

A New Hope

By Michael A. Taromina, Esq.



The law controls medicine. And when the law becomes outdated or does not adequately serve the public's health-care needs, or meet growing patient demands, then it is the responsibility, not favor, of state legislators to change it. The legislative process dictates that the changing of professional licensing statutes is a direct measure of the political power of the profession seeking change.

In my view, the acupuncture and oriental medicine (AOM) profession—which encompasses practitioners, organizations, students, advocates, schools and patients—has never fully realized and unleashed its political power due to a history of factional differences and lack of unity. Recent events, however, demonstrate to me that AOM's political power is finally on the rise. A couple of cases in point:

- On a national level, the AOM Alliance and American Association of Oriental Medicine (AAOM) have united to form a single organization called American Association of Acupuncture and Oriental Medicine (AAAOM)—one banner, one voice, thousands of practitioners nationwide leading and serving the profession into the next generation. A stronger representative organization is born (again). The power and influence of ten thousand—strong practitioners across the country who are not disagreeing or fighting with each other is unprecedented. Now it is up to the directors and members of AAAOM to strengthen and strategically unleash that unified power and influence, where necessary, for the long-term betterment of the profession.
- Likewise, in New York, a pivotal health-care state, given the number of practitioners and patients—and quality of health care, a broad coalition has been formed to propose a legislative amendment to the acupuncture statute. I am proud to serve as counsel to this historic movement of unity in a traditionally divisive state. New York State organizations and schools that have had competing agendas in the past have come together in this effort. Practitioners and students en masse are joining forces to effect positive long-term change.

Among the legislative goals of this coalition are the long-overdue inclusion and regulation of herbal practice and instituting mandatory continuing education. Legally, acupuncturists can practice herbs in New York solely by virtue of the fact that the state presently does not regulate this practice; therefore, anyone can practice herbs (including me). However, recent indicators strongly suggest that acupuncturists are increasingly losing their tenuous legal standing to practice herbs. Continuing education requirements are included to protect the new herbal standards and enhance the overall educational credibility, parity and status of the profession. Once passed, the new law will open new doors and provide more secure employment opportunities for New York practitioners.

As these and other positive trends throughout the country continue to gather, I am, for the first time in all my years of representation and advocacy for the profession, hopeful that the AOM community will eventually achieve a statutory and regulatory landscape that ensures long-term security and profitability.

Hope alone never accomplishes anything. I'm in. Are you? For more information on the New York State coalition's efforts, please contact me at newsletter@tcmworld.org.

Michael A. Taromina, Esq., has represented practitioners, institutions, organizations, and students in the TCM field. He serves as a member of the NCCAOM Ethics and Disciplinary Committee and has designed and taught programs in health law, ethics, professional liability and practice management. Michael Taromina will speak at the 2007 Building Bridges of Integration for TCM conference. Visit www.tcmconference.org or call 1.888.TCM.6909 for details and registration.

Do you have a question, comment or issue you'd like Michael Taromina to address in an upcoming column? E-mail *Harmony* at newsletter@tcmworld.org.