

State Survey of Dry Needling

What is Dry Needling?

Dry Needling is a physical intervention that uses a filiform needle to stimulate trigger points and treat neuromuscular pain and functional movement deficits; is based upon Western medical concepts; requires an examination and diagnosis; and treats specific anatomic entities selected according to physical signs. It is not acupuncture.

In the name of patient safety, the American Medical Association (AMA) adopted the following policy on June 15, 2016, stating that dry needling must be regulated with the same standards as acupuncture. “Regulating Dry Needling: The AMA adopted a policy that said physical therapists and other non-physicians practicing dry needling should – at a minimum – have standards that are similar to the ones for training, certification and continuing education that exist for acupuncture. Lax regulation and nonexistent standards surround this invasive practice. For patients’ safety, practitioners should meet standards required for licensed acupuncturists and physicians,” AMA Board Member Russell W. H. Kridel, M.D. <https://www.ama-assn.org/ama-adopts-new-policies-final-day-annual-meeting>

	Highlights “Dry-Needling” Language in State Law
Permitted Under State Regulations and State Statutes	<ol style="list-style-type: none">Alabama: Dry Needling is a technique within the scope of chiropractic medicine where the practitioner uses a filiform needle to stimulate trigger points. Alabama Requires 32 credit hours for licensed chiropractors, and at least 2 years for dry needling training.District of Columbia: D.C. Code: The “practice of chiropractic” may include (upon certification by the board) counseling about hygienic and other noninvasive ancillary procedures authorized by the rules.Maryland: “Chiropractors must have at least 2 years before performing dry needling in Maryland...Chiropractors must also be registered with the Board and must submit a completed application on a form supplied by the Board”.Massachusetts: §152A. Licensed health care professionals wishing to practice “dry needling” or “trigger point acupuncture must have completed at least 2 years of post-graduate, professional experience prior to the addition of trigger point acupuncture/dry needling and must also complete

		<p>500 didactic hours and 150 clinical hours total to practice dry needling/trigger point acupuncture.</p> <p>5. Tennessee: (House Bill No. 25, 4/9/15) TN rules require 50 hours of instruction in musculoskeletal and neuromuscular systems; anatomical basis of pain mechanisms, chronic pain, and referred pain; trigger points; and universal precautions. TN also requires 24 hours of dry needling specific instruction.</p>
Permitted By Dry Needling Rules or Have Rules Pending		<p>Texas: The Chiropractic Act authorizes chiropractors to “use objective or subjective means to analyze, examine, or evaluate the biomechanical condition of the spine and musculoskeletal system of the human body” and to “perform nonsurgical, non-incisive procedures, including adjustment and manipulation, to improve the subluxation complex or the biomechanics of the musculoskeletal system[.]” Tex. Occ. Code § 201.002(b)(1), (2). However, in confusing chiropractic law that is still instituted, Chiropractors are expressly excluded from performing “incisive or surgical procedures.”</p>
Prohibited		<p>California: The State of California maintains that it is unlawful for any person other than a licensed acupuncturist, physician, surgeon, dentist, or podiatrist to practice acupuncture or use any acupuncture technique that involves the application of a needle to the human body.</p>

State Policies & Regulations on Dry Needling

Alabama

Alabama Board of Chiropractic Examiners stated on October 23 2007:
Acupuncture & Dry Needling does fall within the scope of practice.

190-X-3-.03 Requirements For Certification To Perform Dry Needling

(1) Definition. **Dry Needling is a technique within the scope of chiropractic medicine** where the practitioner uses a filiform needle to stimulate trigger points and treat neuromuscular pain and deficit in functional movement. Dry Needling is appropriately indicated only after an examination and diagnosis consistent with its use where specific anatomical entities are identified according to physical signs. Dry Needling does not include stimulation of auricular or distal points nor auricular detoxification, the latter being strictly limited to the five ear-part treatment protocol for detoxification, substance abuse or chemical dependency as set out by the National Acupuncture Detoxification Association.

(2) A **licensed chiropractor:** (a) Must be certified and maintain certification in acupuncture as mandated by Board Rule 190-X-3.01 and any future amendment thereto; and/or (b) Submit documentation of completion of a Dry Needling course of study approved by the Board, which at a minimum shall include 12 hours of live face to face Dry Needling study. Online or distance based courses do not qualify as an approved course of study.

(3) Specific and written informed consent shall be obtained prior to performing Dry Needling and made a permanent part of the patient's record. At a minimum, the informed consent must include risks and benefits of the procedure(s). In addition, the patient record must clearly indicate and document the performance of the procedure(s), how the patient tolerated the procedure(s) and outcome. This documentation shall be in addition to the record keeping requirements of Board Rule 190-X-5.09, any future amendments or any requirements adopted in the future.

(4) **Dry Needling is a non-delegable procedure to be performed only by licensed chiropractors meeting the requirements of this Rule.**

(5) Dry Needling must be performed in a manner consistent with generally accepted standard of practice to include clean needle techniques and all applicable standards relating to infection control.

(6) Upon request by the Board, any licensed chiropractor performing Dry Needling must submit within 10 days documentation demonstrating compliance with this Rule, to include but not limited to the required informed consent, sampling of patient records and infection control procedures. Failure to provide the requested information may result in the Board taking appropriate measures to prevent the licensed chiropractor from performing Dry Needling until compliance is Chapter 190-X-3 Chiropractic Examiners Supp. 6/30/19 3-4 demonstrated.

[<http://www.alabamaadministrativecode.state.al.us/docs/chiro/190-X-3.pdf>]

Alaska

AK Board of Chiropractic Examiners

Board of Chiropractic Examiners Meeting 02/11/20 (After confusion in previous meetings, the Board reaffirmed their stance on dry needling)

Alaska Board of Chiropractic Examiners re-affirmed their position statement that dry needling is within the chiropractic scope of practice. The position statement will once again be posted to the AK Board of Chiropractic Examiners website.

The Board of Chiropractic Examiners voted unanimously at the 02/11/2020 meeting to amend their minutes from their 12/23/2019 meeting to remove the sentences stricken above and add language that the Board disagrees with the Department of Law's interpretation and that the Board re-affirms their previous position statement(s) that dry needling and needle EMG are within the chiropractic scope of practice. The amended minutes for 12/23/2019 as well as the 02/11/2020 meeting minutes should be available on the state website by end of month. *Sheri Ryan, Chief Operating Officer, Alaska Chiropractic Society*

The Board of Chiropractic Examiners is aware of the problem with the definition of "surgery" that currently exists in the chiropractic regulations that the Department of Law is basing their interpretation off of and is working to correct.

*12 AAC 16.990. DEFINITIONS. (2) "surgery" -(A) means the use of a scalpel, sharp cutting instrument, laser, electrical current, or other device to incise or remove living tissue;
(B) does not include venipuncture or the removal of foreign objects from external tissue.*

Because this surgery definition only exists in chiropractic regulations, the Department of Law's interpretation only affects the chiropractic profession and does not translate out to other healthcare providers or individuals who may use "needles".

[https://www.commerce.alaska.gov/web/portals/5/pub/CHI_Minutes_2018.02.pdf]

[<https://www.alaskachiropracticsociety.com/news/485866/Practice-Alert---Scope-of-Practice.htm>]

Requires 32 credit hours for licensed for at least 2 years for dry needling.

COVID CHANGE

“Due to the COVID-19 emergency and in line with SB241, the Alaska Board of Chiropractic Examiners have modified the continuous education requirements for the December 31, 2020, renewal. **The required 32 hours, for chiropractors that have been licensed more than 2 years, is reduced to 16 and all of them can now be done online, except for specific hands-on competency, such as dry needling.** For all licensees, specific credit requirements, such as X-ray, ethics/boundaries, coding/documentation, etc., are now reduced to half.”

[<https://www.commerce.alaska.gov/web/cbpl/professionallicensing/boardofchiropracticexaminers.aspx>]

<p>Arizona</p>	<p>Only Chiropractors certified to practice acupuncture may provide invasive procedures such as puncturing the skin by thin, solid needles to reach subcutaneous structures and stimulating the needles to affect a positive therapeutic response at a distant site by certified practice chiropractors.</p> <p>Chiropractors may perform acupuncture with 100 hours of study and pass a board exam (NBCE score 375 or better). The Arizona Board of Chiropractic Examiners allows chiropractors to become specialists in performing “acupuncture procedures” which are defined in the Chiropractic Board’s Regulation No. R4-7-601 as follows:</p> <p>A. Acupuncture as applied to chiropractic is stimulation, preparatory and complimentary to an adjustment, of a certain meridian point or points on or near the surface of the body to control and regulate the flow and balance of energy of the body.</p> <p>B. Acupuncture includes acupuncture by needle, electrical stimulation, ultrasound, acupuncture, laser, auricular therapy, or any implement that stimulates acupuncture points.</p> <p>C. Acupuncture does not include cupping, moxibustion, or cosmetic therapy.</p> <p>https://ptboard.az.gov/sites/default/files/files/dryneedlingbyPT4.pdf</p>
<p>Arkansas</p>	<p>Arkansas State Board of Chiropractic Examiners</p> <p>5. Acupuncture.</p> <p>(a) A chiropractic physician licensed to practice chiropractic pursuant to the Arkansas Chiropractic Practices Act, shall be entitled to practice acupuncture as part of chiropractic practice upon completion of one hundred (100) hours training in acupuncture/meridian therapy from a college accredited by the Council on Chiropractic Education.</p> <p>(b) Prior to any chiropractic physician engaging in the practice of acupuncture/meridian therapy, said physician shall be required to submit to the Board of Examiners a certificate of completion of one-hundred (100) hour's instruction in acupuncture/meridian therapy.</p> <p>[http://www.arkansas.gov/asbce/law_and_regulations/rules_regs_2008.pdf]</p>
<p>California</p>	<p>PROHIBITED.</p> <p>4. The State of California maintains that it is unlawful for any person other than a licensed acupuncturist, physician, surgeon, dentist, or podiatrist to practice acupuncture or use any acupuncture technique that involves the application of a needle to the human body..</p> <p>[https://csomaonline.org/acupuncture-profession-joint-position-statement-on-dry-needling-in-california/]</p>
<p>Colorado</p>	<p>DEPARTMENT OF REGULATORY AGENCIES BOARD OF CHIROPRACTIC EXAMINERS COLORADO STATE BOARD OF CHIROPRACTIC EXAMINERS RULES AND REGULATIONS 3 CCR 707-1</p> <p>“Dry needling is a physical intervention that uses a filiform needle to stimulate trigger points, diagnose and treat neuromuscular pain and functional movement deficits; is based on Western medical concepts; requires an examination and diagnosis, and</p>

