

HOUSE BILL 172

J2
HB 1016/22 – HGO

3lr1833
CF SB 232

By: Delegates Kerr, Fair, ~~and Simpson~~ Simpson, Alston, Bagnall, Bhandari, Chisholm, Cullison, Guzzone, Hill, Hutchinson, S. Johnson, R. Lewis, Lopez, Martinez, M. Morgan, Pena-Melnyk, Reilly, Rosenberg, Szeliga, Taveras, White, and Woods

Introduced and read first time: January 18, 2023
Assigned to: Health and Government Operations

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 5, 2023

CHAPTER _____

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

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.



(2021 Replacement Volume and 2022 Supplement)

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

Article – Health Occupations

14–5D–01.

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

(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.

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

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

(I) THE NATIONAL ATHLETIC TRAINERS’ ASSOCIATION;

1 (II) THE BOARD OF CERTIFICATION FOR THE ATHLETIC
2 TRAINER; OR

3 (III) THE UNITED STATES ARMED FORCES.

4 (2) OF THE 80 HOURS OF INSTRUCTION REQUIRED UNDER
5 PARAGRAPH (1) OF THIS SUBSECTION, AT LEAST 40 HOURS OF INSTRUCTION SHALL
6 BE IN THE FOLLOWING COURSE CONTENT AREAS:

7 (I) THEORY AND APPLICATION OF DRY NEEDLING;

8 (II) DRY NEEDLING TECHNIQUE, INCLUDING SPINE AND
9 EXTREMITIES;

10 (III) DRY NEEDLING INDICATIONS AND CONTRAINDICATIONS;

11 (IV) INFECTION CONTROL, THE OCCUPATIONAL SAFETY AND
12 HEALTH ADMINISTRATION'S BLOODBORNE PATHOGEN PROTOCOL, AND SAFE
13 HANDLING OF NEEDLES;

14 (V) EMERGENCY PREPAREDNESS AND RESPONSE PROCEDURES
15 RELATED TO COMPLICATIONS ASSOCIATED WITH DRY NEEDLING; AND

16 (VI) APPROPRIATE DOCUMENTATION OF DRY NEEDLING.

17 (3) ~~EXCEPT AS PROVIDED IN SUBSECTION (F) OF THIS SECTION, OF~~
18 OF THE 80 HOURS OF INSTRUCTION REQUIRED UNDER PARAGRAPH (1) OF THIS
19 SUBSECTION, AT LEAST 40 HOURS SHALL BE PRACTICAL, HANDS-ON INSTRUCTION
20 IN THE APPLICATION AND TECHNIQUE OF DRY NEEDLING THAT IS COMPLETED
21 UNDER THE SUPERVISION GUIDANCE OF A LICENSED HEALTH CARE PRACTITIONER
22 WHO HAS:

23 (I) ~~COMPLETED ALL REQUISITE COURSEWORK UNDER THIS~~
24 SUBSECTION IS APPROVED TO PERFORM DRY NEEDLING; AND

25 (II) ~~PRACTICED~~ HAS PRACTICED DRY NEEDLING FOR AT LEAST
26 5 YEARS.

27 (4) THE INSTRUCTION REQUIRED UNDER THIS SUBSECTION SHALL
28 INCLUDE AN ASSESSMENT OF THE LICENSED ATHLETIC TRAINER'S COMPETENCY TO
29 PERFORM DRY NEEDLING THAT IS PERFORMED BY THE INSTRUCTOR OF THE
30 APPROVED COURSE.

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

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

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

9 **(30) PERFORMS DRY NEEDLING WITHOUT THE APPROVAL OF THE**
10 **BOARD ISSUED UNDER § 14–5D–11.4 OF THIS SUBTITLE.**

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.