

# **Notice of Amended Petition for Declaratory Order**

## **Petitions received**

On August 17, 2015, the Iowa Association of Oriental Medicine and Acupuncture (“Petitioner” filed a Petition for Declaratory Order (“Petition”) pursuant to Iowa Code § 17A.9 and 645 IAC Chapter 8. The Petition requests a Declaratory Order from the Iowa Board of Physical & Occupational Therapy (“Board”) regarding dry needling. The Board received a timely Petition for Intervention from the American Physical Therapy Association and Iowa Physical Therapy Association.

## **Public hearing**

On September 11, 2015, the Board held a public hearing regarding the Petition. Petitioner was represented at the hearing by one of its board members, William Terrell. The following were determined at the hearing:

1. Petitioner agreed to amend the questions to be answered to include question 8: “Is dry needling within the scope of physical therapy as defined in Iowa Code section 148A.1(1)(b)?” Petitioner’s answer to question 8 is “no.”
2. Given that a change was made to the Petition, the Board will re-notice the Petition, pursuant to Iowa Code § 17A.9, and allow an additional opportunity for intervention.
3. The Board voted to grant the Petition for Intervention filed by the American Physical Therapy Association and the Iowa Physical Therapy Association (“Intervenor”). A copy of the Petition for Intervention filed and the accompanying brief are posted on the Board’s website.
4. The Petitioner and the Intervenor both agreed to allow the Board additional time to consider the Petition, pursuant to Iowa Code section 17A.9(8).
5. The Board will provide 45 days for the public to submit any written comments or other documents.
6. The Board will hear oral arguments from parties regarding the Petition at the next quarterly meeting, which is scheduled for December 11, 2015. Petitioner and Intervenor will each be allowed 20 minutes for oral argument, followed by approximately 10 minutes each to answer any questions posed by the Board. If the Board grants any additional petitions for intervention, each intervenor will be allowed 20 minutes for oral argument, followed by approximately 10 minutes each to answer any questions posed by the Board.
7. The Board intends to make a decision regarding the Petition on December 11, 2015. The Board intends to issue a written ruling on the Petition detailing its decision no later than December 31, 2015.

## **Notice**

Notice of the amendment (described in item 1 above) to the Petition is being provided to state licensing boards that may have an interest in dry needling, professional organizations that may have an interest in dry needling, the accredited physical therapy educational programs located in Iowa, and multiple dry needling training programs, pursuant to Iowa Code section 17A.9(3).

## **Opportunity for intervention**

Any person who qualifies under any applicable provision of law as an intervenor and who files a petition for intervention shall be allowed to intervene in the proceeding. Petitions for Intervention may be filed by any interested party no later than September 29, 2015 at the Iowa Board of Physical and Occupational Therapy, Bureau of Professional Licensure, IDPH, Lucas State Office Building—5<sup>th</sup> Floor, 321 East 12<sup>th</sup> Street, Des Moines, IA 50319-0075 or emailed to [Judith.Manning@idph.iowa.gov](mailto:Judith.Manning@idph.iowa.gov).

## **Public comment**

Anyone from the public wishing to submit written comments or other documents may do so by mailing or delivering them to the Board office “Attn: Judy Manning” or by emailing them to [Judith.manning@idph.iowa.gov](mailto:Judith.manning@idph.iowa.gov). All submissions must be received by October 29, 2015.

## **Contact information**

Website: <http://www.idph.state.ia.us/licensure/PhysicalandOccupationalTherapy.aspx>

Board Office: Bureau of Professional Licensure, Lucas State Office Building, 5<sup>th</sup> Floor, 321 East 12<sup>th</sup> Street, Des Moines, IA 50319-0075.

Sent via email to:

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[IAOMAonline@gmail.com](mailto:IAOMAonline@gmail.com)

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Iowa Board of Chiropractic  
[Susan.Reynolds@idph.iowa.gov](mailto:Susan.Reynolds@idph.iowa.gov)

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[Tony.Alden@idph.iowa.gov](mailto:Tony.Alden@idph.iowa.gov)

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[Jill.Stuecker@iowa.gov](mailto:Jill.Stuecker@iowa.gov)

Iowa Board of Nursing  
[Kathy.Weinberg@iowa.gov](mailto:Kathy.Weinberg@iowa.gov)

Iowa State Board of Health  
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Iowa Board of Massage Therapy  
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Iowa Board of Physician Assistants  
[Susan.Reynolds@idph.iowa.gov](mailto:Susan.Reynolds@idph.iowa.gov)

Iowa Physical Therapy Association & Foundation  
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National Certification Commission for Acupuncture and Oriental Medicine  
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