

# Poking Holes in the Pain Dilemma:

## The Dry Needling Debate

by **Lauren Anderson**

Director - YiB and CFP Brokers

Dry needling, is when a thin needle is strategically inserted into or near trigger points, prompting muscle contractions and twitches,

ultimately leading to pain relief and improved range of motion. This therapeutic approach aims to alleviate pain and address movement issues associated with myofascial trigger points, but it is not without its risks. Healthcare providers considering this treatment for their patients must be acutely aware of the potential complications.

Before delving into dry needling, healthcare providers need to attain specific certifications. This ensures a foundational understanding of the technique and its potential risks, setting the stage for safe and effective practice.

While dry needling can yield positive outcomes, it is not without potential adverse effects. Minor complications may include bruising, bleeding, dizziness, infection, and nausea. However, more severe and prolonged symptoms such as vomiting, fainting, headaches, and slurred speech can occur. The most concerning events involve the risk of pneumothorax (a collapsed lung), puncture of vital tissues or organs, and systemic infection.

### **Real-life examples speak volumes**

We engaged with Nadia Sheeba, iTOO's Head of Medical Malpractice Claims - Hollard's Specialist Liabilities division. She provided us with two real-life scenarios where claims have been intimated against an insured for an incident relating to alleged negligence related to dry needling.





## Example 1

An insured noted a dry needling accident which occurred at her practice on 6 February 2020, resulting in Plaintiff suffering a pneumothorax. Before the treatment, informed consent was brought to the Plaintiff's attention.

**The risks involved were explained to the Plaintiff and the Plaintiff elected to proceed.**

Summons was then received wherein an amount of R 249 000 was demanded.

Whilst there is possible merit in respect of the negligence which caused the pneumothorax, the amount claimed is debatable, particularly that *"the plaintiff will experience mental anguish requiring the plaintiff to undergo psychotherapy"*. Medical substantiation is needed.

*"The injury has had a devastating effect on the plaintiff's amenities of life....and particularly, have prevented and will prevent the plaintiff from participating in off-road motorcycling."*



## Example 2

An insured treated a patient with dry needling for neck pain. A couple of days after treatment, the patient started to feel faint and felt like her legs were giving in. She subsequently went to the emergency room. The attending doctor ordered an MRI which allegedly showed severe damage to the nerve, and which they have attributed to the dry needling performed by the Insured.

We have since requested that the patient provide the MRI report and any other reports from the hospital assessing her condition. The cause of the patient's symptoms has not been properly established and cannot simply be attributed to the dry needling procedure without a definitive causal link.

There has not been a properly formulated claim/complaint against the Insured and no reports have been received as yet. Without supporting information, liability cannot be placed on the Insured in any form whatsoever.

Bear in mind that, even when it is established that the Insured is not at fault, defending against allegations can incur significant legal expenses.

## The significance of informed consent cannot be overstated!

Given the invasive nature of dry needling, obtaining informed consent from patients is required. Healthcare providers must meticulously explain the procedure, equipment sterilisation protocols, potential outcomes, and also a clear understanding that there is no guarantee of success of the treatment, and it may require several subsequent treatments to have the desired effect. Clear documentation of informed consent provides a crucial defence in potential legal disputes.



Patients need to understand the risks associated with dry needling, both minor and severe. Patients must be informed about what to do if they experience any concerning effects during or after the treatment.

**“Prior to dry needling, a comprehensive patient history should be obtained.”**

Relevant questions about medication use, pregnancy, and immune system concerns must be addressed. Practitioners should be diligent in assessing a patient's suitability for the procedure based on their medical history.

Remember, the best defence is a well-documented one!

Dry needling, while offering healing benefits, demands a thorough understanding of associated risks, proper certification, and meticulous patient communication. The real-life examples underscore the importance of adhering to best practices and maintaining a focus on patient safety. Healthcare providers should continuously assess their comfort level with the risks involved and prioritise patient well-being in every dry needling procedure.



Written by Lauren Anderson  
Director  
CFP Brokers & YiB  
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