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File Date: 11/18/15

Notice of Rulemaking Hearing

Hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, T.C.A. § 4-5-204. For questions and copies of the notice, contact the person listed below.

Agency/Board/Commission:	Board of Physical Therapy
Division:	
Contact Person:	Thomas Aumann, Assistant General Counsel
Address:	665 Mainstream Drive, Nashville, Tennessee 37243
Phone:	(615) 741-1611
Email:	Thomas.Aumann@tn.gov

Any Individuals with disabilities who wish to participate in these proceedings (to review these filings) and may require aid to facilitate such participation should contact the following at least 10 days prior to the hearing:

ADA Contact:	ADA Coordinator
Address:	710 James Robertson Parkway, Andrew Johnson Building, 5th Floor, Nashville, Tennessee 37243
Phone:	(615) 741-6350
Email:	Tina.M.Harris2@tn.gov

Hearing Location(s) (for additional locations, copy and paste table)

Address 1:	Metro Center		
Address 2:	665 Mainstream Drive, Iris Conference Room		
City:	Nashville		
Zip:	37228		
Hearing Date :	01/11/16		
Hearing Time:	10:00 A.M.	X CST/CDT ___EST/EDT	

Additional Hearing Information:

Revision Type (check all that apply):
X Amendment
X New
___ Repeal

Rule(s) (**ALL** chapters and rules contained in filing must be listed. If needed, copy and paste additional tables to accommodate more than one chapter. Please enter only **ONE** Rule Number/Rule Title per row.)

Chapter Number	**Chapter Title**
1150-01	General Rules Governing the Practice of Physical Therapy
Rule Number	**Rule Title**
1150-01-.08	Examinations
1150-01-.22	Dry Needling

(Place substance of rules and other info here. Statutory authority must be given for each rule change. For information on formatting rules go to http://state.tn.us/sos/rules/1360/1360.htm)

Chapter 1150-01
General Rules Governing the Practice of Physical Therapy

Amendments

Rule 1150-01-.08 Examinations is amended by deleting paragraph (9) in its entirety and substituting instead the following language, so that as amended, the new paragraph (9) shall read:

(9) Effective July 1, 2015, the Board will no longer approve individualized structured remediation plans. However, those remediation plans already in effect prior to July 1, 2015 must be completed by the applicant. An applicant who fails the examination two (2) or more times after July 1, 2015 must submit proof of ten (10) hours of additional clinical training and ten (10) hours of additional coursework to the Board administrator before the Board will approve a reapplication for subsequent testing beyond two attempts. These ten (10) hours of additional clinical training and ten (10) hours of additional coursework are required after each subsequent failure beyond two (2) times before an applicant can be approved for reapplication for subsequent testing.

Authority: T.C.A. §§ 63-13-108, 63-13-301, 63-13-304, 63-13-306, and 63-13-307.

New Rule
1150-01-.22

Dry Needling

New Table of Contents

1150-01-.01 Definitions
1150-01-.02 Scope of Practice and Supervision
1150-01-.03 Necessity of Licensure
1150-01-.04 Qualifications for Licensure
1150-01-.05 Procedures for Licensure
1150-01-.06 Fees
1150-01-.07 Application Review, Approval and Denial
1150-01-.08 Examinations
1150-01-.09 Renewal of License
1150-01-.10 Provisional License
1150-01-.11 Retirement and Reactivation of License
1150-01-.12 Continuing Competence
1150-01-.13 Advertising
1150-01-.14 Code of Ethics
1150-01-.15 Disciplinary Actions, Civil Penalties, Assessment of Costs, and Screening Panels
1150-01-.16 Duplicate (Replacement) License
1150-01-.17 Change of Address and/or Name
1150-01-.18 Mandatory Release of Client Records
1150-01-.19 Board Meetings, Officers, Consultants, Records, and Declaratory Orders
1150-01-.20 Consumer Right-To-Know Requirements
1150-01-.21 Professional Peer Assistance
1150-01-.22 Dry Needling

New Rule: 1150-01-.22 Dry Needling

(1) In order to perform dry needling, a physical therapist must obtain all of the educational instruction described in paragraphs (2)(a) and (2)(b) herein. All such educational instruction must be obtained in person and may not be obtained online or through video conferencing.

(2) Mandatory Training - Before performing dry needling, a practitioner must complete educational requirements in each of the following areas:

(a) Fifty (50) hours of instruction, to include instruction in each of the four areas listed herein, which are generally satisfied during the normal course of study in physical therapy school:

1. Musculoskeletal and Neuromuscular systems;

2. Anatomical basis of pain mechanisms, chronic pain, and referred pain;

3. Trigger Points;

4. Universal Precautions; and

(b) Twenty-four (24) hours of dry needling specific instruction.

1. The twenty-four (24) hours must include instruction in each of the following six (6) areas:

(i) Dry needling technique;

(ii) Dry needling indications and contraindications;

(iii) Documentation of dry needling;

(iv) Management of adverse effects;

(v) Practical psychomotor competency; and

(vi) Occupational Safety and Health Administration's Bloodborne Pathogen Protocol.

2. Each instructional course shall specify what anatomical regions are included in the instruction and describe whether the course offers introductory or advanced instruction in dry needling.

3. Each course must be pre-approved by the Board or its consultant. For a course to be pre-approved, the provider must provide to the Board administrator the name of the course provider, a synopsis and description of the course, and a copy or description of any course materials used.

(3) A newly-licensed physical therapist shall not practice dry needling for at least one (1) year from the date of initial licensure, unless the practitioner can demonstrate compliance with paragraph (2) through his or her pre-licensure educational coursework.

(4) Any physical therapist who obtained the requisite twenty-four (24) hours of instruction as described in paragraph (2)(b) in another state or country must provide the same documentation to the Board, as described in paragraph (2)(b), that is required of a course provider. The Board or its consultant must approve the practitioner's dry needling coursework before the therapist can practice dry needling in this state.

(5) Dry needling may only be performed by a licensed physical therapist and may not be delegated to a physical therapist assistant or support personnel.

(6) A physical therapist practicing dry needling must supply written documentation, upon request by the Board, that substantiates appropriate training as required by this rule.

(7) All physical therapy patients receiving dry needling for the first time shall be provided written documentation from the patient's physical therapist that includes a definition and description of the practice of dry needling, a description of the education and training taken by the physical therapist which qualifies the therapist to practice dry needling, and a description of any potential side effects of dry needling, and the patient must give written informed consent after acknowledging the risks before dry needling may begin.

Authority: T.C.A. §§ 63-13-304 and 63-13-305.

I certify that the information included in this filing is an accurate and complete representation of the intent and scope of rulemaking proposed by the agency.

Date: 11/17/15

Signature:

Name of Officer: Thomas Aumann

Title of Officer: Assistant General Counsel
Department of Health

Subscribed and sworn to before me on: 11-17-15

Notary Public Signature:

My commission expires on: MY COMMISSION EXPIRES APRIL 19, 2017

SUZANNE MECHKOUL
TENNESSEE NOTARY PUBLIC
SUMNER COUNTY

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Filed with the Department of State on: 11/18/15

Tre Hargett
Secretary of State

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