



**Economic Affairs Interim Committee**  
**64th Montana Legislature**

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JAMESON WALKER, Staff Attorney  
KRISTINA LIMING, Secretary

June 12, 2015

Commissioner Pam Bucy  
Department of Labor and Industry

by email and intraoffice mail

Dear Commissioner Bucy:

A majority of the members of the Economic Affairs Interim Committee (EAIC) have requested that the committee file an objection to MAR Notice 24-177-32, relating to the Board of Physical Therapy's proposed rule for dry needling. As the EAIC's presiding officer I have directed that a letter be sent to notify the Department that the EAIC will consider the notice at its next meeting in September.

Since the EAIC is not scheduled to meet until September, 2-4-305(9), MCA, requires the Department to delay the adoption of the proposed rules:

(9) If a majority of the members of the appropriate administrative rule review committee notify the committee presiding officer that those members object to a notice of proposed rulemaking, the committee shall notify the agency in writing that the committee objects to the proposal notice and will address the objections at the next committee meeting. Following notice by the committee to the agency, the proposal notice may not be adopted until publication of the last issue of the register that is published before expiration of the 6-month period during which the adoption notice must be published, unless prior to that time, the committee meets and does not make the same objection. A copy of the committee's notification to the agency must be included in the committee's records.

At its next meeting, the EAIC would like to hear from the Department, the Board, and interested parties regarding dry needling techniques. The EAIC also would appreciate a written explanation of public safety concerns, credentialing of instructors, the definition of dry needling, and its relation to the practice of acupuncture.

Thank you for your attention to this request for information. As you can see from 2-4-305(9), MCA, the EAIC may decide that the objection is no longer necessary after it has held its September meeting.

Sincerely,

A handwritten signature in cursive script that reads "R3/pm".

Rep. Ryan Lynch, presiding officer

cc: Board of Physical Therapy Examiners  
Todd Younkin, Business Standards Division  
Bree Manninen, Montana Association of Acupuncture & Oriental Medicine

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