

AzATA INFORMATIONAL STATEMENT  
REGARDING ABAT DECISION ON  
DRY NEEDLING

The Arizona Board of Athletic Trainers (“ABAT”) recently posted on its website a new notification to licensees regarding the use of “dry needling” as a therapeutic modality. It reads:

The Arizona Board of Athletic Trainers (“Board”) is the duly constituted authority for licensing and regulating the practice of Athletic Training. As a reminder, it is the responsibility of all practitioners to engage in activities that are within the scope of practice of athletic training. That scope is set forth in statute at A.R.S. § 32-4101(4). The practice of dry needling does not fall within the statutory definition of athletic training. A complete set of the Board’s statutes and regulations can be found on the Board’s website under the tab “About Us.”

The Board of Directors (“BOD”) of the Arizona Athletic Trainers’ Association, Inc., (“AzATA”) monitors ABAT activities and, when deemed appropriate, informs the membership of significant developments. This has been deemed such a situation.

For historical perspective, during the 2015 legislative session, the Arizona Physical Therapy Practice Act was amended to provide that physical therapists (“PT”) could employ the use of dry needling under certain restricted circumstances. Earlier this year, a complaint was filed with ABAT against a licensed athletic trainer (“AT”) on the grounds that the AT was using dry needling as a therapeutic modality despite the fact that the AT Practice Act does not include it in the AT scope of practice.

The AT in question offered proof of having completed “appropriate education and training” in the use of dry needling, and that its use had been approved by the AT’s directing physician, all as required by the practice act. The AT also pointed out that, while the AT Practice Act does not specifically refer to “dry needling,” it does include the phrase “. . . or any other modality to prevent, treat, rehabilitate or recondition athletic injuries.”

The ABAT deferred to the assistant attorney general (“AAG”) assigned as its legal counsel in reaching its decision. The AAG determined that the phrase “any other modality” is too vague to be applied to dry needling. She also referred to the specific legislative provision in the PT Practice Act as an indication of what would be required for an AT to employ that modality. It should also be noted that the complete wording of the AT Practice Act regarding required “education and training” reads “appropriate education and training *as prescribed by the Board.*” (Emphasis added.) The Board has never adopted a regulation prescribing the appropriate education and training for AT use of dry needling as a modality.

Based upon this ABAT decision it appears that, if ATs in Arizona wish to include dry needling as a therapeutic modality, an amendment to the AT Practice Act will be required. The BOD will give due consideration to this issue and will apprise the membership of its decision as to the most appropriate course of action to be followed.