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5/7/2025

Dear Members of the Senate Committee:

I write in opposition to HB 3824—specifically, the inclusion of “needle insertion” within the scope of physical therapy practice. This term refers to dry needling, a technique that involves the use of acupuncture needles to penetrate the skin and stimulate muscle or nerve tissue.

Functionally, this is equivalent to acupuncture as defined under Oregon law, and performing it without proper licensure constitutes the unauthorized practice of medicine under ORS 677.765.

I have attached a statement from James Heider of the Oregon Department of Justice, dated May 19, 2017, which affirms that dry needling falls outside the scope of practice for physical therapists. The statement clearly asserts that this procedure is considered “practicing acupuncture” as defined by the Oregon Medical Board’s Acupuncture Advisory Committee—the regulatory body overseeing acupuncture in the state.

As a licensed acupuncturist, I have a vested interest in safeguarding the integrity of my profession. I dedicated four years to studying this intricate and highly specialized field of medicine, and I carry \$206,000 in student debt as a result of that commitment. It is disheartening to hear patients say they previously received “acupuncture” from their physical therapist. Their confusion is understandable: dry needling involves inserting acupuncture needles into the skin for pain relief—and it can be effective. I use it myself. But it is *not* acupuncture when performed by someone without the proper training and licensure.

Allowing providers with as little as 27 hours of training to perform procedures that closely resemble acupuncture—both in appearance and effect—not only undermines my livelihood but also compromises the credibility and safety of the profession as a whole.

Furthermore, permitting minimally trained individuals to perform invasive procedures poses real risks to public safety. It devalues the expertise required to practice acupuncture responsibly and ethically.

For all these reasons, I strongly urge you to remove the term “needle insertion” from HB 3824. Failure to do so may result in significant legal and professional consequences.

Please feel free to contact me with any questions, concerns, or requests for additional testimony. I am more than willing to contribute further to this important discussion.

Thank you for your time and consideration.

A handwritten signature in black ink, appearing to read "James Whitmore". The signature is fluid and cursive, with the first name being more prominent.

James Whitmore