

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

HOUSE BILL 26-1042

BY REPRESENTATIVE(S) Feret and Bradley, Barron, Brooks, Clifford, Duran, Garcia Sander, Goldstein, Gonzalez R., Lieder, Nguyen, Rutinel, Stewart K., Story, Woodrow;
also SENATOR(S) Ball, Carson, Weissman.

CONCERNING DRY NEEDLING BY OCCUPATIONAL THERAPISTS.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, **add** 12-270-109.5 as follows:

12-270-109.5. Dry needling - rules.

(1) ON AND AFTER SEPTEMBER 1, 2027, AN OCCUPATIONAL THERAPIST MAY PERFORM DRY NEEDLING IF THE OCCUPATIONAL THERAPIST:

(a) HAS THE KNOWLEDGE, SKILL, ABILITY, AND DOCUMENTED COMPETENCY TO PERFORM THE ACT;

(b) HAS SUCCESSFULLY COMPLETED A DRY NEEDLING COURSE OF STUDY THAT MEETS THE SUPERVISORIAL, EDUCATIONAL, AND CLINICAL

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

PREREQUISITES ESTABLISHED BY RULE PURSUANT TO SUBSECTION (2) OF THIS SECTION; AND

(c) OBTAINS A WRITTEN INFORMED CONSENT FROM EACH PATIENT FOR DRY NEEDLING, INCLUDING:

(I) INFORMATION CONCERNING THE POTENTIAL BENEFITS AND RISKS OF DRY NEEDLING; AND

(II) A STATEMENT THAT THE OCCUPATIONAL THERAPIST PERFORMING DRY NEEDLING IS NOT AN ACUPUNCTURIST.

(2) ON OR BEFORE JUNE 1, 2027, THE DIRECTOR SHALL ADOPT RULES TO ESTABLISH THE REQUIREMENTS FOR AN OCCUPATIONAL THERAPIST TO PERFORM DRY NEEDLING IN ORDER TO ENSURE ADEQUATE PROTECTION OF THE PUBLIC. AT A MINIMUM, THE RULES MUST ESTABLISH REQUIREMENTS THAT ARE EQUIVALENT TO THE REQUIREMENTS ESTABLISHED IN RULES ADOPTED BY THE STATE PHYSICAL THERAPY BOARD PURSUANT TO SECTION 12-285-116 (5)(b) AUTHORIZING A PHYSICAL THERAPIST TO PERFORM DRY NEEDLING. PRIOR TO ADOPTING THE RULES, THE DIRECTOR SHALL SEEK INPUT FROM THE COLORADO MEDICAL BOARD CREATED IN SECTION 12-240-105 (1).

(3) NOTWITHSTANDING SECTION 12-200-103 (5), THE PERFORMANCE OF DRY NEEDLING BY AN OCCUPATIONAL THERAPIST IN ACCORDANCE WITH THIS SECTION IS NOT THE PRACTICE OF ACUPUNCTURE AND IS NOT A VIOLATION OF SECTION 12-200-108.

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless

approved by the people at the general election to be held in November 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

James Rashad Coleman, Sr.
PRESIDENT OF
THE SENATE

Vanessa Reilly
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Esther van Mourik
SECRETARY OF
THE SENATE

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO