

OFFICIAL STATEMENT

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APTA Statement on *South Sound Acupuncture Association vs. Kinetacore, et al.*

On October 10, 2014 the King County Superior Court for the state of Washington issued a partial summary judgment in the case of *South Sound Acupuncture Association vs. Kinetacore, et al.* The complaint filed by South Sound Acupuncture Association dealt with a dry needling continuing education course sponsored by Kinetacore in 2013 and held at Salmon Bay Physical Therapy in Seattle. The primary participants of the education course were licensed physical therapists.

The plaintiffs alleged that dry needling is not within the current legal scope of practice in the state of Washington. The court in its ruling concurred, stating that a “person that ‘penetrates the tissues of human beings’ with an acupuncture needle or any other needle for the purpose of ‘dry needling’ or any similar named act (‘dry needling’) is practicing medicine under the statutory definition provided at RCW 18.71.011(3) and is prohibited absent a physicians license as required by RCW 18.71.021 or other statutory authority.”

The impact of this case is limited to Washington. It has no impact on the scope of practice for physical therapists in other states. The trial court’s injunction against inserting needles for dry needling purposes is directed only at the defendants named in the complaint. However, physical therapists in Washington would be prudent to seek legal counsel with respect to possible exposure to litigation or liability if they were to practice dry needling.

The American Physical Therapy Association (APTA) strongly disagrees with the court’s interpretation of the current Washington statutes. APTA is greatly concerned about the negative impact the court’s decision may have on patient access to the care and services they need, as well as its effect on the ability of licensed physical therapists to obtain continuing education in areas that are relevant to their practice. The association will continue to work with the Physical Therapy Association of Washington (PTWA) and other interested parties to correct what we believe is a flawed decision.

APTA recognizes dry needling as being part of the physical therapist’s scope of practice as outlined in [The Guide to Physical Therapist Practice 3.0](#) and APTA’s [Guidelines: Physical Therapist Scope of Practice \(BOD G02-14-18-12\)](#). Dry needling is also recognized as part of the legal scope of practice for physical therapists in the majority of U.S. jurisdictions. Arguments that dry needling is an intervention that may be performed only by acupuncturists are flawed.

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