

**OREGON MEDICAL BOARD**

**ACUPUNCTURE ADVISORY COMMITTEE**

Teleconference Meeting – October 7, 2009

**1500 SW First Avenue, Suite 620  
Portland, OR 97201**

**The Acupuncture Advisory Committee of the Oregon Medical Board (OMB or “Board”) held a teleconference meeting Wednesday, October 7, 2009. The meeting was called to order by Malvin Finkelstein, LAc, Chair, at 12:55 p.m.**

**MEMBERS PRESENT**

Malvin Finkelstein, LAc, Chair  
Sarojini S. Budden, MD, Board Liaison  
Gene G. Hong, MD  
Diane Miller, MD  
Debra L. Mulrooney, LAc  
Ellen Shefi, LAc, LMT

**STAFF PRESENT**

Kathleen Haley, JD, Executive Director  
Warren Foote, Assistant Attorney General  
Malar Ratnathicam, Licensing Department Manager  
Michele Provinsal, Acupuncture Licensing Specialist

**GUESTS PRESENT**

Sparks Baughman, LAc, Secretary Oregon Association of Acupuncture and Oriental Medicine

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**Agenda**  
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***PUBLIC SESSION:***

**Acupuncture Scope of Practice**

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**Malvin Finkelstein, LAc, Chair, called the meeting to order at 12:55 p.m.**

***Members present voted unanimously to pass the following motions and recommendations unless otherwise noted.***  
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***PUBLIC SESSION:***

**Acupuncture Scope of Practice**

Committee members discussed the decision by the Oregon Board of Physical Therapy (OBPT) to include the practice of dry needling as part of the scope of practice of physical therapists. Ellen Shefi, LAc, stated that this technique breaks the skin by the insertion of acupuncture needles; this constitutes the practice of acupuncture under a different name.

Gene Hong, MD, stated that since dry needling is an invasive procedure, it is a medical procedure and that this technique is not within the scope of practice of physical therapists.

Warren Foote, AAG, stated that he had been contacted by the OBPT counsel. They are seeking comment from the OMB and the acupuncture community regarding their decision. Mr. Foote believes that the OMB should emphasize that the use of dry needling by physical therapists is a risk to the public, as physical therapists are not adequately trained to perform the procedure, nor are they trained in the potential risks.

Malvin Finkelstein, LAc, noted that currently there is no information regarding what training, if any, is received by physical therapists regarding needle depth, sterilization, sterile technique or insertion of needles. Mr. Finkelstein listed potential risks as pneumothorax, insertion of needles into blood vessels, bleeding, puncturing of organs, and infection.

Debra Mulrooney, LAc, read from Oregon Administrative Rule (OAR) 847-070-0005 defining acupuncture as a 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.

It was moved by Diane Miller, MD, and seconded by Debra Mulrooney, LAc, that:

**The definition of dry needling as proposed by the Oregon Board of Physical Therapy, as being within the scope of physical therapists, is the practice of acupuncture as defined by OAR 847-070-0005.**

Kathleen Haley, JD, stated that she would like to schedule a meeting with the OBPT executive director and have an informal discussion about the OMB's position regarding dry needling. Committee members will also be available to attend this meeting and will provide information about the education of acupuncturists.

Committee members also discussed the dry needling training course for physical therapists which is scheduled in Portland December 4-6, 2009. This course is to be taught by Yun-tao Ma, PhD, LAc, from Colorado.

It was moved by Ellen Shefi, LAc, and seconded by Debra Mulrooney, LAc, that:

**The Acupuncture Advisory Committee recommends that the Oregon Medical Board deny any request from Yun-tao Ma, PhD, LAc, to teach acupuncture via dry needling techniques to physical therapists in Oregon.**

*Gene Hong, MD, absent*

OMB staff will send a letter to Yun-tao Ma, PhD, LAc, notifying him of this denial.

The topic of dry needling will be placed on the November 5, 2009 full board conference call agenda.

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**The meeting was adjourned at 1:40 p.m.**

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