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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/27/2024	.	
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The Committee on Rules (Trumbull) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 44 - 155  
and insert:  
acupuncture; by the use of monofilament intramuscular  
stimulation treatment, also known as dry needling, for trigger  
points or myofascial pain; or by the administration of foods,  
food concentrates, food extracts, and items for which a  
prescription is not required and may apply first aid and  
hygiene, but chiropractic physicians are expressly prohibited  
from prescribing or administering to any person any legend drug



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12 except as authorized under subparagraph 2., from performing any  
13 surgery except as stated herein, or from practicing obstetrics.

14 2. Notwithstanding the prohibition against prescribing and  
15 administering legend drugs under subparagraph 1. or s.

16 499.83(2)(c), pursuant to board rule chiropractic physicians may  
17 order, store, and administer, for emergency purposes only at the  
18 chiropractic physician's office or place of business,  
19 prescription medical oxygen and may also order, store, and  
20 administer the following topical anesthetics in aerosol form:

21 a. Any solution consisting of 25 percent ethylchloride and  
22 75 percent dichlorodifluoromethane.

23 b. Any solution consisting of 15 percent  
24 dichlorodifluoromethane and 85 percent  
25 trichloromonofluoromethane.

26

27 However, this paragraph does not authorize a chiropractic  
28 physician to prescribe medical oxygen as defined in s.

29 499.82(10) chapter 499.

30 (d) Chiropractic physicians shall have the privileges of  
31 services from the department's laboratories.

32 (e) The term "chiropractic medicine," "chiropractic,"  
33 "doctor of chiropractic," or "chiropractor" shall be synonymous  
34 with "chiropractic physician," and each term shall be construed  
35 to mean a practitioner of chiropractic medicine as the same has  
36 been defined herein. Chiropractic physicians may analyze and  
37 diagnose the physical conditions of the human body to determine  
38 the abnormal functions of the human organism and to determine  
39 such functions as are abnormally expressed and the cause of such  
40 abnormal expression.



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41 (f) Any chiropractic physician who has complied with the  
42 provisions of this chapter is authorized to analyze and diagnose  
43 abnormal bodily functions and to adjust the physical  
44 representative of the primary cause of disease as is herein  
45 defined and provided. As an incident to the care of the sick,  
46 chiropractic physicians may advise and instruct patients in all  
47 matters pertaining to hygiene and sanitary measures as taught  
48 and approved by recognized chiropractic schools and colleges. A  
49 chiropractic physician may not use acupuncture until certified  
50 by the board. Certification shall be granted to chiropractic  
51 physicians who have satisfactorily completed the required  
52 coursework in acupuncture and after successful passage of an  
53 appropriate examination as administered by the department. The  
54 required coursework shall have been provided by a college or  
55 university which is recognized by an accrediting agency approved  
56 by the United States Department of Education.

57 Section 2. Paragraph (d) of subsection (1) of section  
58 460.406, Florida Statutes, is amended to read:

59 460.406 Licensure by examination.—

60 (1) Any person desiring to be licensed as a chiropractic  
61 physician must apply to the department to take the licensure  
62 examination. There shall be an application fee set by the board  
63 not to exceed \$100 which shall be nonrefundable. There shall  
64 also be an examination fee not to exceed \$500 plus the actual  
65 per applicant cost to the department for purchase of portions of  
66 the examination from the National Board of Chiropractic  
67 Examiners or a similar national organization, which may be  
68 refundable if the applicant is found ineligible to take the  
69 examination. The department shall examine each applicant whom



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70 the board certifies has met all of the following criteria:

71 (d)1. For an applicant who has matriculated in a  
72 chiropractic college before July 2, 1990, completed at least 2  
73 years of residence college work, consisting of a minimum of one-  
74 half the work acceptable for a bachelor's degree granted on the  
75 basis of a 4-year period of study, in a college or university  
76 accredited by an institutional accrediting agency recognized and  
77 approved by the United States Department of Education. However,  
78 before being certified by the board to sit for the examination,  
79 each applicant who has matriculated in a chiropractic college  
80 after July 1, 1990, must have been granted a bachelor's degree,  
81 based upon 4 academic years of study, by a college or university  
82 accredited by an institutional accrediting agency that is a  
83 member of the Commission on Recognition of Postsecondary  
84 Accreditation or have produced a credentials evaluation report  
85 from a board-approved organization that deems the applicant's  
86 education equivalent to a bachelor's degree.

87 2. Effective July 1, 2000, completed, before matriculation  
88 in a chiropractic college, at least 3 years of residence college  
89 work, consisting of a minimum of 90 semester hours leading to a  
90 bachelor's degree in a liberal arts college or university  
91 accredited by an institutional accrediting agency recognized and  
92 approved by the United States Department of Education or have  
93 produced a credentials evaluation report from a board-approved  
94 organization that deems the applicant's education equivalent to  
95 a bachelor's degree. However, before being certified by the  
96 board to sit for the examination, each applicant who has  
97 matriculated in a chiropractic college after July 1, 2000, must  
98 have been granted a bachelor's degree from an institution



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99 holding accreditation for that degree from an institutional  
100 accrediting agency that is recognized by the United States  
101 Department of Education or have produced a credentials  
102 evaluation report from a board-approved organization that deems  
103 the applicant's education equivalent to a bachelor's degree. The  
104 applicant's chiropractic degree must consist of credits earned  
105 in the chiropractic program and may not include academic credit  
106 for courses from the bachelor's degree.

