

SENATE BILL 711

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2lr1721
CF HB 1016

By: **Senator Beidle**

Introduced and read first time: February 4, 2022

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 4, 2022

CHAPTER _____

1 AN ACT concerning

2 **Health Occupations – Licensed Athletic Trainers – Dry Needling ~~Registration~~**
3 **Approval**

4 FOR the purpose of authorizing the State Board of Physicians to ~~register~~ approve licensed
5 athletic trainers to perform dry needling as a specialized task; and generally relating
6 to licensed athletic trainers and dry needling.

7 BY repealing and reenacting, without amendments,

8 Article – Health Occupations

9 Section 14-5D-01(a)

10 Annotated Code of Maryland

11 (2021 Replacement Volume)

12 BY adding to

13 Article – Health Occupations

14 Section ~~14-5D-10.1~~ 14-5D-01(e-1), 14-5D-11.4, and 14-5D-14(a)(30)

15 Annotated Code of Maryland

16 (2021 Replacement Volume)

17 BY repealing and reenacting, with amendments,

18 Article – Health Occupations

19 Section 14-5D-14(a)(28) and (29)

20 Annotated Code of Maryland

21 (2021 Replacement Volume)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

Article – Health Occupations

~~14-5D-10.1.~~ 14-5D-01.

(a) In this subtitle the following words have the meanings indicated.

~~(A) IN THIS SECTION, “DRY NEEDLING” MEANS AN INTRAMUSCULAR~~

(E-1) “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.

14-5D-11.4.

~~(B) (1) (A)~~ **A LICENSED ATHLETIC TRAINER SHALL BE REGISTERED APPROVED BY THE BOARD BEFORE THE LICENSED ATHLETIC TRAINER MAY PERFORM DRY NEEDLING IN THE STATE AS A SPECIALIZED TASK.**

~~(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.~~

1 ~~(D)~~ **(B)** **(1)** ~~EXCEPT AS PROVIDED IN SUBSECTION (F) OF THIS SECTION,~~
2 ~~TO QUALIFY FOR A REGISTRATION TO PERFORM DRY NEEDLING, A~~ **THE BOARD**
3 **SHALL ISSUE AN APPROVAL TO PERFORM DRY NEEDLING TO A LICENSED ATHLETIC**
4 **TRAINER ~~SHALL COMPLETE~~ WHO PROVIDES PROOF OF COMPLETION OF AT LEAST 80**
5 **HOURS OF INSTRUCTION IN A CONTINUING EDUCATION COURSE APPROVED BY:**

6 **(I)** **THE NATIONAL ATHLETIC TRAINERS' ASSOCIATION;**

7 **(II)** **THE BOARD OF CERTIFICATION FOR THE ATHLETIC**
8 **TRAINER; OR**

9 **(III)** **THE UNITED STATES ARMED FORCES.**

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

14 **(I)** **THEORY AND APPLICATION OF DRY NEEDLING;**

15 **(II)** **DRY NEEDLING TECHNIQUE, INCLUDING SPINE AND**
16 **EXTREMITIES;**

17 **(III)** **DRY NEEDLING INDICATIONS AND CONTRAINDICATIONS;**

18 **(IV)** **INFECTION CONTROL, THE OCCUPATIONAL SAFETY AND**
19 **HEALTH ADMINISTRATION'S BLOODBORNE PATHOGEN PROTOCOL, AND SAFE**
20 **HANDLING OF NEEDLES;**

21 **(V)** **EMERGENCY PREPAREDNESS AND RESPONSE PROCEDURES**
22 **RELATED TO COMPLICATIONS ASSOCIATED WITH DRY NEEDLING; AND**

23 **(VI)** **APPROPRIATE DOCUMENTATION OF DRY NEEDLING.**

24 **(3)** **EXCEPT AS PROVIDED IN SUBSECTION (F) OF THIS SECTION, OF**
25 **THE 80 HOURS OF INSTRUCTION REQUIRED UNDER PARAGRAPH (1) OF THIS**
26 **SUBSECTION, AT LEAST 40 HOURS SHALL BE PRACTICAL, HANDS-ON INSTRUCTION**
27 **IN THE APPLICATION AND TECHNIQUE OF DRY NEEDLING THAT IS COMPLETED**
28 **UNDER THE SUPERVISION OF A LICENSED HEALTH CARE PRACTITIONER WHO HAS:**

29 **(I)** **COMPLETED ALL REQUISITE COURSEWORK UNDER THIS**
30 **SUBSECTION; AND**

31 **(II)** **PRACTICED DRY NEEDLING FOR AT LEAST 5 YEARS.**

1 (4) THE INSTRUCTION REQUIRED UNDER THIS SUBSECTION SHALL
2 INCLUDE AN ASSESSMENT OF THE LICENSED ATHLETIC TRAINER'S COMPETENCY TO
3 PERFORM DRY NEEDLING.

