



New Mexico Regulation and Licensing Department
BOARDS AND COMMISSIONS DIVISION
Board of Acupuncture and Oriental Medicine

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ADMINISTRATION OF CHINESE HERBS IN NEW MEXICO

Disclaimer

This information is provided as a general description of certain New Mexico statutes and regulations that pertain to the practice of acupuncture and oriental medicine. Every effort is made to provide accurate information as of the date of publication. The statutory and regulatory references provided are not inclusive of all laws that relate to the practice of acupuncture and oriental medicine. Laws are subject to revision or repeal by subsequent legislative action and are subject to interpretation, modification, or limitation by courts or regulatory authorities. Other statutes or regulations not described herein may apply to a particular subject matter, practice area or factual situation. This information is not intended a legal, medical or other professional advice.

This article is intended to help the doctor of oriental medicine in New Mexico better understand his or her temporary licensure.

General Information

The following information is intended to provide the reader with an understanding of the opinion of the NMBAOM in regards to the prescription and administration of Chinese herbs in New Mexico.

As a regulatory agency we are responsible for the oversight of Doctors of Oriental Medicine. We do not have any regulatory authority over non-licensees. If there is a complaint that involves oriental medicine pertaining to a non-licensee, we would refer that information to the AG office.

61.14A-6A of the Boards statute states, “Nothing in the Acupuncture and Oriental Medicine Practice Act is intended to limit, interfere with or prevent any other class of licensed health care professionals from practicing within the scope of their licenses, but they shall not hold themselves out to the public or any private group or business by using any title or description of services that includes the term acupuncture, acupuncturist, or oriental medicine unless they are licensed under the Acupuncture and Oriental Medicine Practice Act.”

Chinese herbs are specifically defined in the Acupuncture and Oriental Medicine Practice Act. A person is required to obtain a license in order to hold themselves out as a practitioner of acupuncture and oriental medicine.

The administration of any herbs requires a diagnosis and is therefore considered the practice of medicine and requires licensure under some authority by law