	<p>treats specific anatomic entities selected according to physical signs. Dry needling does not include the stimulation of auricular or distal points.</p> <p>2. Dry needling as defined pursuant to this rule is within the scope of practice of chiropractic.</p> <p>3. A chiropractor must have an electrotherapy certification, knowledge, skill, ability and documented competency to perform an act that is within the chiropractor’s scope of practice.</p> <p>4. To be deemed competent to perform dry needling a chiropractor holding electrotherapy certification and acupuncture certification must meet the following requirements:</p> <p>a. Documented successful completion of a dry needling course of study. The course must meet the following requirements:</p> <p>i. A minimum of twenty-four (24) hours of face-to-face IMS/dry needling course study; online study is not considered appropriate training.</p> <p>ii. As a licensed chiropractor using acupuncture in your practice for two (2) years prior to using the dry needling technique.</p> <p>5. To be deemed competent to perform dry needling a chiropractor with electrotherapy certification but without acupuncture certification must meet the following requirements: a. Documented successful completion of a dry needling course of study. The course must meet the following requirements:</p> <p>i. A minimum of forty-six (46) hours of face-to-face IMS/dry needling course study; online study is not considered appropriate training.</p> <p>ii. Two (2) years of practice as a licensed chiropractor prior to using the dry needling technique.</p> <p>6. A provider of a dry needling course of study must meet the educational and clinical requirements in dry needling of a body recognized by the US Department of Education or similar agency of a foreign country and demonstrate a minimum of two (2) years..”</p>
Connecticut	The Connecticut Board of Examiners has not ruled for or against dry needling.
Delaware	<p>§ 701 Chiropractic defined; limitation of chiropractic license. (From DE code)</p> <p>(a) (1) “Chiropractic” means a drugless system of health care based on the principle that interference with the transmission of nerve impulses may cause disease.</p> <p>(2) “Distant site” means a site at which a health-care provider legally allowed to practice in the State is located while providing health-care services by means of telemedicine or telehealth.</p> <p>(3) “Originating site” means a site in Delaware at which a patient is located at the time health-care services are provided to him or her by means of telemedicine or telehealth, unless the term is otherwise defined with respect to the provision in which it is used; provided, however, notwithstanding any other provision of law, insurers and providers may agree to alternative siting arrangements deemed appropriate by the parties.</p>

	<p>(4) “Store and forward transfer” means the transmission of a patient’s medical information either to or from an originating site or to or from the provider at the distant site, but does not require the patient being present nor must it be in real time.</p> <p>(5) “Telehealth” means the use of information and communications technologies consisting of telephones, remote patient monitoring devices or other electronic means which support clinical health care, provider consultation, patient and professional health-related education, public health, health administration, and other services as described in regulation.</p> <p>(6) “Telemedicine” means a form of telehealth which the delivery of clinical health-care services by means of real time 2-way audio, visual, or other telecommunications or electronic communications, including the application of secure video conferencing or store and forward transfer technology to provide or support health-care delivery, which facilitate the assessment, diagnosis, consultation, treatment, education, care management and self-management of a patient’s health care by a licensee practicing within his or her scope of practice as would be practiced in-person with a patient and with other restrictions as defined in regulation.</p> <p>(b) The practice of chiropractic includes, but is not limited to, the diagnosing and locating of misaligned or displaced vertebrae (subluxation complex), using x-rays and other diagnostic test procedures. The practice includes the use of telemedicine and may also include the practice of and participation in telehealth, as further defined in regulation. Practice of chiropractic includes the treatment through manipulation/adjustment of the spine and other skeletal structures and the use of adjunctive procedures not otherwise prohibited by this chapter.</p> <p>(c) Except as otherwise provided in this chapter, the practice of chiropractic does not include the use of drugs, surgery or obstetrical or gynecological examinations or treatment.</p> <p>(d) All examinations performed by chiropractors shall be in accordance with the protocol and procedures as taught in the majority of accredited chiropractic colleges</p> <p>[https://regulations.delaware.gov/AdminCode/title24/2600.shtml]</p>
<p>District of Columbia</p>	<p><u>D.C. Current Scope of Practice Definition – 3-1201.02 (3)(A)</u></p> <p><u>Definitions of Health Occupations</u></p> <p>(3)(A) “Practice of Chiropractic” means the detecting and correcting of subluxations that cause vertebral, neuromuscular, or skeletal disorder, by adjustment of the spine or manipulation of bodily articulations for the restoration and maintenance of health; the use of x-rays, physical examination, and examination by noninvasive instrumentation for the detection of subluxations; and the referral of a patient for diagnostic x-rays, tests, and clinical laboratory procedures in order to determine a regimen of chiropractic care or to form a basis or referral of patients to other licensed health care professionals. “Practice of Chiropractic” does not include the use of drugs, surgery, or injections, but may include, upon certification by the Board, counseling about hygienic and other noninvasive ancillary procedures authorized by rules issued pursuant to this chapter.</p> <p>(B) Nothing in this paragraph shall be construed as preventing or restricting the services or activities of any individual engaged in the lawful practice of cosmetology or massage, provided that the individual does not represent by title or description of services that he or she is a chiropractor.</p> <p>[https://code.dccouncil.us/dc/council/code/sections/3-1201.02.html]</p>

Florida

As of March 2020, dry needling has passed legislation and is pending the signature of the governor of FL.

2. DRY NEEDLING The practice of “Dry needling” (i.e. acupuncture) is an invasive procedure that is being circumvented by unlicensed practitioners of acupuncture by calling it other names which include: Trigger Point Dry Needling Manual Trigger Point Therapy, when using dry needling Intramuscular Dry Needling Intramuscular Manual Therapy, when using dry needling Intramuscular Stimulation, when using dry needling Skin needling – barbers and cosmetologists using this term “DRY NEEDLING” (i.e. acupuncture) is done by the insertion of acupuncture (i.e. dry) needles in what are known as ashi points. Ashi points are an integral part of the complete system of acupuncture known to well-trained qualified Acupuncturists. Physical Therapists and other allied health professionals have recognized the benefit of this form of medicine (i.e. acupuncture) and have renamed it in order to circumvent licensing and educational requirements and have begun using dry needling on their own without any legislative authority. “Dry Needling” is not new.....it is the practice of acupuncture which has been around for over 2000 years. “Dry Needling” has become a popular pseudonym for short courses in order to circumvent the national safe minimum education of didactic and clinical education of 1,365 hours. In the hands of the unqualified, “dry needling” is likely to result in an increased incidence of serious risks and in particular pneumothorax due to the failure of those practitioners to obtain the minimal basic didactic and clinical training. In the interest of safety and public health the practice of “dry needling” (i.e. acupuncture) should continue to be restricted and limited to licensed, qualified Acupuncture Practitioners pursuant to Chapter 457, Florida Statute.

3. ACUPUNCTURE NEEDLES The FDA classified acupuncture needles in 1996 as Class II medical device, for the specific use in an Acupuncture treatment by qualified practitioners of acupuncture. The FDA also states you must have a license (i.e. prescriptive rights to Class II medical devices) in order to purchase acupuncture needles. Code of Federal Regulations, Title 21, Volume 8, Revised April 1, 2010, CITE: 21 CFR880.5580 acupuncture needle, Subpart F (a) Identification. “ An acupuncture needle is a device intended to pierce the skin in the practice of acupuncture.... Subpart F (b) (1) Labeling for single use only and conformance to the requirements for prescription devices set out in 21 CFR 801.109. 21 CFR 801.109 (a)(1)(ii) In the possession of a practitioner, such as physicians, dentists, and veterinarians, licensed by law to use or order the use of such device; and 21 CFR 801.109 (a)(2) Is to be sold only to or on the prescription or other order of such practitioner 4. CCAOM From the CCAOM's website...."the Council of Colleges of Acupuncture and Oriental Medicine is a 501(c)(6) voluntary membership association for acupuncture schools and programs in the U.S. Established in 1982,". Furthermore the CCAOM does not represent licensed Acupuncturists, nor does it have affiliation or serve as party to the state regulatory boards which solely establish the meaning and scope of practice that is followed by licensees on a state by state basis.

It is the position of the Florida Board of Acupuncture that “dry needling” is the practice of acupuncture.

