

DRY NEEDLING STATEMENT  
Oregon Association of Acupuncture and Oriental Medicine  
(OAAOM)  
November 12, 2012

**DEFINITIONS.** "Dry needling" is a healthcare modality practiced by some chiropractors and physical therapists. Sources disagree on its origin, but it comprises inserting solid acupuncture needles (without injecting any fluids- hence the name) into muscle "trigger points" in order to relieve pain. Practitioners claim it is based on Western medical concepts and terminology.

However, acupuncturists insist that nearly all so-called "trigger points" correspond with acupuncture points, and that the practice is clearly acupuncture by another name. ORS 677.757 defines acupuncture as "...an Oriental healthcare practice used to promote health and to treat neurological, organic or functional disorders by the stimulation of specific points on the surface of the body by the insertion of needles." Thus, "dry needling" is the illegal practice of acupuncture when engaged in by those who are not licensed to practice acupuncture.

**HISTORY.** Both the Oregon Physical Therapist Licensing Board and the Oregon Board of Chiropractic Examiners have, within the past couple of years, declared that dry needling is within their scope of practice. The Oregon Medical Board, which licenses and regulates acupuncture, responded to both boards with an unequivocal statement that dry needling is acupuncture, and that acupuncture is regulated solely by them. The Physical Therapy Board essentially backed off, but not the Chiropractic Board, which adopted an administrative rule to allow chiropractors to practice "dry needling", requiring only 24 hours of training.

Consequently, the Oregon Association of Acupuncture and Oriental Medicine sought an injunction against the Chiropractic Board, and this July, the Oregon Court of Appeals issued an Order temporarily suspending the practice of "dry needling" by chiropractors. The court found that the association is "reasonably likely to prevail on judicial review" because "it appears, dry needling is substantially the same as the insertion of needles treatment modality of acupuncture." The document issued by the Court further states that the "respondent has not explained how 24 hours of training, with no clinical component, provides sufficient training to chiropractors to adequately protect patients". In order for an injunction to be obtained, a court must find that failure to obtain the relief will result in "irreparable harm". Here the court found that there was danger of adverse effects from "dry needling" by inadequately trained practitioners.

The Oregon Board of Chiropractic Examiners challenged the Injunction last fall, but the motion to overturn the stay was denied by the Court. It is uncertain when a final ruling will come down.

**THE BILL.** As a result of the desires of other healthcare professionals to engage in acupuncture practices, the OAAOM is introducing a bill into the 2013 Legislature to clarify the definition of the practice of acupuncture. **No intent exists to expand the scope, nor to authorize any modalities not presently within the scope, but merely to clarify what acupuncture is, and who may practice acupuncture.**

Stephen Kafoury, OAAOM representative