

Members of the Senate Committee on Health Care,

My name is Dr. Elise Baron. I am from Tigard, OR, 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. 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 and by not requiring physical therapists to meet the standards of education for needling that is required of acupuncturists.

Additionally, in 2017 the Oregon Attorney General opposed the inclusion of dry needling in the scope of practice for physical therapy, and affirmed that dry needling technique currently is not taught as part of the standard physical therapy curriculum in Oregon. 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. While physical therapists are trained in anatomy and physiology, they are not getting the specific training around safe needle depth and angles. They have a functional understanding of muscle actions, but acupuncturists’ education in anatomy is taught from the lens of safe needling practices.

In two similar studies published in the same year examining adverse effects of dry needling by physical therapists and acupuncture respectively, the study examining safety of dry needling reported that “pneumothorax and shock were each reported by 3% of respondents, nerve palsy by 14%, infection by 2%, and hospitalization by 1%”. (Trybulski R, Kuźdżał A, Kiljański M, et al., *J Clin Med*. 2024) In the study examining acupuncture safety, it was reported that serious

adverse events occurred at a rate of approximately 0.04–0.08 per 10,000 treatments (Huang C-C, et al. *Am J Chin Med.* 2024) , a much lower rate than that reported for dry needling.

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 (Şahin et al., *JournalAgent*, 2020; *Western Journal of Emergency Medicine*, 2013).

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. Dry needling is another term for acupuncture, and trained acupuncturists should be the only medical professionals performing acupuncture.

Thank you for your time and consideration.