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Title 10
MARYLAND DEPARTMENT OF HEALTH
Subtitle 43 BOARD OF CHIROPRACTIC EXAMINERS

10.43.16 Dry Needling

Authority: Health Occupations Article, §§3-101, 3-205(a), 3-307, 3-403, and 13-101, Annotated Code of Maryland

Notice of Proposed Action

[19-257-P]

The Secretary of Health proposes to adopt new Regulations **.01—.05** under a new chapter, **COMAR 10.43.16 Dry Needling**. This action was considered by the Board of Chiropractic Examiners at a public meeting on April 11, 2019, notice of which was given by publication on the Board's website at <https://health.maryland.gov/chiropractic/Pages/index.aspx> pursuant to General Provisions Article, §3-302(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to establish:

- (1) Guidelines for the provision of dry needling as an intervention performed by chiropractors; and
- (2) The minimum education and training requirements for chiropractors to perform dry needling.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Jake Whitaker, Acting Director, Office of Regulation and Policy Coordination, Maryland Department of Health, 201 West Preston Street, Room 512, Baltimore, MD 21201, or call 410-767-6499 (TTY 800-735-2258), or email to mdh.regs@maryland.gov, or fax to 410-767-6483. Comments will be accepted through January 21, 2020. A public hearing has not been scheduled.

.01 Scope.

This chapter establishes standards for the provision of dry needling as an intervention performed by chiropractors.

.02 Definitions.

A. *In this chapter, the following terms have the meanings indicated.*

B. *Terms Defined.*

(1) *"Board" means the State Board of Chiropractic Examiners.*

(2) *"Dry needling" means a chiropractic intervention, also known as intramuscular manual therapy, that:*

(a) Is performed only by chiropractors with physical therapy privileges;

(b) Involves the insertion of one or more solid needles, a mechanical device, into the muscle and related tissues to affect change in muscle and related tissues;

(c) Requires ongoing evaluation, assessment, and re-evaluation of the impairments;

(d) Is only utilized in parts of the body with neuromuscular or musculoskeletal links to the impairments; and

(e) Is not performed for:

(i) The purposes of acupuncture as defined in Health Occupations Article, §1A-101, Annotated Code of Maryland; or

(ii) Any purpose outside the scope of chiropractic.

.03 Standards of Practice.

A. A chiropractor registered to perform dry needling shall:

- (1) Fully explain dry needling to the patient in advance of treatment;
- (2) Obtain informed written consent specific to dry needling, which shall be included in the patient's medical record;
- (3) Perform dry needling in a competent manner consistent with patient health and safety; and
- (4) Document the provision of dry needling service in accordance with the requirements of COMAR 10.43.14.03.

B. A chiropractor who performs dry needling in a manner inconsistent with the standards of practice enumerated in this regulation may be subject to discipline pursuant to COMAR 10.43.15.06.

C. Dry needling is not within the scope of practice for a chiropractic assistant.

.04 Minimum Education and Training Required.

A. A chiropractor with physical therapy privileges shall be in good standing before beginning dry needling training as described in §B of this regulation.

B. In order to perform dry needling, a chiropractor with physical therapy privileges shall complete a minimum of 80 hours of total instruction in the following content areas, including:

(1) 60 hours of:

(a) Academic coursework obtained through completion of a college program accredited by the Council of Chiropractic Education, as part of the Doctor of Chiropractic program, including the following minimum requirements:

- (i) Foundations;
- (ii) Basic sciences;
- (iii) Clinical sciences; and
- (iv) Professional practice; or

(b) Coursework required to sit for Part I, Part II, Part III, Physiotherapy, and Part IV of the examination administered by the National Board of Chiropractic Examiners; and

(2) Board-approved coursework consisting of 20 hours to be done in a hands-on classroom setting, including but not limited to the following learning topics:

- (a) Philosophy and historical perspective of dry needling;
- (b) Indications, contra-indications, and qualifications for treatment;
- (c) Protocols, doctor and patient safety, usage of dry needling, and dry needling as a diagnostic tool;
- (d) Case management and jurisprudence; and
- (e) Direct, hands-on implementation and testing for competency in dry needling of:
 - (i) Cervical, thoracic, lumbar, and pelvic regions;
 - (ii) Anterior and posterior thoracic and ribs;
 - (iii) The upper and lower extremity;
 - (iv) The face and head;
 - (v) Technique; and
 - (vi) Needle size and gauge appropriateness.

C. Continuing Education.

(1) The Board shall accept a continuing education course completed before the effective date of this chapter if:

(a) The same course, in substantially similar form, is later sponsored by a continuing education provider approved by the Board; and

(b) The chiropractor seeking to perform dry needling provides the Board with a certificate of completion of 3 hours of a continuing education course in dry needling.

(2) A chiropractor approved to perform dry needling may complete continuing education coursework in dry needling as part of the requisite continuing education necessary to renew the license with the Board.

.05 Registration Required.

A. The Board shall register a chiropractor with physical therapy privileges as qualified to perform dry needling in the State provided the chiropractor submits to the Board:

- (1) Evidence of completion of the education and training requirements outlined in Regulation .04 of this chapter;
- (2) An application for registration on a form provided by the Board; and
- (3) Evidence of continuing education coursework in dry needling completed before the effective date of this chapter.

B. A chiropractor with physical therapy privileges may not perform dry needling without registering with the Board.

ROBERT R. NEALL
Secretary of Health