

BEFORE THE BOARD OF CHIROPRACTORS
DEPARTMENT OF LABOR AND INDUSTRY
STATE OF MONTANA

In the matter of the amendment of) NOTICE OF AMENDMENT AND
ARM 24.126.2103 continuing) ADOPTION
education requirements, 24.126.2105)
acceptable continuing education, and)
the adoption of New Rule I dry)
needling)

TO: All Concerned Persons

1. On April 17, 2020, the Board of Chiropractors (board) published MAR Notice No. 24-126-37 regarding the public hearing on the proposed amendment and adoption of the above-stated rules, at page 638 of the 2020 Montana Administrative Register, Issue No. 7.

2. On May 11, 2020, a public hearing was held on the proposed amendment and adoption of the above-stated rules in Helena. Several comments were received by the May 15, 2020 deadline.

3. The board has thoroughly considered the comments received. A summary of the comments and the board responses are as follows:

COMMENT 1: Many commenters expressed support regarding NEW RULE I as drafted and wished to see it adopted as soon as possible.

RESPONSE 1: The board appreciates all comments received during the rulemaking process.

COMMENT 2: Several commenters supported NEW RULE I but believed that to adequately protect the public, licensees should be required to pass an examination prior to their use of the modality.

RESPONSE 2: Prior to the Economic Affairs Interim Committee's (EAIC) September 10, 2020, consideration of MAR Notice No. 24-126-37, the Montana Chiropractic Association (MCA) and the Montana Association of Acupuncture and Oriental Medicine (MAAOM) entered into an agreement in which the MAAOM requested the EAIC not renew its objection to NEW RULE I, thus allowing the rulemaking to proceed. The MCA agreed to refrain from sponsoring or promoting any further dry needling certification classes while working to amend the rule to require more training hours and a practical examination.

Following the EAIC non-renewal of the informal objection to MAR Notice No. 24-126-37, the board is adopting NEW RULE I exactly as proposed. The board may consider further refinements to the rule in future rulemaking.

COMMENT 3: Many commenters opposed NEW RULE I and did not believe that chiropractors are trained appropriately or that the modality is within their scope of practice.

RESPONSE 3: See RESPONSE 2.

4. The board has amended ARM 24.126.2103 and 24.126.2105 exactly as proposed.

5. The board has adopted New Rule I (24.126.515) exactly as proposed.

BOARD OF CHIROPRACTORS
V.J. MADDIO, DC
PRESIDENT

/s/ DARCEE L. MOE
Darcee L. Moe
Rule Reviewer

/s/ BRENDA NORDLUND
Brenda Nordlund, Acting Commissioner
DEPARTMENT OF LABOR AND INDUSTRY

Certified to the Secretary of State September 15, 2020.