[<http://floridasacupuncture.gov/forms/position-dry-need-acc.pdf>]

<p>Georgia</p>	<p>(2010 Georgia Code) TITLE 43 - CHIROPRACTORS § 43-9-16 - Scope of practice</p> <p>(f) Chiropractors shall not use venipuncture, capillary puncture, acupuncture, or any other technique which is invasive of the human body either by penetrating the skin or through any of the orifices of the body or through the use of colonics. Nothing in this subsection shall be construed to prohibit a chiropractor who is licensed to perform acupuncture under Article 3 of Chapter 34 of this title from engaging in the practice of acupuncture.</p>
<p>Hawaii</p>	<p>From the HI Board of Examiners Meeting May 25, 2017</p> <p>“The Board reviewed and discussed Dr. Tancheff’s email dated May 9, 2017. In particular, Dr. Tancheff’s email asks “I would like to know if Dry Needling is permitted within a doctor of chiropractic office in Hawaii...After discussion and review of the Hawaii Revised Statutes (“HRS”) and Hawaii Administrative Rules (“HAR”), the Board determined that dry needling is NOT within the chiropractic scope of practice as defined in chapter 442, HRS.</p> <p>Lastly, in accordance with Hawaii Administrative Rules section 16-201-90, the above interpretation is for informational and explanatory purposes only. It is not an official opinion or decision, and thus, is not to be viewed as binding on the Board.</p> <p>[https://cca.hawaii.gov/pvl/files/2013/06/chiro_170525.pdf]</p>
<p>Idaho</p>	<p>ID 4-704. CHIROPRACTIC PRACTICE. (1) Chiropractic practice and procedures that may be employed by physicians are as follows: the system of specific adjustment or manipulation of the articulations and tissues of the body; the investigation, examination and clinical diagnosis of conditions of the human body and the treatment of the human body by the application of manipulative, manual, mechanical, physiotherapeutic or clinical nutritional methods and may include the use of diagnostic X-rays.</p> <p>(2) As used in this section:</p> <p>(a) "Adjustment" means the application of a precisely controlled force applied by hand or by mechanical device to a specific focal point on the anatomy for the express purpose of creating a desired angular movement in skeletal joint structures in order to eliminate or decrease interference with neural transmission and correct or attempt to correct subluxation complex; "chiropractic adjustment" utilizes, as appropriate, short-lever force, high-velocity force, short-amplitude force, or specific line-of-correction force to achieve the desired angular movement, as well as low-force neuromuscular, neurovascular, neurocranial, or neuro-lymphatic reflex technique procedures.</p> <p>(b) "Manipulation" means an application of a resistive movement by applying a nonspecific force without the use of a thrust that is directed into a region and not into a focal point of the anatomy for the general purpose of restoring movement and reducing fixation.</p> <p>(c) "Massage therapy," also called massology, means the systematic manual or mechanical mobilization of the soft tissue of the body by such movements as rubbing, kneading, pressing, rolling, slapping and tapping for the purpose of promoting circulation of the blood and lymph, relaxation of muscles, release from pain, restoration of metabolic balance, and the other benefits both physical and mental.</p>

	<p>(3) Nothing herein contained shall allow a physician to:</p> <p>(a) Perform surgical operations or practice obstetrics; or</p> <p>(b) Prescribe, dispense, independently administer, distribute, or direct to a patient a drug, substance or product that:</p> <p>(i) Under federal law is required, prior to being dispensed or delivered, to be labeled with any of the following statements:</p> <ol style="list-style-type: none"> 1. "Caution: Federal law prohibits dispensing without prescription"; 2. "Rx only"; or 3. "Caution: Federal law restricts this drug to use by or on the order of a licensed veterinarian"; or <p>(ii) Is required by any applicable federal or state law, rule or regulation to be dispensed on prescription only or prescription drug order only, or is restricted to use by practitioners only.</p> <p>(4) Notwithstanding the provisions of subsection (3) of this section, a chiropractic physician certified in clinical nutrition may independently administer prescription drug products as provided in section <u>54-716</u>, Idaho Code.</p> <p>(5) Notwithstanding the provisions of subsection (3) of this section, a chiropractic physician certified in clinical nutrition may issue a prescription for drug products provided in section <u>54-716</u>, Idaho Code, to be:</p> <ol style="list-style-type: none"> (a) Dispensed by an Idaho licensed pharmacy; (b) Delivered directly to the prescribing chiropractic physician's office; and (c) Administered directly to the patient in the prescribing chiropractic physician's office. <p>(6) Chiropractic practice, as herein defined, is hereby declared not to be the practice of medicine within the meaning of the laws of the state of Idaho defining the same, and physicians licensed pursuant to this chapter shall not be subject to the provisions of <u>chapter 18, title 54</u>, Idaho Code, nor liable to any prosecution thereunder, when acting within the scope of practice as defined in this chapter.</p> <p>https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH7/SECT54-704/</p>
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Illinois	<p>Chiropractors in Illinois can also perform dry needling as long as they have undergone training.</p> <p>PROFESSIONS, OCCUPATIONS, AND BUSINESS OPERATIONS (225 ILCS 60/) Medical Practice Act of 1987.</p> <p>"Chiropractic physician" means a person licensed to treat human ailments without the use of drugs and without operative surgery. Nothing in this Act shall be construed to prohibit a chiropractic physician from providing advice regarding the use of non-prescription products or from administering atmospheric oxygen. Nothing in this Act shall be construed to authorize a chiropractic physician to prescribe drugs.</p> <p>Sec. 3. Licensure requirement. No person shall practice medicine, or any of its branches, or treat human ailments without the use of drugs and without operative surgery, without a valid, active license to do so, except that a physician who holds an active license in another state or a second year resident enrolled in a residency program accredited by the Liaison Committee on Graduate</p>
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Medical Education or the Bureau of Professional Education of the American Osteopathic Association may provide medical services to patients in Illinois during a bonafide emergency in immediate preparation for or during interstate transit.

[<https://ilga.gov/LEGISLATION/ILCS/ilcs3.asp?ActID=1309&ChapterID=24>]

Indiana

IC 25TITLE 25. PROFESSIONS AND OCCUPATIONS (THE IGA; INDIANA GENERAL ASSEMBLY)

IC 25-10-1-17Authority to diagnose and treat injuries, conditions, and disorders

Sec. 17. Except for the treatment of infectious and endocrine diseases or atypical or abnormal histology, a **chiropractor licensed under this article may diagnose and treat injuries, conditions, and disorders, including chiropractic subluxations, fixations, and spinal intersegmental dysfunction, through the following:**

- (1) The administration of chiropractic adjustment or manipulation to the body for the purpose of maintaining, restoring, or improving neurobiochemical, immunological, or physiological function.
- (2) The administration or dispensing of supportive procedure therapies, including physiological therapeutics, rehabilitation procedures, and ancillary therapies.
- (3) **The use of solid filiform needles to treat neuromusculoskeletal pain and dysfunction, which is commonly referred to as dry needling, after completing board approved continuing education and complying with applicable board rules. However, a chiropractor may not engage in the practice of acupuncture (as defined in IC 25-2.5-1-5), unless the chiropractor is licensed under IC 25-2.5.**
- (4) Except for the use of ionizing radiation therapy or radionics, the use of x-rays, diagnostic imaging test results, or other diagnostic tests that may be required to prepare a proper chiropractic diagnosis.
- (5) The performance of an analysis to detect chiropractic subluxations, fixations, or spinal intersegmental dysfunctions.
- (6) The management, coordination, or delegation of patient care functions, including initiating referrals to licensed specialists for concurrent, or additional services or care the chiropractor believes is most suited for the individual's chiropractic condition.
- (7) Counseling and instructing individuals regarding general health matters, diet, weight management, ergonomics, exercise, hygiene, nutrition, outcome assessments, wellness, and good health habits.

As added by P.L.85-2018, SEC.5.

[<http://iga.in.gov/legislative/laws/2019/ic/titles/25/#25-27>]

<p>Iowa</p>	<p>IA 645—43.1 (151) Definitions. The following definitions shall be applicable to the rules of the Iowa board of chiropractic.</p> <p>“Active chiropractic physiotherapy” means therapeutic treatment performed by the patient with the assistance and guidance of the chiropractic assistant including, but not limited to, exercises and functional activities that promote strength, endurance, flexibility, and coordination.</p> <p>"Acupuncture" is defined as a form of health care developed from traditional and modern oriental medical concepts that employ oriental medical diagnosis and treatment and adjunctive therapies and diagnostic techniques for the promotion, maintenance, and restoration of health and the prevention of disease.</p> <p><u>Iowa Licensees Not Required to Obtain Acupuncture Licensure</u></p> <p>Physicians (M.D., D.O.), Chiropractors, Dentists, and Podiatrists may practice acupuncture under their Iowa professional license according to IAC 653-17.2(148E). A student practicing acupuncture under the direct supervision of a licensed acupuncturist as part of a course of study approved by the board as one that leads to eligibility for licensure is not required to obtain a license.</p> <p>[https://medicalboard.iowa.gov/acupuncture-licensure]</p> <p>From the Iowa Board of Physical & Occupational Therapy: Petition for Declaratory Order on Dry Needling (Defining dry needling, differences between acupuncture and dry needling) [https://idph.iowa.gov/Portals/1/userfiles/192/Ruling%20on%20Petition%20for%20Declaratory%20Order%20Dry%20Needling.pdf]</p> <p>Reputable cases regarding dry-needling in Iowa <i>Iowa Association of Oriental Medicine & Acupuncture v. Iowa Bd. of Physical Therapy & Occupational Therapy</i> Finding that the [https://www.iowacourts.gov/static/media/cms/161902_ORIENTAL_MED_v_B8C735D0AD31F.pdf]</p>
<p>Kansas</p>	<p>The Board of Physical Therapy has ruled and voiced their opinion on the scope of practice for Physical Therapists. The Kansas Board of Healing Arts has not ruled on the scope of practice for chiropractors regarding the practice of dry needling:</p> <p>“Dry needling: is a skilled intervention that a licensed physical therapist may perform if trained according to regulations of the licensing board. The intervention uses a thin filiform needle which penetrates into or through the skin to stimulate underlying myofascial trigger points or muscular or connective tissues. The purpose is for the management of neuromuscular pain or movement impairments [KSA 65-2901(f)] Dry needling is sometimes referred to as ‘functional dry needling’ or</p>

‘FDN.’ The State Board of Healing Arts adopted regulations, effective May 12, 2017 to establish rules for education and practice of physical therapists who wish to perform dry needling.”

Definitions of Chiropractor according to Kansas law:

For the purpose of this Act, the following persons shall be deemed to be engaged in the practice of chiropractic: (1) Persons who examine, analyze and diagnose the human living body, and its diseases by the use of any physical, thermal, or manual method and use the X-ray diagnosis and analysis taught in any recognized chiropractic school; and (2) Persons who adjust any misplaced tissue of any kind, or nature, manipulate, or treat the human body by manual, mechanical, electrical or natural methods or by the use of physical means, physiotherapy (including light, heat, water or exercise), or by the use of foods, food concentrates, or food extracts, or who apply first aid and hygiene. Doctors of Chiropractic are expressly prohibited from prescribing or administering to any person medicine, or drugs in materia medica, or from performing any surgery, as hereinabove stated or from practicing obstetrics.