4 ~~(E) A LICENSED ATHLETIC TRAINER WHO COMPLETED A CONTINUING
5 EDUCATION COURSE BEFORE JUNE 19, 2018, SHALL BE DEEMED TO HAVE SATISFIED
6 THE REQUIREMENTS ESTABLISHED UNDER SUBSECTION (D) OF THIS SECTION IF
7 THE COURSE:~~

8 ~~(1) IS SUBSTANTIALLY SIMILAR TO AN APPROVED CONTINUING
9 EDUCATION COURSE; AND~~

10 ~~(2) IS SPONSORED BY THE BOARD OF CERTIFICATION FOR THE
11 ATHLETIC TRAINER.~~

12 ~~(F) THE BOARD MAY NOT REQUIRE AN APPLICANT FOR A REGISTRATION TO
13 PERFORM DRY NEEDLING WHO WAS PREVIOUSLY AUTHORIZED TO PERFORM DRY
14 NEEDLING UNDER A LICENSE OR REGISTRATION IN ANOTHER STATE TO COMPLETE
15 THE INSTRUCTION REQUIREMENTS UNDER SUBSECTION (D) OF THIS SECTION IF:~~

16 ~~(1) THE INDIVIDUAL DID NOT CEASE TO PERFORM DRY NEEDLING IN
17 THE OTHER STATE DUE TO A DISCIPLINARY ACTION TAKEN AGAINST THE
18 INDIVIDUAL IN THE OTHER STATE;~~

19 ~~(2) THE INDIVIDUAL WAS NOT SUBJECT TO A PENDING DISCIPLINARY
20 INVESTIGATION AT THE TIME THE INDIVIDUAL STOPPED PERFORMING DRY
21 NEEDLING IN THE OTHER STATE;~~

22 ~~(3) THE OTHER STATE HAS INSTRUCTION REQUIREMENTS TO
23 PERFORM DRY NEEDLING THAT ARE SUBSTANTIVELY SIMILAR TO THE INSTRUCTION
24 REQUIREMENTS UNDER SUBSECTION (D) OF THIS SECTION; AND~~

25 ~~(4) THE APPLICANT PROVIDES PROOF OF COMPLETING THE
26 SUBSTANTIVELY SIMILAR INSTRUCTION REQUIREMENTS FOR AUTHORIZATION TO
27 PERFORM DRY NEEDLING IN THE OTHER STATE.~~

28 ~~(G) A LICENSED ATHLETIC TRAINER WHO PERFORMS DRY NEEDLING
29 WITHOUT BEING REGISTERED BY THE BOARD IS SUBJECT TO:~~

30 ~~(1) REPRIMAND BY THE BOARD;~~

31 ~~(2) REVOCATION OF LICENSURE; OR~~

1 ~~(3) A FINE OF \$500.~~

2 14-5D-14.

3 (a) Subject to the hearing provisions of § 14-405 of this title, a disciplinary panel,
4 on the affirmative vote of a majority of a quorum of the disciplinary panel, may deny a
5 license to any applicant, reprimand any licensee, place any licensee on probation, or
6 suspend or revoke a license, if the applicant or licensee:

7 (28) Violates an order of the Board or a disciplinary panel, including any
8 condition of probation; [or]

9 (29) Fails to complete a criminal history records check under § 14-308.1 of
10 this title; OR

11 **(30) PERFORMS DRY NEEDLING WITHOUT THE APPROVAL OF THE**
12 **BOARD ISSUED UNDER § 14-5D-11.4 OF THIS SUBTITLE.**

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

Approved:

_____ Governor.

_____ President of the Senate.

_____ Speaker of the House of Delegates.