

## Florida Board of Acupuncture's Position on "Dry Needling"

There has come to be in effect an expansion in the scopes of practice of allied health practitioners in several states by certain inappropriate state regulatory board decisions to allow the practice of acupuncture by non-licensed acupuncturists by calling it "dry needling" and claiming it is not acupuncture.

"Dry Needling" is the practice of acupuncture and is being administered by other health care providers without proper licensure or training. This poses a great risk to the public allowing acupuncture to be administered by untrained and/or unlicensed- acupuncturists. The increasing popularity of acupuncture has led to these circumvention tricks by other professions to avoid the mandated and statutory training that Acupuncture Practitioners are required to be licensed as mandated by the state legislature to protect the health, welfare and safety of its citizens. The practice of "dry needling" is spreading throughout occupational groups including physical therapists. These groups do not have the educational background in: skin penetration; knowledge of all the myriad effects that inserting an acupuncture needle has; knowledge of all of the contraindication a qualified acupuncturist knows; associated infection control; and visceral penetration risks.

### 1. ACUPUNCTURE IS A COMPLETE MEDICAL PRACTICE

Definition – ACUPUNCTURE – "ACUPUNCTURE" MEANS A FORM OF PRIMARY HEALTH CARE.....THAT EMPLOYS ACUPUNCTURE DIAGNOSIS AND TREATMENT.....FOR THE PROMOTION, MAINTENANCE, AND RESTORATION OF HEALTH AND THE PREVENTION OF DISEASE." (See section 457.102(1), Florida Statutes).

Florida licensed acupuncturists are required to successfully complete over 2,700 hours of supervised instruction. See Administrative Code Rule, 64B1-4.001, F.A.C. Additionally, Florida acupuncturist students, before using acupuncture needles, are required to successfully pass a clean needle technique examination.

### 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.

### 5. PUBLIC SAFETY

The definitions of the scope of practice of Physical Therapists in Florida states: “...*when no penetration of the skin occurs...*” per 2010 Florida Statutes – Regulation of professions and occupations physical therapy practice, section 486.021.11, Florida Statutes.

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