

HOUSE BILL 172

J2
HB 1016/22 – HGO

3lr1833
CF 3lr0727

By: **Delegates Kerr, Fair, and Simpson**

Introduced and read first time: January 18, 2023

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Health Occupations – Licensed Athletic Trainers – Dry Needling Approval**

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

6 BY repealing and reenacting, without amendments,
7 Article – Health Occupations
8 Section 14–5D–01(a)
9 Annotated Code of Maryland
10 (2021 Replacement Volume and 2022 Supplement)

11 BY adding to
12 Article – Health Occupations
13 Section 14–5D–01(e–1), 14–5D–11.4, and 14–5D–14(a)(30)
14 Annotated Code of Maryland
15 (2021 Replacement Volume and 2022 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article – Health Occupations
18 Section 14–5D–14(a)(28) and (29)
19 Annotated Code of Maryland
20 (2021 Replacement Volume and 2022 Supplement)

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

23 **Article – Health Occupations**

24 14–5D–01.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

2 **(E-1) “DRY NEEDLING” MEANS AN INTRAMUSCULAR MANUAL THERAPY THAT:**

3 **(1) INVOLVES THE INSERTION OF ONE OR MORE SOLID NEEDLES OR A**
4 **MECHANICAL DEVICE INTO THE MUSCLE AND RELATED TISSUES TO EFFECT CHANGE**
5 **IN THE MUSCLE AND RELATED TISSUES;**

6 **(2) REQUIRES ONGOING EVALUATION, ASSESSMENT, AND**
7 **REEVALUATION OF AN IMPAIRMENT;**

8 **(3) IS USED ONLY IN PARTS OF THE BODY WITH NEUROMUSCULAR OR**
9 **MUSCULOSKELETAL LINKS TO AN IMPAIRMENT; AND**

10 **(4) IS NOT PERFORMED FOR:**

11 **(I) THE PURPOSES OF ACUPUNCTURE AS DEFINED IN § 1A-101**
12 **OF THIS ARTICLE; OR**

13 **(II) ANY PURPOSE OUTSIDE OF THE SCOPE OF PRACTICE OF**
14 **ATHLETIC TRAINERS.**

15 **14-5D-11.4.**

16 **(A) A LICENSED ATHLETIC TRAINER SHALL BE APPROVED BY THE BOARD**
17 **BEFORE THE LICENSED ATHLETIC TRAINER MAY PERFORM DRY NEEDLING AS A**
18 **SPECIALIZED TASK.**

19 **(B) (1) THE BOARD SHALL ISSUE AN APPROVAL TO PERFORM DRY**
20 **NEEDLING TO A LICENSED ATHLETIC TRAINER WHO PROVIDES PROOF OF**
21 **COMPLETION OF AT LEAST 80 HOURS OF INSTRUCTION IN A CONTINUING**
22 **EDUCATION COURSE APPROVED BY:**

23 **(I) THE NATIONAL ATHLETIC TRAINERS’ ASSOCIATION;**

24 **(II) THE BOARD OF CERTIFICATION FOR THE ATHLETIC**
25 **TRAINER; OR**

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

27 **(2) OF THE 80 HOURS OF INSTRUCTION REQUIRED UNDER**
28 **PARAGRAPH (1) OF THIS SUBSECTION, AT LEAST 40 HOURS OF INSTRUCTION SHALL**
29 **BE IN THE FOLLOWING COURSE CONTENT AREAS:**

- 1 **(I) THEORY AND APPLICATION OF DRY NEEDLING;**
- 2 **(II) DRY NEEDLING TECHNIQUE, INCLUDING SPINE AND**
3 **EXTREMITIES;**
- 4 **(III) DRY NEEDLING INDICATIONS AND CONTRAINDICATIONS;**
- 5 **(IV) INFECTION CONTROL, THE OCCUPATIONAL SAFETY AND**
6 **HEALTH ADMINISTRATION'S BLOODBORNE PATHOGEN PROTOCOL, AND SAFE**
7 **HANDLING OF NEEDLES;**
- 8 **(V) EMERGENCY PREPAREDNESS AND RESPONSE PROCEDURES**
9 **RELATED TO COMPLICATIONS ASSOCIATED WITH DRY NEEDLING; AND**
- 10 **(VI) APPROPRIATE DOCUMENTATION OF DRY NEEDLING.**

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

- 16 **(I) COMPLETED ALL REQUISITE COURSEWORK UNDER THIS**
17 **SUBSECTION; AND**
- 18 **(II) PRACTICED DRY NEEDLING FOR AT LEAST 5 YEARS.**

19 **(4) THE INSTRUCTION REQUIRED UNDER THIS SUBSECTION SHALL**
20 **INCLUDE AN ASSESSMENT OF THE LICENSED ATHLETIC TRAINER'S COMPETENCY TO**
21 **PERFORM DRY NEEDLING.**

22 14-5D-14.

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

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

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

31 **(30) PERFORMS DRY NEEDLING WITHOUT THE APPROVAL OF THE**

1 **BOARD ISSUED UNDER § 14-5D-11.4 OF THIS SUBTITLE.**

2 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
3 October 1, 2023.