

Submitter: fumiko mori  
On Behalf Of:  
Committee: Senate Committee On Health Care  
Measure, Appointment or Topic: HB3824

Members of the Senate Committee on Health Care,  
My name is Fumiko Mori. I am an LAc in Portland since 2012, and I am here in opposition to HB 3824, specifically the inclusion of “needle insertion” (Page 3, Line 37) in the physical therapy scope of practice. The term refers to dry needling, a technique that uses acupuncture needles to penetrate the skin and stimulate muscle or nerve tissue—functionally equivalent to acupuncture, as defined in Oregon law.

#### Legal and Regulatory Conflict

Under ORS 677.757(1)(a), “acupuncture” is explicitly defined as the stimulation of specific points on the body “by the insertion of needles”. The statute further affirms that acupuncture includes the use of electrical or mechanical devices with or without needles, which are also marketed under dry needling protocols. In Oregon, acupuncture may only be practiced by those licensed by the Oregon Medical Board under ORS 677.759. Unauthorized practice of acupuncture—including any unlicensed needle insertion—is considered the unauthorized practice of medicine under ORS 677.765 and is subject to penalties. This bill therefore directly conflicts with established state law by proposing to allow non-OMB-regulated practitioners (physical therapists) to perform a procedure that falls squarely within the legal definition of acupuncture. The Acupuncture Advisory Committee established in ORS 677.780–785 was specifically tasked with recommending standards for education, licensure, and scope of practice in order to protect the public. HB 3824 undermines this structure by bypassing OMB oversight entirely.

#### Education and Patient Safety

Licensed acupuncturists in Oregon must complete 2,500 to 3,500 hours of training, including 800–1,000 hours of supervised clinical education. This far exceeds the 20–100 hours of training typically offered in dry needling courses for physical therapists. This discrepancy has serious implications for patient safety. Numerous studies highlight increased risks of adverse events when dry needling is performed by inadequately trained providers: 36.7% of dry needling treatments resulted in adverse events, with 20 major complications such as pneumothorax and nerve injury (Brady et al., PM&R, 2014). Multiple case reports confirm life-threatening events, including bilateral pneumothorax and prolonged nerve damage (Sahin et al., JournalAgent, 2020; Western Journal of Emergency Medicine, 2013).

We, properly trained acupuncturists, provide a holistic care that takes much more information into an account in a treatment than just the location and the nature of pain a patient brings in. Pain is a specific nervous system response to a stressor(s)

that comes from complex layers including the person's general immune system health, psychological thought patterns, mental stability/instability, allergic reaction, etc. that 100hr of training will never be able to teach. This is why dry needling usually doesn't work, or even worse, often causes negative initial reactions such as extreme fatigue, increased pain, sleep disturbance, even injuries etc, which tend to discourage the patients from ever trying acupuncture again in the future, even though if they had seen an acupuncturist, such effects would have been avoided entirely.

For these reasons, the term “needle insertion” should be removed from HB 3824. It is legally inconsistent with Oregon law, compromises patient safety, and bypasses established licensure and oversight standards put in place to protect the public.

Thank you for your time and consideration.

Citations: ORS 677.757–677.785: Licensing and regulation of acupuncture in Oregon  
Brady S, et al. Adverse events following trigger point dry needling: a prospective survey of 20,000 treatments. *PM&R*. 2014;6(9):847–852.

Sahin N, et al. A Rare Complication Caused by Dry Needling: Bilateral Pneumothorax. *JournalAgent*. 2020.

Boissonnault WG, et al. Traumatic Pneumothorax Following Acupuncture: A Case Series. *Western Journal of Emergency Medicine*.