



Washington State Senate

March 11, 2016

John Wiesman, DrPH, MPH
Secretary
Washington State Department of Health
P.O. Box 47890
Olympia, Washington 98504-7890

Dear Secretary Wiesman:

I am requesting that the Department of Health (Department) consider a sunrise review application for a proposal that would add dry needling to the physical therapy scope of practice. Under the attached proposal (SB 6374), physical therapists would be able to perform dry needling only upon completing at least one year of full time practice, 54 hours of education and training in dry needling, and receiving an endorsement from the Department. In addition, I would like the Department to review the evidence on the efficacy of dry needling.

I appreciate your consideration of this application, and I look forward to receiving your report. Please contact my office if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Randi Becker".

Senator Randi Becker
Chair, Health Care Committee

SENATE BILL 6374

State of Washington 64th Legislature 2016 Regular Session

By Senators Dammeier, Becker, Cleveland, Warnick, and Jayapal

Read first time 01/18/16. Referred to Committee on Health Care.

1 AN ACT Relating to allowing physical therapists to perform dry
2 needling; reenacting and amending RCW 18.74.010; and adding a new
3 section to chapter 18.74 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 18.74.010 and 2014 c 116 s 3 are each reenacted and
6 amended to read as follows:

7 The definitions in this section apply throughout this chapter
8 unless the context clearly requires otherwise.

9 (1) "Authorized health care practitioner" means and includes
10 licensed physicians, osteopathic physicians, chiropractors,
11 naturopaths, podiatric physicians and surgeons, dentists, and
12 advanced registered nurse practitioners: PROVIDED, HOWEVER, That
13 nothing herein shall be construed as altering the scope of practice
14 of such practitioners as defined in their respective licensure laws.

15 (2) "Board" means the board of physical therapy created by RCW
16 18.74.020.

17 (3) "Close supervision" means that the supervisor has personally
18 diagnosed the condition to be treated and has personally authorized
19 the procedures to be performed. The supervisor is continuously on-
20 site and physically present in the operatory while the procedures are

1 performed and capable of responding immediately in the event of an
2 emergency.

3 (4) "Department" means the department of health.

4 (5) "Direct supervision" means the supervisor must (a) be
5 continuously on-site and present in the department or facility where
6 the person being supervised is performing services; (b) be
7 immediately available to assist the person being supervised in the
8 services being performed; and (c) maintain continued involvement in
9 appropriate aspects of each treatment session in which a component of
10 treatment is delegated to assistive personnel or is required to be
11 directly supervised under RCW 18.74.190.

12 (6) "Dry needling" means a skilled intervention that uses a thin
13 filiform needle to penetrate the skin and stimulate underlying
14 myofascial trigger points, muscular, and connective tissues for the
15 management of neuromusculoskeletal pain and movement impairments. Dry
16 needling does not include the stimulation or treatment of acupuncture
17 points and meridians. "Dry needling" is also known as intramuscular
18 manual therapy or trigger point manual therapy.

19 (7) "Indirect supervision" means the supervisor is not on the
20 premises, but has given either written or oral instructions for
21 treatment of the patient and the patient has been examined by the
22 physical therapist at such time as acceptable health care practice
23 requires and consistent with the particular delegated health care
24 task.

25 (~~((7))~~) (8) "Physical therapist" means a person who meets all the
26 requirements of this chapter and is licensed in this state to
27 practice physical therapy.

28 (~~((8))~~) (9)(a) "Physical therapist assistant" means a person who
29 meets all the requirements of this chapter and is licensed as a
30 physical therapist assistant and who performs physical therapy
31 procedures and related tasks that have been selected and delegated
32 only by the supervising physical therapist. However, a physical
33 therapist may not delegate sharp debridement to a physical therapist
34 assistant.

35 (b) "Physical therapy aide" means a person who is involved in
36 direct physical therapy patient care who does not meet the definition
37 of a physical therapist or physical therapist assistant and receives
38 ongoing on-the-job training.

39 (c) "Other assistive personnel" means other trained or educated
40 health care personnel, not defined in (a) or (b) of this subsection,

1 who perform specific designated tasks related to physical therapy
2 under the supervision of a physical therapist, including but not
3 limited to licensed massage practitioners, athletic trainers, and
4 exercise physiologists. At the direction of the supervising physical
5 therapist, and if properly credentialed and not prohibited by any
6 other law, other assistive personnel may be identified by the title
7 specific to their training or education.