[\[http://www.ksbha.org/documents/publications/PracticeHandbook_MD_DO_DC.pdf\]](http://www.ksbha.org/documents/publications/PracticeHandbook_MD_DO_DC.pdf)

Kentucky

Kentucky Revised Statutes

312.015 Definitions for chapter

(3) Subject to the limitations of subsection (4) of this section "chiropractor" means one qualified by experience and training and licensed by the board to diagnose his patients and to treat those of his patients diagnosed as having diseases or disorders relating to subluxations of the articulations of the human spine and its adjacent tissues by indicated adjustment or manipulation of those subluxations and by applying methods of treatment designed to augment those adjustments or manipulation. The terms "chiropractic," "doctor of chiropractic," and "chiropractor" shall be synonymous, and shall be construed to mean a practitioner of chiropractic as defined in this section.

312.017 Types of treatment prohibited -- Scope and methods of chiropractic treatment -- Referral of patients.

(1) No chiropractor shall: (a) Treat or attempt to treat contagious or communicable diseases; (b) Treat or attempt to treat cancer; (c) Treat by use of x-ray or radiological methods; (d) Perform surgery; (e) **Treat or attempt to treat by use of acupuncture**; or (f) Administer prescription drugs or controlled substances.

(2) Subject to the limitations in this chapter, a chiropractor shall examine, diagnose and treat the human body within the scope of chiropractic as defined in this section and KRS 312.015 and by methods taught in accredited chiropractic colleges as stated in KRS 312.085. A chiropractor may refer a patient to a physician, licensed medical laboratory or licensed health facility for testing or examination to aid in differential diagnosis or treatment. However, nothing contained herein shall require any licensed health care provider to accept such a referral.

(3) No chiropractor shall otherwise treat a patient for any disorder or by any method except as provided in this chapter. Chiropractic patients whose diagnosis is not within the chiropractic scope of practice, as defined in this section and KRS 312.015, shall be referred by the chiropractor to a medical doctor or other licensed health practitioner for treatment of that

	<p>condition. Effective: July 15, 1988 History: Amended 1988 Ky. Acts ch. 426, sec. 5, effective July 15, 1988. -- Created 1976 Ky. Acts ch. 359, sec. 2.</p> <p>[https://kbce.ky.gov/Documents/BCE%20Law%20and%20Regulations%20Booklet.pdf]</p>
<p>Louisiana</p>	<p>[Title 46] PROFESSIONAL AND OCCUPATIONAL STANDARDS</p> <p>§321. Dry Needling</p> <p>A. The purpose of this rule, as authorized by R.S. 37:2803, is to provide for the interpretation of R.S. 37:2801(3)(a) to include dry needling and to provide with respect to utilization of the techniques by chiropractic physicians. Dry needling is a physical rehabilitation measure which requires specialized education and training and which falls within the chiropractic scope of practice under the following terms. Prior to utilization of dry needling techniques chiropractic physicians shall successfully complete a board approved course of study consisting of no fewer than 50 hours of face-to-face instruction in intramuscular dry needling treatment and safety. The practice of dry needling techniques without compliance of this education requirement constitutes unprofessional conduct and subjects the licensee to appropriate discipline by the board.</p> <p>AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2804.</p> <p>HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Chiropractic Examiners, LR 40:782 (April 2014).</p> <p>[https://www.doa.la.gov/osr/lac/46v27/46v27.doc.]</p>
<p>Maine</p>	<p>CORRESPONDENCE REGARDING DRY NEEDLING</p> <p>Robert Reed, Executive Director, Maine Chiropractic Association Michele Broadhurst, Cape Town Chiropractic Ryan Sullivan, Sullivan Chiropractic John Hayes, III, CR, DABCO Zev Myerowitz Sr., DC. John Merrick, On-Point Dry Needling Moshe Myerowitz, DC. Geoffrey Bove, Professor, University of New England College of Osteopathic Medicine.</p> <p>The Board considered the various correspondence submitted on dry needling by chiropractors and recommends that individuals refer to the Maine Chiropractic Law and Board Rules on the scope of practice of a chiropractor and requirements for a chiropractor to become certified in chiropractic acupuncture. The Board recognizes two 200-hour chiropractic acupuncture courses of study to be board-certified in chiropractic acupuncture in Maine.</p> <p>[https://www.maine.gov/pfr/professionallicensing/professions/chiropractors/pub/2018/minutes_may_16_2018.pdf]</p> <p>DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION 297 BOARD OF CHIROPRACTIC LICENSURE</p> <p>Chapter 1: DEFINITIONS</p> <p>“Chiropractic acupuncture” means the insertion of acupuncture needles through the skin at specific points. It is a chiropractic methodology used for the correction of the soft tissue components contributing to subluxation and the accompanying physiological or mechanical abnormalities. Except as provided in 32 MRSA §502, chiropractic</p>

	<p>acupuncture may only be practiced by a licensee who has received a chiropractic acupuncture certification from the Board.</p> <p>https://www.maine.gov/sos/cec/rules/02/chaps02.htm#297</p>
<p>Maryland</p>	<p><u>Maryland Scope of Practice Definition</u></p> <p>(h) Practice chiropractic. --</p> <p>(1) "Practice chiropractic" means to use a drugless system of health care based on the principle that interference with the transmission of nerve impulses may cause disease.</p> <p>(2) "Practice chiropractic" includes the diagnosing and locating of misaligned or displaced vertebrae and, through the manual manipulation and adjustment of the spine and other skeletal structures, treating disorders of the human body.</p> <p>(3) Except as otherwise provided in this title, "practice chiropractic" does not include the use of drugs or surgery, or the practice of osteopathy, obstetrics, or any other branch of medicine.</p> <p>(4) The definition of "practice chiropractic" does not prohibit a chiropractor from selecting diet and hygiene measures for an individual.</p> <p>Title 10 MARYLAND DEPARTMENT OF HEALTH Subtitle 43 BOARD OF CHIROPRACTIC EXAMINERS</p> <p>10.43.16 Dry Needling Authority: Health Occupations Article, §§3-101, 3-205(a), 3-307, 3-403, and 13-101, Annotated Code of Maryland Notice of Proposed Action [19-257-P] The Secretary of Health proposes to adopt new Regulations .01—.05 under a new chapter, COMAR 10.43.16 Dry Needling. This action was considered by the Board of Chiropractic Examiners at a public meeting on April 11, 2019, notice of which was given by publication on the Board’s website at https://health.maryland.gov/chiropractic/Pages/index.aspx pursuant to General Provisions Article, §3-302(c), Annotated Code of Maryland. Statement of Purpose</p> <p>The purpose of this action is to establish:</p> <p>(1) Guidelines for the provision of dry needling as an intervention performed by chiropractors; and</p> <p>(2) The minimum education and training requirements for chiropractors to perform dry needling. Comparison to Federal Standards There is no corresponding federal standard to this proposed action. Estimate of Economic Impact The proposed action has no economic impact. Economic Impact on Small Businesses The proposed action has minimal or no economic impact on small businesses. Impact on Individuals with Disabilities The proposed action has no impact on individuals with disabilities. Opportunity for Public Comment Comments may be sent to Jake Whitaker, Acting Director, Office of Regulation and Policy Coordination, Maryland Department of Health, 201 West Preston Street, Room 512, Baltimore, MD 21201, or call 410-767-6499 (TTY 800-735-2258), or email to mdh.regs@maryland.gov, or fax to 410-767-6483. Comments will be accepted through January 21, 2020. A public hearing has not been scheduled. .01 Scope. This chapter establishes standards for the provision of dry needling as an intervention performed by chiropractors. .02 Definitions. A. In this chapter, the following terms have the meanings indicated.</p> <p>B. Terms Defined.</p>

- (1) "Board" means the State Board of Chiropractic Examiners.
 - (2) "Dry needling" means a chiropractic intervention, also known as intramuscular manual therapy, that:
 - (a) **Is performed only by chiropractors with physical therapy privileges;**
 - (b) Involves the insertion of one or more solid needles, a mechanical device, into the muscle and related tissues to affect change in muscle and related tissues;
 - (c) Requires ongoing evaluation, assessment, and re-evaluation of the impairments;
 - (d) Is only utilized in parts of the body with neuromuscular or musculoskeletal links to the impairments; and
 - (e) Is not performed for:
 - (i) The purposes of acupuncture as defined in Health Occupations Article, §1A-101, Annotated Code of Maryland; or
 - (ii) Any purpose outside the scope of chiropractic. .03 Standards of Practice. A. A chiropractor registered to perform dry needling shall:
 - (1) Fully explain dry needling to the patient in advance of treatment;
 - (2) Obtain informed written consent specific to dry needling, which shall be included in the patient's medical record;
 - (3) Perform dry needling in a competent manner consistent with patient health and safety; and
 - (4) Document the provision of dry needling service in accordance with the requirements of COMAR 10.43.14.03. B. A chiropractor who performs dry needling in a manner inconsistent with the standards of practice enumerated in this regulation may be subject to discipline pursuant to COMAR 10.43.15.06.
- C. Dry needling is not within the scope of practice for a chiropractic assistant.**

Minimum Education and Training Required.

- A. A chiropractor with physical therapy privileges shall be in good standing before beginning dry needling training as described in §B of this regulation.
- B. In order to perform dry needling, a chiropractor with physical therapy privileges shall complete a minimum of 80 hours of total instruction in the following content areas, including:
 - (1) 60 hours of:
 - (a) Academic coursework obtained through completion of a college program accredited by the Council of Chiropractic Education, as part of the Doctor of Chiropractic program....
 - (b) The chiropractor seeking to perform dry needling provides the Board with a certificate of completion of 3 hours of a continuing education course in dry needling.
 - (2) A chiropractor approved to perform dry needling may complete continuing education coursework in dry needling as part of the requisite continuing education necessary to renew the license with the Board.

.05 Registration Required.

- A. The Board shall register a chiropractor with physical therapy privileges as qualified to perform dry needling in the State provided the chiropractor submits to the Board:
 - (1) Evidence of completion of the education and training requirements outlined in Regulation .04 of this chapter;
 - (2) An application for registration on a form provided by the Board; and
 - (3) Evidence of continuing education coursework in dry needling completed before the effective date of this chapter.
- B. A chiropractor with physical therapy privileges may not perform dry needling without registering with the Board.

