



Federation of Chinese Medicine &
Acupuncture Societies of Australia Ltd.
澳洲全國中醫藥針灸學會聯合會 (National Body)

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NRAS Review Implementation Project Secretariat
Health and Human Services Regulation and Reform
Department of Health and Human Service
GPO Box 4057
MELBOURNE VIC 3001

NRAS Review Implementation Project Secretary NRAS.consultation@dhhs.vic.gov.au

Dear Secretary,

Re: Regulation of Australia's health professions: keeping the national Law up to date and fit for purpose (2018).

The Federation of Chinese Medicine & Acupuncture Societies of Australia (FCMA) appreciates the opportunity to respond to the *Regulation of Australia's health professions: keeping the national Law up to date and fit for purpose* (2018) public consultation document. The FCMA is national Chinese medicine professional association with affiliated chapters in the states of Victoria, New South Wales, Queensland, the Australian Capital Territory, South Australia and Western Australia. In this submission we would like to specifically address the practice of dry needling; which regards section 6.1 of the document on protection of title.

Dry needling (DN) is a practice where the service provider uses acupuncture needles to insert into a painful area and manipulate the needle while it is inserted into the person. There are practitioners such as physiotherapists, chiropractors, and osteopaths, registered under the respective National Boards who practice DN without acupuncture knowledge. Currently, it is practiced without any notice, concern or endorsement by the National Boards given the potential risks; while stringent measures are put in place for those who are registered or endorsed practitioners of acupuncture. Under the National Boards, professionals who wish to practice acupuncture have to be registered acupuncturists; with the exception of medical doctors who only need to be endorsed. Registered professionals such as Chinese medicine practitioners and acupuncturists, as well chiropractors, nurses, physiotherapists and osteopaths who are also registered acupuncturists are required to complete a course that is accredited by the Chinese Medicine Board of Australia (CMBA). The course generally takes 4-5 years of fulltime study to complete. Yet, those who practice

DN need only to complete a weekend course (or over a few weeks) to practice. Even massage therapists who generally complete a course between six to twelve months are taught DN. Teachers who teach DN are themselves not acupuncturists. Registered acupuncturists do not practice DN nor teach it. Consumers are always misled believing that DN is acupuncture.

Safety is a major issue with DN. The needles are inserted by the practitioner without knowledge of acupuncture. Like any treatment modality, the misused or incorrect use has the potential to cause injury. The potential for injury escalates when the practitioner has no knowledge of anatomy and disease processes. Another safety concern is the penetration of needles past the protective layer of the skin. Skin penetration is considered by the medical profession as an invasive procedure and stringent oversight of skin penetration cannot be overstated. Nurses, who are allowed to give injections, which requires skin penetration could only do so with the written order of a medical practitioner or has specific endorsements.

Acupuncture is defined by the *World Health Organization Techniques on Traditional Chinese Medicine in the Western Pacific Region* (2007:241) as the “insertion of needles into humans or animals for remedial purposes”. With this definition, DN would be considered acupuncture as it requires skin penetration. The American Alliance for Professional Acupuncture Safety (AAPAS) White Paper 2016, “Evidence and Expert Opinions: Dry Needling versus Acupuncture” concludes that DN is acupuncture similar to the treatment of myofascial trigger points called “*Ashi*” points in acupuncture, as well as the requirement for needles to be inserted. One of the purposes of this paper is to “provide authoritative evidence and expert’s opinions regarding critical issues of DN versus acupuncture to academic scholars, health care professionals and administrators, lawmakers, and the general public” (pg 3). The AAPAS considers the use of DN as rebranding of a technique of acupuncture. Its invasiveness should not be in the scope of physical therapists as the courses are 20-30 hours, after which the participants are given a certificate without examination (pg 2). The paper strongly emphasises that all DN practitioners and educators should meet the basic standards required for licensed acupuncturists or physicians”. Throughout the paper, it frequently reiterates that DN presents a threat to public health and safety. The reasons given are that: DN practitioners have created confusion among academic, health care professionals and the general public; DN practitioners are not certified or licensed; and DN practitioners’ training are inadequate, which increases patient injury and a threat to public health (pg 18-19).

In view of the concerns presented, we would like to make the following recommendations:

On Division 10 Title and practice protections, Subdivision 2 Practice protections of the Health Practitioner Regulation National Law Act 2009. Add “Restriction on skin penetration procedure (acupuncture or dry needling) for therapeutic purpose. A person must not perform skin penetration procedure (acupuncture or dry needling) unless the person—

- (a) is registered in Chinese medicine Board of Australia (CMBA) ; or
- (b) is endorsed by Medical Board of Australia (MBA)
- (c) If a practitioner or student who performs skin penetration procedure (acupuncture or dry needling) during the course of activities undertaken as part of the program of study; with the stipulation that the acupuncture or dry needling component of the course is accredited by the CMBA or equivalent accreditation similar to the endorsement by the MBA.

We also strongly urge that the National Boards would seriously consider not allowing DN to be practiced by any non-registered or non-endorsed acupuncturist. Although there is no title to protect for DN practitioners, the public is misled to believe that DN is acupuncture recognised by the National Board and that the practitioners are registered or endorsed to practice. If this is allowed to continue, the National Board would have gravely neglected its responsibility to ensure public health and safety.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Tzi Chiang Lin', with a horizontal line underneath.

Prof. Tzi Chiang Lin PhD
National president FCMA

Prepare by:

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