules; in such case the auricular detoxification specialist supervisor shall notify the board and the certified auricular detoxification specialist’s employer, in writing, within five (5) working days that the supervisory relationship is terminated and give in writing the reasons for the termination.

Auricular Detoxification Specialist Training Program (16.2.16.26NMAC) Total 4 (1%)

Upon approval of an auricular detoxification specialist training program approval application that fulfills the requirements listed below, the board shall issue an auricular detoxification specialist training program approval that will be valid until July 31 following the initial registration. In the interim between regular board meetings, whenever a qualified applicant for auricular detoxification specialist training program approval has filed an application and complied with all other requirements of this section, the board’s chairman or an authorized representative of the board may grant an interim temporary auricular detoxification specialist training program approval that will suffice until the next regular meeting of the board. The application requirements for an auricular detoxification specialist training program approval shall be receipt of the following by the board:

- A. the auricular detoxification specialist training program approval application fee specified in 16.2.10 NMAC (Part 10 of the rules); and
- B. an application for auricular detoxification specialist training program approval that is complete and in English on a form provided by the board that shall include the applicant’s name, address, phone number, fax number and email address, if available; and
- C. a curriculum that shall include at least:

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(1) 30 hours of classroom didactic education covering the following subjects related to auricular detoxification: history and overview of the auricular detoxification profession; point descriptions, and locations and use of the NADA five auricular point national acupuncture detoxification association (NADA) procedure or other board approved procedures; acupuncture needle description, insertion and removal techniques, the use of devices that do not penetrate the skin of the ear; trial treatment (explanation of what happens during a treatment and practice on class members); public health and laws and regulations; exposure control; clean needle technique training; occupational health and safety administration (OSHA) requirements; integration of auricular detoxification within the treatment program; concepts of acupuncture and oriental medicine as related to addiction and recovery (the concept of “empty fire”, etc.); client management issues and strategies (special populations); ethical and legal issues (confidentiality, HIPAA, the pertinent laws and rules of the state of New Mexico, etc.); and the nature of addiction and recovery; and

(2) 40 client hours (40 successfully completed treatments) under direct supervision by a board approved CADS supervisor at a site and with a supervisor pre-approved in writing by the training program, documented by a HIPAA-compliant form in which the privacy of clients is respected; and

D. an affidavit as provided on the auricular detoxification specialist training program approval application form stating that the applicant understands that:

(1) the auricular detoxification specialist training program must provide each person who successfully completes the approved program with a certification of completion; and

(2) the auricular detoxification specialist training program registration must be renewed annually by July 31; and

(3) the auricular detoxification specialist training program must notify the board within ten (10) days if the program’s address or phone number changes; and

(4) the board may refuse to issue, or may suspend, or revoke any auricular detoxification specialist training program approval in accordance with the Uniform Licensing Act, 61-1-1 to 61-1-31 NMSA 1978, for reasons authorized in Section 61-14A-17 NMSA 1978 of the act and clarified in 16.2.12 NMAC (Part 12 of the rules); and

E. the name or names of the trainer(s) who shall be teaching in the program and copies of their qualifications as trainers from NADA or other oriental medicine and auricular acupuncture drug detoxification, harm reduction, substance abuse or relapse-prevention-related education and experience approved by the board to train auricular detoxification specialist trainers; and

F. approval of a training program shall entail recognition that its trainers have the status of certified auricular detoxification specialists and CADS supervisors within and for the purpose of and for the duration of a training course.

Auricular Detoxification Treatment Program (16.2.16.28 NMAC) Total 1 (1%)

All treatment programs focused on disease prevention, harm reduction or the treatment or prevention of alcoholism, substance abuse or chemical dependency that are officially recognized by a federal, state or local government agency shall automatically be approved by the board. Upon approval of a treatment program application for approval that fulfills the requirements listed below, the board shall issue a treatment program approval. In the interim between regular board meetings, whenever a qualified applicant for a treatment program approval has filed an application and complied with all other requirements of this section, the board’s chairman or an authorized representative of the board may grant an interim temporary treatment program approval that will suffice until the next regular meeting of the board. The application requirements for a treatment program approval shall be receipt of the following by the board:

A. the treatment program approval application fee specified in 16.2.10 NMAC;

B. an application for treatment program approval that is complete and in English on a form provided by the board that shall include the applicant’s name, address, phone number, fax number and email address, if available, and:

(1) affidavit that the treatment program is for disease prevention, harm reduction or the treatment or prevention of alcoholism, substance abuse or chemical dependency;

(2) whether the facility is at a fixed address or is mobile;

(3) the name of the director of the program;

(4) the number and qualifications of the treatment staff; and

(5) the name of the auricular detoxification supervisor and the certified auricular detoxification specialist, if known; and

C. an affidavit as provided on the treatment program approval application form stating that the facility has access to a toilet and a sink; and

D. an affidavit as provided on the treatment program approval application form stating that the applicant understands that:

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(1) the treatment program must notify the board within ten (10) days if the program's address or phone number changes; and

(2) the board may refuse to issue, or may suspend, or revoke any treatment program approval in accordance with the Uniform Licensing Act, 61-1-1 to 61-1-31 NMSA 1978,