

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 25 - SB 385

February 16, 2015

SUMMARY OF ORIGINAL BILL: Expands the definition of physical therapy in statute to include dry needling. Dry needling is defined as a skilled intervention that uses a thin filiform needle to penetrate the skin and stimulate underlying neural, muscular, and connective tissues for the evaluation and management of neuromusculoskeletal conditions, pain, and movement impairments.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (003415): Requires the Board of Physical Therapy to develop minimum competency requirements for physical therapists who intend to practice dry needling. Changes the effective date language from July 1, 2015, to the date of passage.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- The Attorney General opined in 2014 that the practice of physical therapy does not include dry needling. While there are distinctions between dry needling and acupuncture, the obvious similarity between the two cannot be ignored and physical therapists may not perform acupuncture which is a branch of medicine. (Tenn. Att'y Gen. Op. No. 14-62).
- According to the Board of Physical Therapy, physical therapists in Tennessee have been practicing dry needling over a period of years; therefore, no additional registrants or licensees for the Board are estimated.
- The Board will need to ensure its licensees take proper safety precautions prior to performing dry needling, but it can perform any duties required of this legislation within its existing resources.
- Pursuant to Tenn. Code Ann. § 4-29-121, all health related boards are required to be self-sufficient over a two-year period. The Board of Physical Therapy had a balance of

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\$133,149 in FY12-13, \$97,944 in FY13-14, and a cumulative reserve balance of \$166,960 on June 30, 2014.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Jeffrey L. Spalding". The signature is written in a cursive style with a large, looped "J" and "S".

Jeffrey L. Spalding, Executive Director

/jdb