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Sequence Number: 09-03-22
Notice ID(s): 3554
File Date: 9/7/2022

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:	Tennessee Board of Occupational Therapy
Division:	
Contact Person:	Lara E. Gill, Senior Associate Counsel
Address:	665 Mainstream Drive, Nashville, TN 37228
Phone:	615-741-1611
Email:	Lara.Gill@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, 5 th Floor, Nashville, TN 37243
Phone:	615-741-6354
Email:	Marci.Martinez@tn.gov

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

Address 1:	Metro Center			
Address 2:	665 Mainstream Drive, Poplar Conference Room			
City:	Nashville			
Zip:	37228			
Hearing Date:	11/07/2022			
Hearing Time:	9:00 A.M.	<input checked="" type="checkbox"/> X	CST/CDT	<input type="checkbox"/> EST/EDT

Additional Hearing Information:

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Revision Type (check all that apply):

- ☐ Amendment
☒ New
☐ Repeal

Rule(s) (**ALL** chapters and rules contained in filing must be listed here. If needed, copy and paste additional tables to accommodate multiple chapters. Please make sure that **ALL** new rule and repealed rule numbers are listed in the chart below. Please enter only **ONE** Rule Number/Rule Title per row)

Chapter Number	Chapter Title
1150-02	General Rules Governing the Practice of Occupational Therapy
Rule Number	Rule Title
1150-02-.21	Dry Needling to the Upper Limb

Chapter 1150-02
General Rules Governing the Practice of Occupational Therapy

New Rule

Rule 1150-02-.21 Dry Needling to the Upper Limb is added as a new rule and shall read:

New Table of Contents

1150-02-.01	Definitions
1150-02-.02	Scope of Practice
1150-02-.03	Necessity of Licensure
1150-02-.04	Qualifications for Licensure
1150-02-.05	Procedures for Licensure
1150-02-.06	Fees
1150-02-.07	Application Review, Approval and Denial
1150-02-.08	Examinations
1150-02-.09	Renewal of License
1150-02-.10	Supervision
1150-02-.11	Retirement and Reactivation of License
1150-02-.12	Continued Competence
1150-02-.13	Advertising
1150-02-.14	Limited Permit
1150-02-.15	Disciplinary Actions, Civil Penalties, and Screening Panels
1150-02-.16	Duplicate License
1150-02-.17	Change of Name and/or Address
1150-02-.18	Mandatory Release of Client Records
1150-02-.19	Board Meetings, Officers, Consultants, Records and Declaratory Orders
1150-02-.20	Consumer Right-To-Know Requirements
1150-02-.21	Dry Needling to the Upper Limb

RULE 1150-02-.21 DRY NEEDLING TO THE UPPER LIMB

- (1) In order to perform dry needling to the upper limb, an occupational 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 to the upper limb, 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 (4) areas listed herein, which are generally satisfied during the normal course of study in occupational therapy school or continuing education from a Board approved continuing education provider
 1. Musculoskeletal and Neuromuscular systems;
 2. Anatomical basis of pain mechanisms, chronic pain, and referred pain;
 3. Trigger Points, and
 4. Universal Precautions
 - (b) Twenty-four (24) hours of dry needling that includes specific instruction to the upper limb defined as hand, wrist, elbow, and shoulder girdle.
 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 Pathogens 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 or approved by the Board or its consultant, or the Board may delegate the approval process to recognized health-related organizations or accredited occupational therapy educational institutions.
- (c) A newly licensed occupational therapist shall not practice dry needling to the upper limb 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.
- (3) Any occupational 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.
 - (4) Dry needling to the upper limb may only be performed by a licensed occupational therapist and may not be delegated to an occupational therapy assistant or support personnel.
 - (5) An occupational therapist practicing dry needling to the upper limb must supply written documentation, upon request by the Board, that substantiates appropriate training as required by this rule.
 - (6) All occupational therapy patients receiving dry needling to the upper limb shall be provided with information from the patient's occupational therapist that includes a definition and description of the practice of dry needling and a description of the risks, benefits, and potential side effects of dry needling.

Authority T.C.A. §§ 4-5-202, 4-5-203, 4-5-204, 63-13-103(10)(B)(vi), and 63-13-216(l)(4).

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: Sept. 6, 2022

Signature: Lara E. Gill

Name of Officer: Lara E. Gill

Title of Officer: Senior Associate Counsel, Department of Health

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Filed with the Department of State on: 9/7/2022



Tre Hargett
Secretary of State

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**RULES
OF
THE TENNESSEE BOARD OF OCCUPATIONAL THERAPY**

**CHAPTER 1150-02
GENERAL RULES GOVERNING THE PRACTICE OF OCCUPATIONAL THERAPY**

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1150-02-.04	Qualifications for Licensure	1150-02-.15	Disciplinary Actions, Civil Penalties, and Screening Panels
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