

SENATE BILL 232

J2
SB 711/22 – EHE

3lr0727
CF HB 172

By: **Senators Beidle, Gile, Hester, Jackson, ~~and Lewis Young~~ Lewis Young, and McCray**

Introduced and read first time: January 23, 2023

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 25, 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
20 (2021 Replacement Volume and 2022 Supplement)

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.



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

3 **Article – Health Occupations**

4 14–5D–01.

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

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

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

10 **(2) REQUIRES ONGOING EVALUATION, ASSESSMENT, AND**
11 **REEVALUATION OF AN IMPAIRMENT;**

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

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

15 **(I) THE PURPOSES OF ACUPUNCTURE AS DEFINED IN § 1A–101**
16 **OF THIS ARTICLE; OR**

17 **(II) ANY PURPOSE OUTSIDE OF THE SCOPE OF PRACTICE OF**
18 **ATHLETIC TRAINERS.**

19 14–5D–11.4.

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

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

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

28 **(II) THE BOARD OF CERTIFICATION FOR THE ATHLETIC**
29 **TRAINER; OR**

1 (III) THE UNITED STATES ARMED FORCES.

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

5 (I) THEORY AND APPLICATION OF DRY NEEDLING;

6 (II) DRY NEEDLING TECHNIQUE, INCLUDING SPINE AND
7 EXTREMITIES;

8 (III) DRY NEEDLING INDICATIONS AND CONTRAINDICATIONS;

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

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

14 (VI) APPROPRIATE DOCUMENTATION OF DRY NEEDLING.

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

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

23 (II) ~~PRACTICED~~ HAS PRACTICED DRY NEEDLING FOR AT LEAST
24 5 YEARS.

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

29 14-5D-14.

30 (a) Subject to the hearing provisions of § 14-405 of this title, a disciplinary panel,
31 on the affirmative vote of a majority of a quorum of the disciplinary panel, may deny a

1 license to any applicant, reprimand any licensee, place any licensee on probation, or
2 suspend or revoke a license, if the applicant or licensee:

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

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

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

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.