

Resolution regarding the use of invasive procedures by physical therapists

The Arizona Acupuncture Board of Examiners (Board) is that government agency that regulates acupuncture to ensure the health, safety and welfare of the people of Arizona.

On October 7, 2013, the Board met to discuss the issue of “dry needling” as practiced by physical therapists in this state. The Board believes that this is acupuncture, which is “puncturing the skin by thin, solid needles to reach subcutaneous structures, stimulating the needles to produce a positive therapeutic response”, and is not within their scope of practice.

The Board believes the physical therapists in the State of Arizona should be held to the same standards as other licensed health care professionals in the state with regards to puncturing the skin by thin, solid needles to reach subcutaneous structures, stimulating the needles to produce a positive therapeutic response. The Arizona Acupuncture Board of Examiners believes that physical therapists do not have sufficient training in this invasive procedure and encourages the Arizona State Board of Physical Therapy and physical therapists to work with the Board to ensure the health, safety and welfare of the people of Arizona by limiting this invasive procedure to those who are thoroughly trained in this treatment and are licensed to perform it.

As such the Board passed the following resolution by unanimous vote.

Resolution Regarding the Use of Invasive Procedures by Physical Therapists

Whereas, Arizona Revised Statutes allow for the utilization of invasive procedures such as puncturing the skin by thin, solid needles to reach subcutaneous structures and stimulating the needles to affect a positive therapeutic response at a distant site by Arizona licensed doctors of medicine, osteopathic physicians, homeopathic physicians, naturopathic physicians, chiropractors certified to practice acupuncture, physicians' assistants and acupuncturists;

And whereas, in some cases, utilization of invasive procedures such as puncturing the skin by thin, solid needles to reach subcutaneous structures and stimulating the needles to affect a positive therapeutic response at a distant site is included in the broad definition of health care practitioners' scope of practice, i.e., Doctor of Medicine (A.R.S. § 32-1401.22), Osteopathic Physician (A.R.S. § 32-1800.20), Homeopathic Physician (A.R.S. § 32-2901.22), Physician Assistant (A.R.S. § 32-2501.13), and Naturopathic Physician (A.R.S. § 32-1501.28);

And whereas, in other cases, utilization of invasive procedures such as puncturing the skin by thin, solid needles to reach subcutaneous structures and stimulating the needles to affect a positive therapeutic response at a distant site is authorized through a statutory protocol, i.e., A.R.S. § 32-3924 for the licensing of acupuncturists and A.R.S. § 32-922.02 for a certificate to practice acupuncture for chiropractors;

And whereas, the State of Arizona Acupuncture Board of Examiners initiated discussions regarding the utilization of invasive procedures such as puncturing the skin by thin, solid needles to reach subcutaneous structures and stimulating the needles to affect a positive therapeutic response at a distant site by licensed physical therapists with the Arizona State Board of Physical Therapy;

And whereas, the Arizona State Board of Physical Therapy organized and conducted stakeholder meetings throughout the state to gather information regarding the utilization of invasive procedures such as puncturing the skin by thin, solid needles to reach subcutaneous structures and stimulating the needles to affect a positive therapeutic

response at a distant site by physical therapists licensed by the Arizona State Board of Physical Therapy;

And whereas, the study committee created by the State of Arizona Acupuncture Board of Examiners comprised of experts and practitioners in the fields of acupuncture and physical therapy to conduct a comprehensive review of information regarding the utilization of invasive procedures such as puncturing the skin by thin, solid needles to reach subcutaneous structures and stimulating the needles to affect a positive therapeutic response at a distant site by physical therapists held three meetings, received hundreds of pages of information and evidence and heard numerous individual presentations but did not receive or hear any evidence that affirms or suggests that such invasive procedures may be safely undertaken by any health care professionals other than Arizona licensed doctors of medicine, osteopathic physicians, homeopathic physicians, naturopathic physicians, chiropractors certified to practice acupuncture, physicians' assistants and acupuncturists;

And whereas, the curriculums for physical therapy education programs which qualify physical therapists for licensure pursuant to A.R.S. § 32-2022 do not include any training in the utilization of invasive procedures such as puncturing the skin by thin, solid needles to reach subcutaneous structures and stimulating the needles to affect a positive therapeutic response at a distant site and neither the physical therapy statutes' requirements for initial licensure nor for continuing education require physical therapists to receive any training in the practice of such invasive procedure before engaging in the use of such invasive procedures on patients, the State of Arizona Acupuncture Board of Examiners believes that the practice of such invasive procedures by licensed physical therapists constitutes a significant danger to the health, safety and welfare of persons in the State of Arizona;

And whereas, the statutory provisions governing physical therapists in A.R.S. § 32-2001.12 (b) (iii) include within the definition of the practice of physical therapy, "manual therapy techniques" as defined by A.R.S. § 32-2001.6, to wit, ". . . a broad group of passive interventions in which physical therapists use their hands to administer skilled movements designed to modulate pain, increase joint range of motion, reduce or eliminate soft tissue swelling, inflammation, or restriction, induce relaxation, improve

contractile and noncontractile tissue extensibility, and improve pulmonary function...” and do not include the utilization of invasive procedures such as puncturing the skin by thin, solid needles to reach subcutaneous structures and stimulating the needles to affect a positive therapeutic response at a distant site;

And whereas, A.R.S. § 32-3921 (B) (1) states that the statutes governing the practice of acupuncture do not apply to “health care professionals licensed pursuant to this title practicing within the scope of their license”, the State of Arizona Acupuncture Board of Examiners believes that this statute applies only to those health care professionals whose scope of practice is defined within an established statutory protocol or stated inclusion.

Therefore, be it resolved by the State of Arizona Acupuncture Board of Examiners that health care professionals other than Arizona licensed doctors of medicine, osteopathic physicians, homeopathic physicians, naturopathic physicians, chiropractors certified to practice acupuncture, physicians’ assistants and acupuncturists should not be permitted within the scope of their practice to utilize invasive procedures such as puncturing the skin by thin, solid needles to reach subcutaneous structures and stimulating the needles to affect a positive therapeutic response at a distant site unless sufficiently educated and trained prior to licensure or certification to professionally, ethically and safely utilize such invasive procedures on persons in the State of Arizona.

Be it further resolved that the State of Arizona Acupuncture Board of Examiners encourages the Arizona State Board of Physical Therapy to:

1. Acknowledge that the utilization of invasive procedures such as puncturing the skin by thin, solid needles to reach subcutaneous structures and stimulating the needles to affect a positive therapeutic response at a distant site is not authorized within the scope of practice for licensed physical therapists pursuant to A.R.S. § 32-2001 et. seq.;
2. and, work cooperatively with the State of Arizona Acupuncture Board of Examiners to seek legislation that will create an appropriate protocol for physical therapists who want to pursue a license or certificate from the Arizona State Board of Physical Therapy that would enable them to

professionally, ethically and safely utilize invasive procedures such as puncturing the skin by thin, solid needles to reach subcutaneous structures and stimulating the needles to affect a positive therapeutic response at a distant site.