



STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
File:

Committee on Water, Land, Ocean Resources & Hawaiian Affairs

**Testimony of Chiyome Leinaala Fukino, M.D.
Director of Health**

**February 11, 2008
9:30 a.m.**

1 **Department's Position:** The Department of Health supports this bill with reservations.

2 **Fiscal Implications:** Funding for research on best practices for traditional Hawaiian tattooing will be
3 needed if this bill is passed.

4 **Purpose and Justification:** The bill would amend HRS 321-374 to exempt tattoo artists deemed to be
5 "Kahuna Ka Kakau" from licensing requirements as a tattoo artist. "Kahuna Ka Kakau" is defined as an
6 expert in the cultural practice and application of traditional Hawaiian tattooing. The exemption would
7 allow the "Kahuna Ka Kakau" to utilize procedures, equipment and dyes that are inconsistent with
8 current health standards.

9 The Department of Health respectfully acknowledges the Hawaiian culture and arts and would
10 support this bill provided that the qualification for "Kahuna Ka Kakau" is not in any way determined by
11 the Department of Health, but by an organization or agency that has a better understanding for the
12 qualifications for this title. The department suggests that an exemption from all regulations and statues
13 be considered for the "Kahuna Ka Kakau" to practice traditional Hawaiian tattooing. This would insure
14 complete freedom for the "Kahuna Ka Kakau" to practice their form of traditional Hawaiian tattooing
15 unencumbered while freeing the state from the responsibility and liability of regulating traditional

1 Hawaiian tattooing and its use of procedures, equipment and dyes that are inconsistent to current
2 regulations.

3 The rationale is based on current Center for Disease Control and Infection (CDC) and DOH Disease
4 Investigation Branch statistical information that does not indicate persons with exposures to tattooing
5 are at an increased risk for Hepatitis C (HCV), Hepatitis B (HBV), HIV or other significant numbers of
6 infections. In light of this information and given the maturity of the industry and its ability to practice in
7 a sanitary fashion, we also recommend that the regulatory system be changed from licensing tattoo
8 artists to a simpler registration system so that there is a means to keep track of practitioners.

9 Thank you for the opportunity to testify.