

Submitter: Jennifer Perez
On Behalf Of:
Committee: Senate Committee On Health Care
Measure, Appointment or Topic: HB3824

Testimony in Opposition to HB 3824
Submitted by Jennifer Perez | Portland, Oregon

Members of the Senate Committee on Health Care,

My name is Jennifer Perez. I am a resident of Portland and a current student of acupuncture, pursuing my Doctor of Acupuncture and Chinese Medicine (DACM). I am here today to express my strong opposition to HB 3824—specifically, to the inclusion of “needle insertion” on Page 3, Line 37, which would expand the physical therapy scope of practice to include dry needling.

Let me be clear: dry needling is acupuncture by another name. It involves the insertion of acupuncture needles through the skin to stimulate muscles or nerves—precisely the activity that Oregon law defines as acupuncture under ORS 677.757(1)(a).

Legal and Regulatory Conflict

Under Oregon statute, acupuncture is a regulated medical procedure that can only be performed by those licensed by the Oregon Medical Board (OMB), under ORS 677.759. Any unlicensed use of acupuncture needles—even under a different name—constitutes the unauthorized practice of medicine and is subject to penalties under ORS 677.765.

This bill would create a direct conflict with established state law by allowing physical therapists—who are not licensed or overseen by the OMB—to perform a procedure that is legally defined as acupuncture. It also undermines the authority of the Acupuncture Advisory Committee, created under ORS 677.780–785, which was specifically established to ensure patient safety through proper education, licensure, and regulation of this medical practice.

Education and Patient Safety Concerns

As a DACM student, I am undergoing thousands of hours of education, including rigorous clinical training under supervision, to safely and effectively use acupuncture techniques. Licensed acupuncturists in Oregon must complete 2,500 to 3,500 hours of training, including 800 to 1,000 hours of supervised clinical experience. In contrast, dry needling training for physical therapists can be as little as 20 to 100 hours, often with no clinical oversight. That is simply not enough when performing a procedure that carries real and serious risks.

Studies show the dangers:

A 2014 prospective study (Brady et al., PM&R) found 36.7% of dry needling treatments resulted in adverse events, including 20 major complications like pneumothorax and nerve injury.

A 2022 Polish study (Majchrzycki et al., MDPI) reported 3% pneumothorax, 14% nerve palsy, and 1% hospitalization.

Case reports have documented life-threatening events like bilateral pneumothorax and permanent nerve damage (Sahin et al., JournalAgent, 2020; Boissonnault et al., Western Journal of Emergency Medicine, 2013).

As both a future licensed provider and a concerned Portland resident, I believe that any technique involving needle insertion into the body must be regulated with the same rigor as acupuncture. Dry needling is not just “another tool” in a physical therapist’s toolbox—it is a form of acupuncture, and it carries serious risks if not performed by highly trained and licensed professionals.

For these reasons, I urge you to remove the term “needle insertion” from HB 3824. This language is inconsistent with Oregon law, undermines patient safety, and bypasses essential regulatory structures designed to protect the public.

Thank you for your time and consideration.

Sincerely,
Jennifer Perez
Portland, Oregon

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.

Majchrzycki M, et al. Adverse Reactions to Dry Needling Therapy: Insights from Polish Practitioners. MDPI. 2022.

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. 2013.