Members of the Senate Committee on Health Care,

My name is Connie Jan. I am from Portland, 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.

I am an instructor and specialize in pain syndromes. I advocate for the hours of training and supervision around acupuncture and physical therapy and the use of needles penetrating the body to be the same.

Starting from the skin, tattoo artists must complete 150 practical (hands-on) hours and 50 completed procedures (touch-ups included) under a licensed tattoo artist (Oregon Health Authority). I believe you all know each tattoo can take anywhere from half an hour to days for completion. Portland Community College's phlebotomy certification training requires 90 classroom/lab work hours and 100 clinical hours (Phlebotomy Technician). Licensed acupuncturists in Oregon must complete 2,500 to 3,500 hours of training, including 800–1,000 hours of supervised clinical education. These all far exceeds the 20–100 hours of training typically offered in dry needling courses for physical therapists. PTs are not trained in any other intradermal procedures, and should have at least more than tattoo artists and phlebotomists to reach basic competencies and safety requirements. Ideally they have more education and training to match a similar competency: First Professional Doctorate of Acupuncture.

It is not difficult to place a needle in someone's body, just as it is not difficult to give someone exercises for their health or to arguably recommend someone take antibiotics for something that looks like a bacterial infection. Knowing which antibiotic to prescribe, which exercises to recommend, and with experience knowing which locations and how to safely needle a patient is imperative. Education, training, experience, and regulation are necessary for patient safety.

Legal and Regulatory Conflict
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.

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.

Thank you for your time and consideration.

Citations:
Oregon Health Authority : Board of Electrologists and Body Art Practitioners - Tattoo Artists - License Information : Health Licensing Office : State of Oregon. www.oregon.gov. https://www.oregon.gov/oha/ph/hlo/Pages/Board-Body-Art-Practitioners-Tattoo-Artists-License.aspx

Phlebotomy Technician | Education for professionals at PCC. Pcc.edu. Published 2022. https://www.pcc.edu/professional/health/entry/phlebotomy