From ROBERT R. NEALL Secretary of Health

[<https://health.maryland.gov/chiropractic/Documents/dryupdate.pdf>]

[<https://casetext.com/regulation/maryland-administrative-code/title-10-maryland-department-of-health/part-5/subtitle-38-board-of-physical-therapy-examiners/chapter-103812-dry-needling/section-10381204-standards-of-practice-in-performing-dry-needling>]

Massachusetts

Currently Drafting

Bill SD.2463

SECTION 1. Section 148 of Chapter 112 of the General Laws is amended by adding the following definition after the definition of “acupuncture intern”:-

“Dry needling” or “Trigger Point Acupuncture”, the practice of intramuscular therapy, means an advanced needling skill or technique limited to the treatment of myofascial pain, using a single use, single insertion, sterile filiform needle (without the use of heat, cold, or any other added modality or medication), that is inserted into the skin or underlying tissues to stimulate trigger points. Dry needling may apply theory based only upon Western medical concepts, requires an examination and diagnosis, and treats specific anatomic entities selected according to physical signs. Trigger point Acupuncture/Dry needling does not include the stimulation of auricular points, utilization of distal points or non-local points, needle retention, application of retained electric stimulation leads, or the teaching or application of other acupuncture theory.

SECTION 2. Chapter 112 of the General Laws shall be amended by adding the following new section after section 152:-

Section 152A. Licensed health care professionals wishing to practicing “dry needling” or “trigger point acupuncture” as defined in Section 148 of Chapter 112 of the General Laws shall meet the following criteria:

(a) Practitioners must have completed at least two years of post-graduate, professional experience prior to the addition of trigger point acupuncture/dry needling.

(b) Five hundred didactic hours and 150 clinical hours total shall be required training for the practice of dry needling/trigger point acupuncture.

(c) Proof of education shall be supplied by the practitioner upon request by the department of public health.

(d) Education must be in-person and provided by qualified instructors as determined by IDFPR in consultation with the department of public health.

(e) Practitioners shall demonstrate minimal competency through psychometrically sound, third party examination testing not given by the courses offering training.

(f) A standard set of competencies shall be defined, including the knowledge, skills, and abilities needed for the safe and competent practice of trigger point acupuncture/dry needling by non-Licensed acupuncturists by the department of public health.

(g) Anyone practicing dry needling shall obtain and maintain the advanced orthopedic clinical certification.

(h) Any health care practitioner dry needling shall meet the continuing education required for acupuncture.

(i) The CNT class and exam taught by the CCAOM shall be passed by all practitioners of dry needling/trigger point acupuncture.

	<p>(j) Treatment defined as dry needling/trigger point acupuncture shall be charted appropriately in the medical record.</p> <p>(k) Significant adverse events (requiring follow up medical attention) shall be reported and documented.</p> <p>(l) Specific and appropriate written consent for treatment must be obtained from the patient, and malpractice insurance policies must specify acupuncture coverage.</p> <p>SECTION 3. The department of public health shall promulgate rules and regulations necessary to the implementation of this chapter.</p> <p>[https://malegislature.gov/Bills/191/SD2463]</p>
<p>Michigan</p>	<p>333.16401 Definitions; scope; principles of construction.</p> <p>(2) The practice of chiropractic does not include any of the following:</p> <p>(a) The performance of any procedure that cuts or punctures the skin.</p> <p>(b) The dispensing or prescribing of drugs or medicine.</p> <p>(c) Except for diagnostic purposes only, the use of x-ray.</p> <p>(d) The performance of an invasive procedure involving a body orifice or cavity unless allowed by rules promulgated under section 16423 and limited to examinations involving the ears, nose, and throat.</p> <p>(e) The treatment of fractures or dislocations.</p> <p>(f) The performance or ordering of non-x-ray diagnostic imaging tests that were not allowed under section 16423 as of December 1, 2009.</p> <p>(3) In addition to the definitions in this part, article 1 contains general definitions and principles of construction applicable to all articles in this act and part 161 contains definitions applicable to this part.</p> <p>[http://www.legislature.mi.gov/(S(offf4za3qn4ezeulgb11fiya))/mileg.aspx?page=getObject&objectName=mcl-333-16401]</p>
<p>Minnesota</p>	<p>From Minnesota Acupuncture Services in the Department of Human Services</p> <p>Chiropractors</p> <ul style="list-style-type: none"> • Chiropractors must have complied with the Minnesota Board of Chiropractic Examiners (MBCE) acupuncture registration requirements. • Current Minnesota Health Care Programs (MHCP) enrolled chiropractors must provide a copy of the MBCE acupuncture registration to Provider Enrollment • Claims submitted for acupuncture services will deny if Provider Enrollment has not received the MBCE registration. • Chiropractors practicing chiropractic medicine outside Minnesota must comply with the acupuncture licensure and registration requirements in the state in which they practice. <p>Refer to the Provider Basics section of the MHCP Provider Manual for more information on provider requirements and the enrollment process.</p> <p>2019 147B.02 LICENSURE. Subd. 4.Exceptions.</p>

	<p>(a) The following persons may practice acupuncture within the scope of their practice without an acupuncture license:</p> <ol style="list-style-type: none"> (1) a physician licensed under chapter 147; (2) an osteopathic physician licensed under chapter 147; (3) a chiropractor licensed under chapter 148; (4) a person who is studying in a formal course of study or tutorial intern program approved by the acupuncture advisory council established in section 147B.05 so long as the person's acupuncture practice is supervised by a licensed acupuncturist or a person who is exempt under clause (5); (5) a visiting acupuncturist practicing acupuncture within an instructional setting for the sole purpose of teaching at a school registered with the Minnesota Office of Higher Education, who may practice without a license for a period of one year, with two one-year extensions permitted; and (6) a visiting acupuncturist who is in the state for the sole purpose of providing a tutorial or workshop not to exceed 30 days in one calendar year. <p>(b) This chapter does not prohibit a person who does not have an acupuncturist license from practicing specific noninvasive techniques, such as acupressure, that are within the scope of practice as set forth in section 147B.06, subdivision 4.</p> <p>[https://www.dhs.state.mn.us/main/idcplg?IdcService=GET_DYNAMIC_CONVERSION&RevisionSelectionMethod=LatesReleased&dDocName=dhs16_166324#def]</p> <p>[https://mn.gov/boards/chiropractic-examiners/apply/acupuncture/]</p>
Mississippi	<p>CHIROPRACTIC LAW</p> <p>SECTION 1. SECTION 73-6-1, Mississippi Code of 1972, is amended and reenacted as follows</p> <p>(5) Chiropractors shall not use venipuncture, capillary puncture, acupuncture or any other technique which is invasive of the human body either by penetrating the skin or through any of the orifices of the body or through the use of colonics</p> <p>[https://www.msbcce.ms.gov/secure/pdfs/WebsiteCHIROPRACTICLAW.pdf]</p>
Missouri	<p>DIVISION 2070 STATE BOARD OF CHIROPRACTIC EXAMINERS</p> <p>CHAPTER 2-GENERAL RULES</p> <p>20 CSR 2070-2.031 Meridian Therapy/Acupressure/Acupuncture</p> <p><i>PURPOSE: This rule sets out the acceptable qualifications, procedures, and continuing education requirements for the use of meridian therapy/acupressure/acupuncture (in this rule Meridian Therapy) by Missouri licensed chiropractors.</i></p>

- (1) For the purpose of the rules meridian therapy includes meridian therapy, acupressure, and acupuncture as set forth in section 331.030.8, RSMo.
- (2) An applicant for certification in meridian therapy shall submit the following to the board:
- (A) An application for certification accompanied by the required fee, pursuant to 20 CSR 2070-2.090(1);
- (B) An official transcript or certificate of completion documenting a minimum of one hundred (100) hours of credit of undergraduate or postgraduate study or a combination of each in the use and administration of meridian therapy. The hours of education in meridian therapy shall be approved by the board or from a chiropractic college accredited by the Commission on Accreditation of the Council of Chiropractic Education. For the purpose of this rule, the one hundred (100) hours of study in meridian therapy shall not be offered electronically to include via the internet, webinars, or similar delivery methods and shall not include dry needling; and (C) Official examination results documenting passing one (1) of the following examinations: 1. National Board of Chiropractic Examiners (NBCE); 2. American Board of Chiropractic Acupuncture (ABCA); or 3. National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM).
- (7) The acupuncture certification shall be renewed at the time of licensure renewal. The licensee shall obtain twelve (12) hours of board approved continuing education in meridian therapy prior to the expiration date of the license. The twelve (12) hours of continuing education in meridian therapy shall apply to the twenty-four (24) hours of formal continuing education required to maintain the chiropractic license and shall not include dry needling.

[\[https://www.sos.mo.gov/cmsimages/adrules/csr/current/20csr/20c2070-2.pdf\]](https://www.sos.mo.gov/cmsimages/adrules/csr/current/20csr/20c2070-2.pdf)

Montana

Montana Code Annotated 2019

Current Definitions – Practice of Chiropractic

(3) "Chiropractic" is the system of specific adjustment or manipulation of the articulations and tissues of the body, particularly of the spinal column, for the correction of nerve interference and includes the use of recognized diagnostic and treatment methods as taught in chiropractic colleges but does not include surgery or the prescription or use of drugs.

[\[https://leg.mt.gov/bills/mca/title_0370/chapter_0120/part_0010/section_0010/0370-0120-0010-0010.html\]](https://leg.mt.gov/bills/mca/title_0370/chapter_0120/part_0010/section_0010/0370-0120-0010-0010.html)

Meeting Minutes of the Board of Chiropractors on March 12, 2020

MOTION (01:20:20) Dr. Marcus Nynas moved to adopt the proposed rule language for New Rule I/Dry Needling, as modified and discussed, in its entirety. Dr. Gregory Pisk seconded the motion. The motion carried unanimously.

