

Submitter: Annie Hsu  
On Behalf Of:  
Committee: Senate Committee On Health Care  
Measure, Appointment or Topic: HB3824

Hello, Members of the Senate Committee on Healthcare, I sincerely hope this letter finds you well! Thank you for taking the time to hear our professional and ethical concerns regarding Physical Therapists being allowed to perform “needle insertion”, which is essentially Acupuncture as defined by Oregon Medical law.

My name is Annie Hsu and I live in Portland. I have my Bachelor of Science from The University of Texas at Austin, and completed 3 years of Chinese Medicine school at the Oregon College of Oriental Medicine (it is typically a 4-year Masters program but I was on the accelerated track). After completing all of this schooling full-time, I then had to pass 3 grueling medical board exams to earn the privilege of applying for licensure as an Acupuncturist. After thorough diligence, Acupuncturists are then licensed by the Oregon Medical Board, while PTs are not (they have their own licensing Board).

Under ORS 677.765, unauthorized practice of acupuncture, including any unlicensed needle insertion, is considered the unauthorized practice of medicine under and is subject to penalties. Therefore, this bill directly conflicts with established state law and allows people who are not licensed by the OMB to practice a medicine they are not qualified to perform.

I oppose HB3824, specifically the inclusion of “needle insertion” or what they call “dry needling”, a needling technique that uses acupuncture needles to penetrate the skin and stimulate muscle or nerve tissue - functionally, actually, and basically, Acupuncture, as defined by Oregon law. This would allow PTs to bypass all of the crucial safety training that Acupuncturists have drilled into our heads through years of regular, supervised clinical practice. Throughout our 3-4 years of full-time schooling, safety is a priority and at the forefront. LAcS (Licensed Acupuncturists) in Oregon must complete 2500-3500 hours of training, including 800-1000 hours of supervised clinical education. This FAR exceeds the 20-100 hours of training typically offered in dry needling courses for PTs. Allowing HB 3824 to pass with language allowing PTs to perform “needle insertion” is flat out dangerous and jeopardizes public safety. Please consider just some of the numerous studies highlighting 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 (punctured lung) and nerve injury (Brady et al., PM&R, 2014)
- a Polish study reported 3% pneumothorax, 14% nerve palsy, and 1% hospitalization (Majchrzycki et al., MDPI, 2022)

- multiple case reports confirm life-threatening events, including bilateral pneumothorax and prolonged nerve damage (Sabin et al, JournalAgent, 2020; Western Journal of Emergency Medicine, 2013).

For safety concerns, the term “needle insertion” should be removed from HB 3824. It legally conflicts with and directly negates existing Oregonian law, compromises patient safety, and bypasses established licensure and oversight standards put in place to protect the public.

I want to add a personal reason for opposing this bill, aside from the very real safety concerns of allowing unqualified, ill-trained people to perform an ancient technique they did not go to school for. My family has practiced Chinese Medicine for three generations. I am so proud to carry on our healing legacy, and view Acupuncture as more than just inserting needles. There is so much more nuance than just puncturing the skin and avoiding potentially life-threatening adverse reactions. Each needle does things to the body beyond just the musculoskeletal reaction. Allowing a cheapening of this medicine by PTs is a sad appropriation of a medicine that is already struggling to keep the respect it deserves. For all of these reasons, I strongly oppose this legislation. Thank you for your time and consideration!

Sincerely,  
Annie Ze-Ping Hsu, L.Ac.