107  
108 The board may require an applicant who graduated from an  
109 institution accredited by the Council on Chiropractic Education  
110 more than 10 years before the date of application to the board  
111 to take the National Board of Chiropractic Examiners Special  
112 Purposes Examination for Chiropractic, or its equivalent, as  
113 determined by the board. The board shall establish by rule a  
114 passing score.

115 Section 3. Section 460.4085, Florida Statutes, is created  
116 to read:

117 460.4085 Performance of dry needling by chiropractic  
118 physicians.-

119 (1) The board shall establish minimum standards of practice  
120 for the performance of dry needling by chiropractic physicians,  
121 including, at a minimum, all of the following:

122 (a) Completion of 40 hours of in-person continuing  
123 education on the topic of dry needling for chiropractic  
124 physicians not certified in chiropractic acupuncture and 24  
125 hours of such in-person continuing education for chiropractic  
126 physicians certified in chiropractic acupuncture, and passage of  
127 a written and practical examination. Online or distance-based



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128 courses do not qualify as approved hours to meet the dry  
129 needling certification requirements.

130 1. Course content must be approved by one or more of the  
131 following entities before a chiropractic physician may take such  
132 course for purposes of meeting the continuing education  
133 requirements of this paragraph:

134 a. An entity accredited in accordance with s. 460.408.

135 b. The board.

136 c. The American Chiropractic Association.

137 d. The International Chiropractic Association.

138 e. Providers of Approved Continuing Education.

139 f. The American Medical Association.

140 g. The American Osteopathic Association.

141 2. The course instructor must be a licensed chiropractic  
142 physician, allopathic or osteopathic physician, or physical  
143 therapist holding a Doctor of Physical Therapy degree who has  
144 practiced dry needling for at least 5 years, either by  
145 instructing dry needling coursework at an accredited institution  
146 of higher education or treating patients using dry needling  
147 treatment in a professional office setting.

148 3. The continuing education must include instruction in all  
149 of the following areas:

150 a. Theory of dry needling.

151 b. Selection and safe handling of needles and other  
152 apparatus or equipment used in dry needling, including  
153 instruction on the proper handling of biohazardous waste.

154 c. Indications and contraindications for dry needling.

155 d. Psychomotor skills needed to perform dry needling.

156 e. Postintervention care, including adverse responses,



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157 adverse event recordkeeping, and any reporting obligations.

158 (b) Completion of at least 10 patient sessions of dry  
159 needling performed under the supervision of a licensed  
160 chiropractic physician, allopathic or osteopathic physician, or  
161 physical therapist holding a Doctor of Physical Therapy degree  
162 who has actively performed dry needling for at least 1 year. A  
163 chiropractic physician must provide satisfactory documentation  
164 to the board demonstrating that he or she has met the  
165 supervision and competency requirements of this paragraph and  
166 does not need additional supervised sessions to perform dry  
167 needling.

168 (c) A requirement that dry needling may not be performed  
169 without patient consent and education on the risks and adverse  
170 events that could occur. Such patient consent and education must  
171 be included as part of the patient's documented plan of care.

172 (d) A requirement that dry needling may not be delegated to  
173 any person other than a chiropractic physician who is authorized  
174 to engage in dry needling under this chapter.

175 (2) At the request of a licensee, the board may do any of  
176 the following:

177 (a) Review coursework completed before July 1, 2024, to be  
178 approved to satisfy the coursework requirements of this section.

179 (b) Waive some or all of the hours or requirements of  
180 subsection (1) if the licensee presents satisfactory proof of  
181 completing coursework that constitutes adequate training of dry  
182 needling or of the components of education and training required  
183 for dry needling.

184 (c) Determine whether the licensee has received adequate  
185 training to be eligible to perform dry needling.



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186       (3) When a chiropractic physician submits documentation to  
187 the board verifying completion of the required hours of  
188 education and training under this section, the board must issue  
189 the chiropractic physician a letter certifying that the he or  
190 she is authorized to practice dry needling under this chapter.

191           Section 4. This act shall take effect upon becoming a law.

192

193 ===== T I T L E   A M E N D M E N T =====

194 And the title is amended as follows:

195           Delete lines 5 - 10

196 and insert:

197           specified treatment; amending s. 460.406, F.S.;

198           revising education requirements for licensure as a

199           chiropractic physician; creating s. 460.4085, F.S.;

200           requiring the Board of Chiropractic Medicine to

201           establish minimum standards of practice for the

202           performance of dry needling by chiropractic

203           physicians, including specified education and training

204           requirements and restrictions on such practice;

205           authorizing the board to take specified actions at the

206           request of a chiropractic physician; requiring the

207           board to issue a chiropractic physician a letter

208           certifying that he or she is authorized to perform dry

209           needling if the chiropractic physician submits certain

210           documentation to the board; providing an effective

211           date.