[\[http://boardmeetings.bsd.dli.mt.gov/boardmeetings/document/321Z43K_0MQ26X8RC0079J5/pdf/321Z43K_0MQ26X8RC0079J8\]](http://boardmeetings.bsd.dli.mt.gov/boardmeetings/document/321Z43K_0MQ26X8RC0079J5/pdf/321Z43K_0MQ26X8RC0079J8)

Nebraska	<p>CHAPTER 29 LICENSURE OF CHIROPRACTORS/CHIROPRACTIC PHYSICIANS</p> <p>29-006.02B Continuing Education Program/Activity: The following is a list of acceptable continuing education programs/activities and the required documentation specified for each.</p> <p>6. Subject matter acceptable for continuing education credit includes, but is not limited to, acupuncture, philosophy, and nutrition.</p> <p>[https://www.nebraska.gov/rules-and-regs/regsearch/Rules/Health_and_Human_Services_System/Title-172/Chapter-029.pdf]</p> <p><i>*Nebraska seems to use acupuncture and dry needling synonymously however per the continuing education program/activity terms in Chapter 29, Nebraska does accept continuing education in an assortment of areas including acupuncture along with other terms.</i></p>
Nevada	<p>Senate Bill No. 355 -Senator Parks March 18, 2019</p> <p>AN Act relating to regulatory bodies; clarifying that the scope of practice of chiropractors and physical therapists does not include dry needling; revising provisions governing the duties and powers of the State Board of Oriental Medicine; revising provisions governing the licensing of doctors of Oriental medicine; and providing other matters properly relating thereto.</p> <p>Additionally, with certain 6 exceptions, existing law prohibits a licensed chiropractor from piercing or severing 7 any body tissue. (NRS 634.225) Section 1 of 9 this bill clarifies that a chiropractor is prohibited from performing dry needling</p> <p><i>Dry needling falls under the scope of practice for the Nevada Board of Oriental Medicine and not the Board of Chiropractic Examiners</i></p> <p>[https://www.leg.state.nv.us/Session/80th2019/Bills/SB/SB355.pdf]</p>
New Hampshire	<p>CHAPTER 316-A CHIROPRACTIC</p> <p>316-A:1 Definition. – The science of chiropractic deals with the analysis of any interference with normal nerve transmission and expression, the procedure preparatory to, and complementary to the correction thereof, by an adjustment of the articulations of the vertebral column and its immediate articulations for the restoration and maintenance of health; it includes the normal regimen and rehabilitation of the patient using the procedures which are currently taught in accredited chiropractic colleges at the time of matriculation without the use of drugs, surgery, or colonic irrigation. The term analysis is construed to include physical examination, the use of x-ray and other analytical instruments generally used in the practice of chiropractic. The terms adjustment, manipulation, and subluxation are primary to the practice of chiropractic and shall therefore be specifically defined in rules adopted by the board of chiropractic examiners.</p> <p>[http://www.gencourt.state.nh.us/rsa/html/XXX/316-A/316-A-1.htm]</p>

<p>New Jersey</p>	<p>State Board of Chiropractic Examiners Law 45:9-14.5 Definitions "Practice of chiropractic" means a philosophy, science and healing art concerned with the restoration and preservation of health and wellness through the promotion of well-being, prevention of disease and promotion and support of the inherent or innate recuperative abilities of the body. The practice of chiropractic includes the reduction of chiropractic subluxation, and the examination, diagnosis, analysis, assessment, systems of adjustments, manipulation and treatment of the articulations and soft tissue of the body. It is within the lawful scope of the practice of chiropractic to diagnose, adjust, and treat the articulations of the spinal column and other joints, articulations, and soft tissue and to order and administer physical modalities and therapeutic, rehabilitative and strengthening exercises.</p> <p>b. A licensed chiropractor shall have the right in the examination of patients to use the neurocalometer, X-ray, and other necessary instruments solely for the purpose of diagnosis or analysis. No licensed chiropractor shall perform endoscopy, or prescribe, administer, or dispense drugs or medicines for any purpose whatsoever, or perform surgery as requires cutting by instruments or laser excepting adjustment of the articulations of the spinal column or extremities. No person licensed to practice chiropractic shall sign any certificate required by law or the State Sanitary Code concerning reportable diseases, or birth, marriage or death certificates.</p> <p>[https://www.njconsumeraffairs.gov/Statutes/chiropractorlaw.pdf]</p>
<p>New Mexico</p>	<p>N.M. Code R. § 16.4.18.9 Section 16.4.18.9 – Meridian Therapy</p> <p>A. Chiropractors who practice meridian therapy must do so in conjunction with standard chiropractic adjusting and/or manipulative techniques.</p> <p>B. Chiropractors who practice meridian therapy may not advertise or promote themselves in the media to be acupuncturists unless licensed pursuant to the Acupuncture Act.</p> <p>C. Dry needling is a physical intervention that uses a filiform needle to stimulate trigger points, diagnose and treat neuromuscular pain and functional movement deficits; is based on the western medical concepts; requires an examination and diagnosis, and treats specific anatomic entities selected according to physical signs. Dry needling does not include the stimulation of auricular distal points.</p> <p>[http://164.64.110.134/nmac/nmregister/pdf/xxx14.pdf]</p>

<p>New York</p>	<p>§6551. Definition of practice of chiropractic.</p> <p>1. The practice of the profession of chiropractic is defined as detecting and correcting by manual or mechanical means structural imbalance, distortion, or subluxations in the human body for the purpose of removing nerve interference and the effects thereof, where such interference is the result of or related to distortion, misalignment or subluxation of or in the vertebral column.</p> <p><i>*There does not seem to be a formative rule or decision that the board has made to reflect the board’s opinion on the scope of practice pertaining to dry needling.</i></p> <p>[http://www.op.nysed.gov/prof/chiro/article132.htm#]</p>
<p>North Carolina</p>	<p>Message from the North Carolina Board of Chiropractic Examiners Date adopted: August 20, 2019 Last updated: August 20, 2019</p> <p>It is the position of the Board, in an environment of ever-evolving treatments, that all licensees are required to educate themselves through formal, post-graduate education/training with respect to procedures, technologies, modalities and other treatments that are new to them. Training should be adequate to perform any and all such treatments at accepted and prevailing standards of care. Patient harm can occur when licensees practice outside areas in which they were formally trained and are unable to meet applicable standards of care. It is the position of the Board that Dry Needling is a treatment that falls within the scope of Chiropractic in NC. Accordingly, licensed North Carolina chiropractic physicians who have completed adequate training in Dry Needling may administer Dry Needling. Licensees are responsible for a) completing the formal training necessary to become competent in administering Dry Needling prior to treating patients with this modality, and b) for retaining proof of successful completion of such training while practicing in North Carolina. The Board recommends that licensees complete a minimum of 24-hours of Dry Needling training before introducing it into their practice.</p> <p>[https://ncchiroboard.com/wp-content/uploads/2019/08/Dry-Needling_082019.pdf]</p>
<p>North Dakota</p>	<p>NORTH DAKOTA STATE BOARD OF CHIROPRACTIC EXAMINERS</p> <p>SUMMARY OF SCOPE OF PRACTICE: The practice of chiropractic includes:</p> <ol style="list-style-type: none"> (1) The examination, evaluation, and diagnosis by means including x-ray, other appropriate diagnostic imaging, clinical laboratory procedures, or pertinent examinations taught by chiropractic colleges accredited by the Council on Chiropractic Education or its successor or equivalent; (2) The treatment of patients by means of the adjustment or manipulation of the spinal column, the vertebral articulations, the appendicular skeleton not excluding the skull, and of any displaced tissue of any kind or nature; (3) The practice of physiotherapy, electrotherapy, or hydrotherapy; (4) All other procedures taught by chiropractic colleges accredited by the Council on Chiropractic Education or its successor; (5) The rating and reporting of any permanent impairment of function and the providing of professional opinions regarding any matter included in this definition of practice of chiropractic as set out herein; and

(6) Delegation of basic health care duties in the practice of chiropractic to a certified chiropractic clinical assistant. The practice of chiropractic does not include prescribing for or administering to any person any medicine or drug to be taken internally which is now or hereafter included in materia medica, nor performing any surgery, except as is provided in this section, nor practicing obstetrics.

PHYSIOTHERAPY: Termed Physiotherapy

Certification: Included in chiropractic license.

Additional Education: No specific requirements

17-02-04-07. Dry needling.

1. Dry needling is a method of treatment and rehabilitation for neuromusculoskeletal conditions. Dry needling is based on western medical concepts, including the art of examination, diagnosis, and case management.
2. **A chiropractor may only practice dry needling if the chiropractor is certified by the board.**
3. A minimum of fifty hours of face-to-face course study, which must include dry needling safety, is required before a chiropractor may be fully certified to practice dry needling. Online study is not considered appropriate training.
4. A temporary limited-scope certification is available for approved courses that divide the minimum training into successive independent modules. The board must be provided verification of completion prior to the temporary limited-scope certification being issued. The temporary limited-scope certification expires after eighteen months.
5. The face-to-face course of study must be sponsored by an institution accredited by the council of chiropractic or its equivalent or another course of study deemed appropriate by the board.
6. When the verification of required hours of training is provided to the board, the board shall issue the chiropractor a letter confirming that the chiropractor is authorized to practice dry needling.

[<http://directory.fclb.org/LicensingBoards/US/NorthDakota.aspx>]

[<https://www.legis.nd.gov/information/acdata/pdf/17-02-04.pdf>]

Ohio

**Ohio Announcement from the Ohio State Chiropractic Board
Newsletter August 2016**

The Board has determined dry needling does not constitute the practice of acupuncture. An Ohio licensed chiropractic physician may perform dry needling without possessing an acupuncture certificate so long as he or she has achieved education, training, and experience to perform the technique. Licensees must perform dry needling in accordance with the prevailing standard of care and follow the universal precautions outlined in Board Rule 4734-8-08. See page 4 for information about education, training and experience and standard of care.

4734-8-08 Universal Precautions

A) Licensees who perform or participate in invasive procedures shall be familiar with, observe and adhere to the acceptable and prevailing standards for universal blood and body fluid precautions to minimize the risk of being exposed to or exposing others to the hepatitis B virus (HBV), the hepatitis C virus (HCV), and the human immunodeficiency virus (HIV) .