8 ~~((9))~~ (10) "Physical therapy" means the care and services
9 provided by or under the direction and supervision of a physical
10 therapist licensed by the state. Except as provided in RCW 18.74.190,
11 the use of Roentgen rays and radium for diagnostic and therapeutic
12 purposes, the use of electricity for surgical purposes, including
13 cauterization, and the use of spinal manipulation, or manipulative
14 mobilization of the spine and its immediate articulations, are not
15 included under the term "physical therapy" as used in this chapter.

16 ~~((10))~~ (11) "Practice of physical therapy" is based on movement
17 science and means:

18 (a) Examining, evaluating, and testing individuals with
19 mechanical, physiological, and developmental impairments, functional
20 limitations in movement, and disability or other health and movement-
21 related conditions in order to determine a diagnosis, prognosis, plan
22 of therapeutic intervention, and to assess and document the ongoing
23 effects of intervention;

24 (b) Alleviating impairments and functional limitations in
25 movement by designing, implementing, and modifying therapeutic
26 interventions that include therapeutic exercise; functional training
27 related to balance, posture, and movement to facilitate self-care and
28 reintegration into home, community, or work; manual therapy including
29 soft tissue and joint mobilization and manipulation; therapeutic
30 massage; assistive, adaptive, protective, and devices related to
31 postural control and mobility except as restricted by (c) of this
32 subsection; airway clearance techniques; physical agents or
33 modalities; mechanical and electrotherapeutic modalities; and
34 patient-related instruction;

35 (c) Training for, and the evaluation of, the function of a
36 patient wearing an orthosis or prosthesis as defined in RCW
37 18.200.010. Physical therapists may provide those direct-formed and
38 prefabricated upper limb, knee, and ankle-foot orthoses, but not
39 fracture orthoses except those for hand, wrist, ankle, and foot
40 fractures, and assistive technology devices specified in RCW

1 18.200.010 as exemptions from the defined scope of licensed orthotic
2 and prosthetic services. It is the intent of the legislature that the
3 unregulated devices specified in RCW 18.200.010 are in the public
4 domain to the extent that they may be provided in common with
5 individuals or other health providers, whether unregulated or
6 regulated under this title (~~(18-RCW)~~), without regard to any scope of
7 practice;

8 (d) Performing wound care services that are limited to sharp
9 debridement, debridement with other agents, dry dressings, wet
10 dressings, topical agents including enzymes, hydrotherapy, electrical
11 stimulation, ultrasound, and other similar treatments. Physical
12 therapists may not delegate sharp debridement. A physical therapist
13 may perform wound care services only by referral from or after
14 consultation with an authorized health care practitioner;

15 (e) Reducing the risk of injury, impairment, functional
16 limitation, and disability related to movement, including the
17 promotion and maintenance of fitness, health, and quality of life in
18 all age populations; and

19 (f) Engaging in administration, consultation, education, and
20 research.

21 (~~((11))~~) (12) "Secretary" means the secretary of health.

22 (~~((12))~~) (13) "Sharp debridement" means the removal of
23 devitalized tissue from a wound with scissors, scalpel, and tweezers
24 without anesthesia. "Sharp debridement" does not mean surgical
25 debridement. A physical therapist may perform sharp debridement, to
26 include the use of a scalpel, only upon showing evidence of adequate
27 education and training as established by rule. Until the rules are
28 established, but no later than July 1, 2006, physical therapists
29 licensed under this chapter who perform sharp debridement as of July
30 24, 2005, shall submit to the secretary an affidavit that includes
31 evidence of adequate education and training in sharp debridement,
32 including the use of a scalpel.

33 (~~((13))~~) (14) "Spinal manipulation" includes spinal manipulation,
34 spinal manipulative therapy, high velocity thrust maneuvers, and
35 grade five mobilization of the spine and its immediate articulations.

36 (~~((14))~~) (15) Words importing the masculine gender may be applied
37 to females.

38 NEW SECTION. Sec. 2. A new section is added to chapter 18.74
39 RCW to read as follows:

1 A physical therapist may perform dry needling only after being
2 issued a dry needling endorsement by the secretary. The secretary,
3 upon approval by the board, shall issue an endorsement to a physical
4 therapist who has shown evidence of adequate education and training
5 that includes a minimum of fifty-four hours of dry needling education
6 and training and at least one year of licensed practice. A physical
7 therapist may not delegate dry needling.

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