HOUSE BILL 1016

By: Delegates K. Young and Proctor
Introduced and read first time: February 10, 2022
Assigned to: Health and Government Operations

A BILL ENTITLED

AN ACT concerning

Health Occupations – Licensed Athletic Trainers – Dry Needling Registration

FOR the purpose of authorizing the State Board of Physicians to register licensed athletic trainers to perform dry needling; and generally relating to licensed athletic trainers and dry needling.

BY adding to

Article – Health Occupations
Section 14–5D–10.1
Annotated Code of Maryland
(2021 Replacement Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Health Occupations


(a) In this section, “Dry Needling” means an intramuscular manual therapy that:

(1) involves the insertion of one or more solid needles or a mechanical device into the muscle and related tissues to effect change in the muscle and related tissues;

(2) requires ongoing evaluation, assessment, and reevaluation of an impairment;
(3) IS USED ONLY IN PARTS OF THE BODY WITH NEUROMUSCULAR OR MUSCULOSKELETAL LINKS TO AN IMPAIRMENT; AND

(4) IS NOT PERFORMED FOR:

   (i) THE PURPOSES OF ACUPUNCTURE AS DEFINED IN § 1A–101 OF THIS ARTICLE; OR

   (ii) ANY PURPOSE OUTSIDE OF THE SCOPE OF PRACTICE OF ATHLETIC TRAINERS.

(B) (1) A LICENSED ATHLETIC TRAINER SHALL BE REGISTERED BY THE BOARD BEFORE THE LICENSED ATHLETIC TRAINER MAY PERFORM DRY NEEDLING IN THE STATE.

   (2) THE BOARD SHALL ISSUE A REGISTRATION TO PERFORM DRY NEEDLING TO A LICENSED ATHLETIC TRAINER WHO MEETS THE REQUIREMENTS OF THIS SECTION.

(C) TO APPLY FOR A REGISTRATION TO PERFORM DRY NEEDLING, A LICENSED ATHLETIC TRAINER SHALL SUBMIT A COMPLETED EVALUATION AND TREATMENT PROTOCOL ENTERED INTO WITH A LICENSED PHYSICIAN.

(D) (1) EXCEPT AS PROVIDED IN SUBSECTION (F) OF THIS SECTION, TO QUALIFY FOR A REGISTRATION TO PERFORM DRY NEEDLING, A LICENSED ATHLETIC TRAINER SHALL COMPLETE AT LEAST 80 HOURS OF INSTRUCTION IN A CONTINUING EDUCATION COURSE APPROVED BY:

   (i) The National Athletic Trainers’ Association;

   (ii) The Board of Certification for the Athletic Trainer; or

   (iii) The United States armed forces.

(2) EXCEPT AS PROVIDED IN SUBSECTION (F) OF THIS SECTION, OF THE 80 HOURS OF INSTRUCTION REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION, AT LEAST 40 HOURS OF INSTRUCTION SHALL BE IN THE FOLLOWING COURSE CONTENT AREAS:

   (i) Theory and application of dry needling;
(II) **Dry needling technique, including spine and extremities**;

(III) **Dry needling indications and contraindications**;

(IV) **Infection control, the Occupational Safety and Health Administration's Bloodborne Pathogen Protocol, and safe handling of needles**;

(V) **Emergency preparedness and response procedures related to complications associated with dry needling**; and

(VI) **Appropriate documentation of dry needling**.

(3) Except as provided in subsection (f) of this section, of the 80 hours of instruction required under paragraph (1) of this subsection, at least 40 hours shall be practical, hands–on instruction in the application and technique of dry needling that is completed under the supervision of a licensed health care practitioner who has:

(I) completed all requisite coursework under this subsection; and

(II) practiced dry needling for at least 5 years.

(4) The instruction required under this subsection shall include an assessment of the licensed athletic trainer’s competency to perform dry needling.

(E) A licensed athletic trainer who completed a continuing education course before June 19, 2018, shall be deemed to have satisfied the requirements established under subsection (d) of this section if the course:

(1) is substantially similar to an approved continuing education course; and

(2) is sponsored by the Board of Certification for the Athletic Trainer.

(F) The Board may not require an applicant for a registration to perform dry needling who was previously authorized to perform dry
NEEDLING UNDER A LICENSE OR REGISTRATION IN ANOTHER STATE TO COMPLETE THE INSTRUCTION REQUIREMENTS UNDER SUBSECTION (D) OF THIS SECTION IF:

(1) The individual did not cease to perform dry needling in the other state due to a disciplinary action taken against the individual in the other state;

(2) The individual was not subject to a pending disciplinary investigation at the time the individual stopped performing dry needling in the other state;

(3) The other state has instruction requirements to perform dry needling that are substantially similar to the instruction requirements under subsection (D) of this section; and

(4) The applicant provides proof of completing the substantively similar instruction requirements for authorization to perform dry needling in the other state.

(A) A licensed athletic trainer who performs dry needling without being registered by the Board is subject to:

(1) Reprimand by the Board;

(2) Revocation of licensure; or

(3) A fine of $500.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2022.