(B) When performing or participating in invasive procedures licensees shall include at least the following:

- (1) Appropriate use of hand washing;
- (2) Effective disinfection and sterilization of equipment;
- (3) Safe handling and disposal of needles and other sharp instruments; and

	<p>(4) Appropriate barrier techniques including wearing and disposal of gloves and other protective garments and devices. (C) A licensee who performs any procedure that requires the use of needles shall utilize aseptic techniques and only sterile, disposable needles. (D) Infectious waste such as laboratory, pathological, blood and sharps waste shall be disposed of according to requirements established by federal, local, and state environmental regulatory agencies.</p> <p>[https://chirobd.ohio.gov/Portals/0/pubs/August%202016.pdf] [http://codes.ohio.gov/oac/4734-8]</p>
<p>Oklahoma</p>	<p>140:15-1-2. Definitions "Dry Needling" means a physical intervention that uses a filiform needle to stimulate myofascial trigger points, diagnose and treat neuromuscular pain and functional movement deficits; is based on Western medical concepts; requires an examination and diagnosis, and treats specific anatomic entities selected according to physical signs.</p> <p>140:15-13-3. Application for registration; educational requirements (2) To be deemed competent to perform dry needling a chiropractor without acupuncture certification must meet the following requirements: (a) Documented successful completion of a dry needling course of study. The course must meet the following requirements: i. A minimum of 50 hours of face-to-face IMS/dry needling course study sponsored by an institution accredited by the council of chiropractic or its equivalent or another course approved of study deemed appropriate by the Board; Online study is not considered appropriate training. ii. Two (2) years of active practice as a licensed chiropractor prior to using the dry needling technique (4) Upon successful demonstration of these requirements, the Board shall list the chiropractic physician's name on the registry</p> <p>[https://www.ok.gov/chiropracticboard/documents/Chapter%2015%20Proposed%20Rule.pdf]</p>
<p>Oregon</p>	<p><i>Oregon Association of Acupuncture & Oriental Medicine v. Bd. Of Chiropractic Examiners</i> (Defined through the court's interpretation)</p> <p>With that understanding of the text and context of the statute, we turn to the question whether dry needling is a form of “physiotherapy,” as that term is used in ORS 684.010(2)(a), and is therefore “chiropractic.”</p> <p>The challenged rule defines dry needling as “a technique used to evaluate and treat myofascial trigger points that uses a dry needle, without medication, that is inserted into a trigger point that has been identified by examination * * * with the goal of releasing/inactivating the trigger points, relieving pain and/or improving function.” OAR 811-015-0036(1).</p> <p>A “trigger point” is a small, sensitive area that, when stimulated, gives rise to a reaction elsewhere in the body. <i>Webster's</i> at 2444 (defining “trigger point” as “a small trigger area[.]” where a “trigger area” is defined as “a sensitive area of the body stimulation of which gives rise to reaction elsewhere in the body * * *”).</p> <p>The term “myofascial” refers to a sheet of fibrous tissue surrounding and separating muscle tissue. <i>Stedman's Medical Dictionary</i> 1173, 647 (27th ed 2000) (defining “myofascial” as “[o]f or relating to the fascia surrounding and separating muscle tissue[.]” where “fascia” is defined as “[a] sheet of fibrous tissue that envelops the body beneath the skin; it also encloses muscles and groups of muscles, and separates their several layers</p>

or groups”). Thus, plainly stated, dry needling is the insertion of a needle, without medication, into the tissue surrounding or separating the muscles within an identified, sensitive area, to relieve pain or improve function.

Based on that definition of dry needling, the question reduces to whether the insertion of a needle into the tissue surrounding a muscle uses a “natural force” similar to “light, heat, air, water, and exercise”—that is, whether a needle is a natural force. We conclude that it is not. A needle used in dry needling is neither “natural” nor is it a “force.” In contrast to light, heat, air, water, and exercise—as well as the electricity and water used in electrotherapy and hydrotherapy—a needle is a man-made *object*. Moreover, although the use of natural forces may involve man-made objects and devices, we find nothing in the definition of physiotherapy suggesting that the practice of physiotherapy would include the application of a man-made object directly to the internal tissues of a patient.

Moreover, although the use of natural forces may involve man-made objects and devices, we find nothing in the definition of physiotherapy suggesting that the practice of physiotherapy would include the application of a man-made object directly to the internal tissues of a patient.

Because dry needling is not a form of physiotherapy, and respondents do not contend that it falls within any other category of treatment listed in [ORS 684.010\(2\)\(a\)](#), we conclude that dry needling is not within the practice of chiropractic. Thus, the challenged rule exceeds the scope of the board's statutory authority and is invalid.

Oregon Ass'n of Acupuncture & Oriental Med. v. Bd. of Chiropractic Examiners, 320 P.3d 575, 579 (Or. Ct. App. 2014).

[<https://www.doj.state.or.us/wp-content/uploads/2017/06/op2017-2.pdf>]

Pennsylvania

Chiropractic Act

Law

From the Chiropractic Examiners Board

Section 102. Definitions.

“**Chiropractic.**” A branch of the healing arts dealing with the relationship between the articulations of the vertebral column, as well as other articulations, and the neuro-musculo-skeletal system and the role of these relationships in the restoration and maintenance of health. The term shall include systems of locating misaligned or displaced vertebrae of the human spine and other articulations; the examination preparatory to the adjustment or manipulation of such misaligned or displaced vertebrae and other articulations; the adjustment or manipulation of such misaligned or displaced vertebrae and other articulations; the furnishing of necessary patient care for the restoration and maintenance of health; and the use of board-approved scientific instruments of analysis, including X-ray. The term shall also include diagnosis, provided that such diagnosis is necessary to determine the nature and appropriateness of chiropractic treatment; the use of adjunctive procedures in treating misaligned or dislocated vertebrae or articulations and related conditions of the nervous system, provided that, after January 1, 1988, the licensee must be certified in accordance with this act to use adjunctive procedures; and nutritional counseling, provided that nothing herein shall be construed to require licensure as a chiropractor in order to engage in nutritional counseling. The term shall not include the practice of obstetrics or gynecology, the reduction of fractures or major dislocations, or the use of drugs or surgery

[<https://www.dos.pa.gov/ProfessionalLicensing/BoardsCommissions/Chiropractic/Documents/Applications%20and%20Forms/Non-Application%20Documents/ChiroM%20-%20Act%20188%20of%201986.pdf>]

**Chapter 5. State Board of Chiropractic
Pennsylvania Code**

(xv) Practicing or advertising needle acupuncture, unless the licensee is licensed to do so by the State Board of Medicine or the State Board of Osteopathic Medicine and acting in accordance with the Acupuncture Licensure Act (63 P. S. § § 1801—1806.1) and regulations of the State Board of Medicine in § § 18.11—18.18 (relating to licensure and practice of acupuncturists and practitioners of oriental medicine) or regulations of the State Board of Osteopathic Medicine in § § 25.301—25.308 (relating to registration and practice of acupuncturists).

[<http://www.pacodeandbulletin.gov/Display/pacode?file=/secure/pacode/data/049/chapter5/chap5toc.html&d=>]

Rhode Island

ACUPUNCTURE

In addition to Chinese acupuncture, many other types of acupuncture have developed, with use on non-traditional acupuncture points. Different techniques are also used, including more standard acupuncture, superficial dry needling, and deep dry needling. Acupuncture is minimally invasive, carries minimal risk for adverse effects, and is moderately costly.

[<https://www.courts.ri.gov/Courts/workerscompensationcourt/MedicalAdvisoryBoard/PDFs/22%20Acupuncture.pdf>]

7.6.1 By Examination:

A. Applicants shall be required to successfully pass such examination(s) as established by the Division to determine the applicant's qualifications to practice chiropractic medicine and physiotherapy.

B. For Chiropractic Physicians: Written Examinations:

1. The Division shall utilize for the examination in the basic sciences, subjects of microbiology, anatomy, physiology, chemistry and pathology, vertebral palpation and adjusting, the National Board of Chiropractic Examiners' examinations (Parts I and II) and the Written Clinical Competency Examination (WCCE or Part III) and Part IV of the National Board of Chiropractic Examiners, or such other examination that, in the opinion of the Division, is substantially equivalent thereto.

[<https://rules.sos.ri.gov/regulations/part/216-40-05-17>]

South
Dakota

36-5-1. Scope of practice--Limitations--Inapplicability to physicians.

Chiropractic is the science of locating and removing the cause of any abnormal transmission of nerve energy including diagnostic and applied mechanical measures incident thereto. Integral to chiropractic is the treating of specific joints and articulations of the body and adjacent tissues, to influence joints or neurophysiological functions of the body, or both, including the use of examination and treatment by manipulation, adjustment, and mobilization of a joint. No chiropractor may practice obstetrics or treat communicable diseases. The requirements of this section do not apply to those licensed pursuant to chapter 36-4.

[https://sdlegislature.gov/Statutes/Codified_Laws/DisplayStatute.aspx?Type=Statute&Statute=36-5-1]

Tennessee

Intramuscular Stimulation/Dry Needling Policy Statement

It is the position of the Tennessee Board of Chiropractic Examiners that intramuscular stimulation, also known as dry needling, is within the scope of practice of Chiropractic Physicians who have documented clinical knowledge and competency to perform this technique.

Adopted by the Tennessee Board of Chiropractic Examiners on February 14, 2013

[https://www.tn.gov/content/dam/tn/health/documents/Intramuscular_Stimulation_policy.pdf]

Texas Association of Acupuncture and Oriental Medicine v. Texas Bd. of Chiropractic Examiners

“The Texas Association of Acupuncture and Oriental Medicine (the Acupuncture Association) sued the Texas Board of Chiropractic Examiners (the Chiropractic Board) and Patricia Gilbert, in her official capacity as the Executive Director of the Chiropractic Board, seeking declarations that certain provisions in two of the Chiropractic Board's administrative rules are invalid.¹ See Tex. Gov't Code § 2001.038 (permitting challenge to validity or applicability of agency rules); see also 22 Tex. Admin. Code §§ 78.13(a)(4), (b)(2), (e)(2)(C) (2016) (Texas Bd. of Chiropractic Exam'rs, Scope of Practice), 78.14 (Texas Bd. of Chiropractic Exam'rs, Acupuncture). Specifically, the Acupuncture Association asserted that the rule provisions are void because they authorize chiropractors to perform acupuncture and, as a result, impermissibly expand the scope of practice for chiropractors beyond that permitted by statute. See Tex. Occ. Code §§ 201.001-.606. Alternatively, the Acupuncture Association sought a declaration that the statutory scheme violates the Texas Constitution to the extent it authorizes chiropractors to practice acupuncture. See Tex. Const., art. III, § 35, art. XVI, § 31.

