

This briefing sets out the minimum expectations of safe practice for all physiotherapists who use acupuncture or dry needling techniques as part of their practice. This briefing draws only from the claims experience of the CSP PLI scheme and highlights practice points associated with litigation claims arising from iatrogenic pneumothorax. There is a wide and often contradictory spectrum of clinical opinion regarding the evidence base for the effectiveness of acupuncture and/or dry-needling, and this briefing does not set out to address that conflict, nor does this document set out to be a definitive guide to the safe use or application of acupuncture and/or dry needling.

### **Background**

- Acupuncture and/or dry-needling use can be associated with personal injury to a patient when incorrectly or negligently performed.
- Pneumothorax is a collection of air in the pleural cavity and causes collapse of the lung on that side. Signs and symptoms include sudden onset of chest pain and a varying degree of shortness of breath, depending on the size of the lung collapse
- Iatrogenic pneumothorax is an avoidable risk associated with needling in the thoracic region and/or lower cervical area and is an unacceptable consequence associated with the negligent use of needles in or around that area.
- There is no defence to any claim of iatrogenic pneumothorax and these claims generally result in pay out for clinical negligence.

### **Risks of Iatrogenic Pneumothorax from acupuncture or dry needling**

Acupuncture or dry needling may present avoidable risks when needling over the thorax at certain acupuncture points in the supraclavicular region and thoracic region including -

- GB21 -The apex of the lung is located inferior and medial to this location.
- LU 1 and surrounding areas.
- Small Intestine (SI) SI 12, SI 13, SI 14 and SI 15 and surrounding areas
- Thoracic regions of the medial and lateral Bladder channels between (BL) 11 and BL 22 and BL 41 and BL 52
- The anterior aspect of thorax
- The parasternal region such as Kidney (KI) 22 to KI 27
- The midclavicular line around ST 12 to ST 18.
- Spleen channel (SP)17 to SP21, and the Liver channel LR 13 and LR 14.

The adverse effects of negligent application of acupuncture or dry needling results in personal injury; therefore, patients may seek to bring a claim for clinical negligence.

### Clinical Challenge

You must take care with all patients when needling in locations with increased risk of pneumothorax.

You must provide a 'reasonable standard of care' to your patient. This means

- You must be able to make professional judgment on the choice of acupuncture points by balancing your anatomical knowledge, the patient's condition and the desired outcome of treatment with understanding the risks that certain acupuncture points pose to patients.
- You must be able to accurately identify the location of acupuncture points that have specific risks of causing iatrogenic pneumothorax and consider whether their use is reasonable.
- You must be able to demonstrate responsible and logical clinical reasoning when making a decision to use acupuncture points that are associated with iatrogenic pneumothorax.
- You must explain the risks and benefits of any specific acupuncture points that are associated with a particular risk of pneumothorax in order for the patient to give informed consent to treatment. You must record this in your records in case your treatment choice is ever challenged.
- You must only work within your limits of competence and personal scope of practice when using acupuncture.

### Key messages for members

- Iatrogenic pneumothorax from acupuncture application is an entirely **avoidable risk**.
- You must have an appropriate knowledge of both surface and underlying structural **anatomy** when you use acupuncture, or any other invasive intervention, and be able to apply this understanding to your specific patient.
- You must consider the appropriateness of using of needle points sited directly overlying the apex of the **lungs** and around the upper **thorax** in general.
- You must make sure you properly check any **precautions and contraindications** when selecting and using acupuncture points.
- You must keep clear records that clearly evidence **professional judgment and patient safety**, including

- Point selection and rationale
- Supervision provided whilst on treatment
- How patients can summon assistance and follow up advice and/or action if an adverse event occurs.
- Clear post treatment advice on expectations and actions if an adverse event occurs.

### **Resources**

Relevant CSP Professional Network. Acupuncture Association of Chartered Physiotherapists (AACP) <http://www.aacp.org.uk/>

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