On cross-motions for summary judgment, the trial court granted the Chiropractic Board's motion for summary judgment, denied the Acupuncture Association's motion for summary judgment, and dismissed the Acupuncture Association's claims. The Acupuncture Association filed this appeal. We will reverse that portion of the trial court's judgment dismissing the Acupuncture Association's challenge to the Chiropractic Board's rule expressly authorizing acupuncture and remand for further proceedings. In all other respects, we will affirm the judgment of the trial court.”

As previously discussed, the Chiropractic Act authorizes chiropractors to “use [] objective or subjective means to analyze, examine, or evaluate the biomechanical condition of the spine and musculoskeletal system of the human body” and to “perform[] nonsurgical, nonincisive procedures, including adjustment and manipulation, to improve the subluxation complex or the biomechanics of the musculoskeletal system[.]” Tex. Occ. Code § 201.002(b)(1), (2). Chiropractors are expressly excluded from performing “incisive or surgical procedures.” Id. § 201.002(c)(1). In its scope-of-practice rule, Rule 78.13, the Chiropractic Board construed and defined the term “incision” as “[a] cut or a surgical wound; also, a division of the soft parts made with a knife or hot laser.” 22 Tex. Admin. Code § 78.13(a)(4).

In addition, the Chiropractic Board clarified that “needles may be used in the practice of chiropractic under standards set forth by the Board but may not be used for procedures that are incisive or surgical.” Id. § 78.13(b)(2). Similarly, in subsection (e)(2) of Rule 78.13, the Board authorized chiropractors to “evaluate and examine [patients]” using “laboratory examination.” Id. § 78.13(e)(2). Finally, in Rule 78.14, the Chiropractic Board specifically addressed the practice of acupuncture by chiropractors by (1) setting forth the training and certification requirements that chiropractors must obtain in order to practice acupuncture and (2) specifying that chiropractors “must comply with the chiropractic scope of practice as defined by the Texas Occupations Code [section] 201.002” when performing acupuncture. See id. § 78.14.

“Acupuncturists' Association, Chiropractic Board Tangle Over Scope of Practice”

“The national Accreditation Commission for Acupuncture and Oriental Medicine, TAAOM noted, requires a minimum of 2,625 hours of study for licensure as an acupuncturist, including 870 hours of clinical training. The chiropractic board's rules, by contrast, require “only a paltry 100 hours of acupuncture instruction, with no requirement of actual clinical training,” TAAOM wrote.”

[<https://www.texmed.org/template.aspx?id=35334#sidebar>]

[<https://caselaw.findlaw.com/tx-court-of-appeals/1746689.html>]

<p>Utah</p>	<p>Chapter 72 Acupuncture Licensing Act Part 1 General Provisions 58-72-501 Acupuncture licensee -- Restriction on titles used. (3) Medical doctors or chiropractic physicians who choose to practice acupuncture shall represent themselves as medical doctors or chiropractic physicians practicing acupuncture and not as licensed acupuncturists.</p> <p>58-72-501 Acupuncture licensee -- Restriction on titles used. (3) a chiropractic physician licensed under Chapter 73, Chiropractic Physician Practice Act. A chiropractic physician may not claim to be a licensed acupuncturist without acupuncturist licensure.</p> <p>A Chiropractic Physician or Naturopathic Physician may perform acupuncture with the required training; however, he or she may not claim to be an acupuncturist unless specifically licensed under that classification.</p> <p>[https://le.utah.gov/xcode/Title58/Chapter72/C58-72_1800010118000101.pdf]</p>
<p>Vermont</p>	<p>Title 26: Professions and Occupations Chapter 10: Chiropractic Subchapter 1: General Provisions § 521. Definitions</p> <p>As Used in this chapter:</p> <ol style="list-style-type: none"> (1) “Adjunctive therapies” means to treat the human body by manual, mechanical, electrical, or preparation for a chiropractic adjustment or manipulation. (2) “Board” means the Board of Chiropractic created under section 527 of this title. (3) “The practice of chiropractic” means the diagnosis of human ailments and diseases related to subluxations, joint dysfunctions and neuromuscular and skeletal disorders for the purpose of their detection, correction, or referral in order to restore and maintain health, including pain relief, without providing drugs or performing surgery; the use of physical and clinical examinations, conventional radiologic procedures and interpretation, as well as the use of diagnostic imaging read and interpreted by a person so licensed and clinical laboratory procedures to determine the propriety of a regimen of chiropractic care; adjectives therapies approved by the Board, by rule to be used in conjunction with chiropractic treatment; and treatment by adjustment or manipulation of the spine or other joints and connected neuromusculoskeletal tissues and bodily articulations. <p>[https://legislature.vermont.gov/statutes/section/26/010/00521]</p>
<p>Virginia</p>	<p>Dry Needling by Chiropractors Bill Ward, DC from Fredericksburg addressed the Board and asked their support in authorizing doctors of chiropractic to perform dry needling under their scope of practice. He outlined the training to be provided to chiropractors prior to undertaking this procedure.</p>

	<p>After some discussion, the Board agreed that this procedure is to be viewed as any other new procedure to be performed by a practitioner in his/her scope of practice. It is incumbent upon the practitioner to ensure he/she is properly educated and trained prior to performing dry needling with patients.</p> <p>Dr. Dalton moved that no action be taken since the procedure appears to fall within the chiropractic scope of practice. The motion was seconded and carried unanimously. [https://www.virginiachiropractic.org/page/225]</p>
Washington	<p>PROHIBITED.</p> <p>RCW 18.25.005</p> <p>"Chiropractic" defined.</p> <p>(1) Chiropractic is the practice of health care that deals with the diagnosis or analysis and care or treatment of the vertebral subluxation complex and its effects, articular dysfunction, and musculoskeletal disorders, all for the restoration and maintenance of health and recognizing the recuperative powers of the body.</p> <p>(2) Chiropractic treatment or care includes the use of procedures involving spinal adjustments and extremity manipulation. Chiropractic treatment also includes the use of heat, cold, water, exercise, massage, trigger point therapy, dietary advice and recommendation of nutritional supplementation, the normal regimen and rehabilitation of the patient, first aid, and counseling on hygiene, sanitation, and preventive measures. Chiropractic care also includes such physiological therapeutic procedures as traction and light, but does not include procedures involving the application of sound, diathermy, or electricity.</p> <p>(3) As part of a chiropractic differential diagnosis, a chiropractor shall perform a physical examination, which may include diagnostic x-rays, to determine the appropriateness of chiropractic care or the need for referral to other health care providers. The chiropractic quality assurance commission shall provide by rule for the type and use of diagnostic and analytical devices and procedures consistent with this chapter.</p> <p>(4) Chiropractic care shall not include the prescription or dispensing of any medicine or drug, the practice of obstetrics or surgery, the use of x-rays or any other form of radiation for therapeutic purposes, colonic irrigation, or any form of venipuncture.</p> <p>(5) Nothing in this chapter prohibits or restricts any other practitioner of a "health profession" defined in RCW 18.120.020(4) from performing any functions or procedures the practitioner is licensed or permitted to perform, and the term "chiropractic" as defined in this chapter shall not prohibit a practitioner licensed under chapter 18.71 RCW from performing medical procedures, except such procedures shall not include the adjustment by hand of any articulation of the spine.</p> <p>[https://www.atg.wa.gov/ago-opinions/scope-practice-physical-therapy]</p>
West Virginia	<p>The Board reviewed Dry Needling, tabled from February 2, 2017, and will support its original opinion that in order to practice Dry Needling in West Virginia, a licensee <u>must be certified in Acupuncture</u>.</p> <p>[http://www.wvlegislature.gov/legisdocs/reports/agency/C13_FY_2018_14192.pdf]</p>
Wisconsin	<p>2017 State Legislature Bill 232</p> <p>WI State Legislature Section 14. 446.02 (2) (d) of the statutes is created to read:</p>

446.02 (2)(d) 1. **No person may practice chiropractic dry needling unless he or she is a chiropractor who is licensed under this chapter and certified under Subd. 2 1m. No certification is required under subd. 2. For any of the following:**

a. A licensed chiropractor who is registered under s. 446.023

b. An acupuncturist who certified under ch. 451.

2. The examining board shall issue a certificate to practice dry needling to a chiropractor who is licensed under this chapter, who submits satisfactory evidence that the chiropractor has completed 50 hours of postgraduate study in chiropractic dry needling that is approved by the examining board, and who pays a one-time certification fee of \$25, except that no certification fee is required under this subdivision for an individual who is eligible for the veterans fee waiver program under s. 45.44.

[<https://docs.legis.wisconsin.gov/2017/related/proposals/sb232/1>]

Wyoming

**WYOMING WORKERS' COMPENSATION DIVISION CHIROPRACTIC UTILIZATION GUIDELINES FOR THE CARE AND TREATMENT OF INJURED WORKERS IN CONSULTATION WITH THE CHIROPRACTIC ADVISORY PANEL
DEPARTMENT OF WORKFORCE SERVICES**

3. CMT and Therapeutic modalities

a) CODE 20999 Dry Needling is a physical intervention to stimulate trigger points. It's used as a diagnostic tool and to treat neuromuscular pain and functional movement deficits. The approach is based on Western anatomical and neurophysiological principles. Dry needling is not the same as acupuncture, which is a Chinese medicine technique. Medical doctors, physiotherapists, chiropractors and acupuncturists are using dry needling in their practices for treatment of myofascial pain and dysfunction. **Dry needling is considered to be within the scope of practice for chiropractors in the state of Wyoming, according to the Wyoming State Chiropractic Board.** Chiropractors must show a minimum of 25 hours of face to face dry needling course study prior to using the dry needling technique. The billing code for dry needling per the Wyoming Division of Workers' Compensation is: 20999 – Trigger Point Dry Needling Billable in 15 min. increments

[http://www.wyomingworkforce.org/_docs/providers/Chiropractic-Guidelines.pdf]

