



Thursday, February 26, 2009, 9:00 a.m. CR 016

To: COMMITTEE ON JUDICIARY AND GOVERNMENT OPERATIONS
Senator Brian T. Taniguchi, Chair
Senator Dwight Y. Takamine, Vice Chair

From: Hawaii Medical Association
Gary A. Okamoto, MD, President
Philip Hellreich, MD, Legislative Co-Chair
Linda Rasmussen, MD, Legislative Co-Chair
April Donahue, Executive Director
Richard C. Botti, Government Affairs
Lauren Zirbel, Government Affairs

Re: SB 1263 RELATING TO TATTOO ARTISTS

Chairs & Committee Members:

Hawaii Medical Association supports this measure as an important element in protecting public safety.

Thank you for the opportunity to provide this testimony.

OFFICERS

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President

Robert Marvit, MD
President Elect

Cynthia Jean Goto, MD
Immediate Past President

Thomas Kosasa, MD
Secretary

Jonathan Cho, MD
Treasurer

April Donahue
Executive Director

Hawaii Medical Association
1360 S. Beretania St.
Suite 200
Honolulu, HI 96814
(808) 536-7702
(808) 528-2376 fax
www.hmaonline.net

Judiciary and Govt. Operations Committee:
Sen. Taniguchi, Chair
Sen. Takamine, Vice-Chair

Hearing: Feb. 26, 9:00 am, 2009

Support of SB1263 Relating to the permitting of tattoo shops and licensure of tattoo artists, with further amendments.

Submitted by:

Tricia Allen, PO Box 61967, Honolulu, HI 96839, 808 734-8677 tattoo@lava.net and
Peggy Sucher, 2128 Kalakaua Ave, Honolulu, HI 96815, 808 778-0117 ladytattoo@hawaii.rr.com
on behalf of the **Coalition for Safe Tattooing in Hawai'i** (see attached partial roster)

This testimony is in support of Senate Bill 1263 (HB1499). Our coalition supporting this bill consists of 15 licensed tattooists, representing 10 shops, along with a number of health professionals and community members. As spokesperson for the coalition, I will briefly introduce myself. I am a professional tattooist who has been licensed in Hawai'i since 1992. Although I am a long-time resident of O'ahu, I primarily tattoo in California; thus I have no personal advantage or gain in these efforts, other than to see that tattooing here is practiced in a safe manner, and that both our Statutes and Departmental Rules and Regulations are reasonably up-to-date. I hold a Master's Degree in Anthropology from the University of Hawai'i and completed Ph.D coursework and fieldwork on the revitalization of tattooing in Polynesia (primarily French Polynesia and Rapa Nui). I have extensive experience in teaching hygienic tattooing in these and several other island groups.

In summary, our current tattoo statutes and regulations were written in 1981 and have been revised only very minimally. Currently there is no opportunity for temporary permits and licensing of tattooists, which makes conventions and demonstrations at museums and universities impossible. We have been quite active this last year in organizing the tattoo community to address this and other issues, hosting meetings, and compiling the concerns and viewpoints of the licensed tattooists in our state. Both Sucher and myself have also had numerous meetings with staff at the Sanitation Branch of DOH (our licensing agency) and with staff members in the Infectious Disease Branch, seeking their input. We feel that revision is necessary, and that temporary permits and licenses should be obtainable, but with specific safeguards to protect the health of both the tattoo community, and Hawai'i's residents and visitors. SB1263 is based on a preliminary draft that myself and several others worked on over the course of the past year. Our draft accounted for the opinions of a number of professional tattooists and medical practitioners in Hawai'i, taking into consideration all necessary safeguards as well as practicalities.

As you know, SB1263 was passed by the HTH and CPC Committees, with amendments. Sen. Baker and Sen. Ige specifically asked that our coalition work with Rex Mitsunaga, Director of the Department of Health and Sanitation (our regulatory branch of DOH) to include any revisions of the current Statute that they see as needed. I have met with Mitsunaga several times since the hearing, and have had near-daily e-mail contact in order to draft a revision that suits both their needs as well as those of the tattoo community. The final draft, unfortunately, was not approved by their Deputy AG in time for the last decking deadline. We will provide it at the hearing, or beforehand, if possible. I should make you aware, however, that the DOH must oppose the bill for other reasons, not on the grounds of its content, as it has been a cooperative endeavor and does meet with their approval.

Coalition for Safe Tattooing in Hawai'i

in support of SB1263 with specified revisions

* indicates primary contacts for the coalition

LICENSED TATTOOISTS

*Peggy Sucher, Licensed Tattooist.

2128 Kalakaua Ave, Honolulu, HI 96815 (808) 778-0117 ladytattoo@hawaii.rr.com

*Tricia Allen, Licensed Tattooist

P.O. Box 61967 Honolulu, HI 96839 (808) 734-8677 tattoo@lava.net

Steve Looney, Licensed (traditional) Tattooist, Shop Owner

320 Ward Av. #215, Honolulu, HI 96814, 808-589-1996 pacificsoulattoo@hotmail.com

Dave Sucher, Licensed Tattooist

2128 Kalakaua Ave, Honolulu, HI 96815 (808) 778-0117 cueman@hawaii.rr.com

Bill Whitney, Licensed Tattooist, Shop Owner

46-018 Kamehameha Hwy. #205, Kaneohe, HI 96744 808 234-1504

Adam Siehr Licensed Tattooist, Shop Owner

434 Ena Rd. Honolulu, HI 96815 (808) 391-8287 adam@tattooadam.com

Rodney Powell, Tattooisst/Behavioral Health Service Coordinator, United Behavioral Health

541 Pohakulani Street Hilo, HI 96720 (808) 754-8966 tongan_tattoo@yahoo.com

Tinomana F. E. Hoffmann, Licensed Tattooist, Shop Owner

1211 Nanakai St. Pearl City, HI 96782 808 497-4204 aitotattoo@clearwire.net

Conor Haley, Licensed Tattooist, Shop Owner

2270 Kuhio Ave #B Honolulu, HI 96815 808-306-4659 arockstar@hawaii.com

Cory Alameda, Licensed Tattooist

2128 Kalakaua Ave., Honolulu, HI 96815 808 924 7460

Scott Bender, Licensed Tattooist

2128 Kalakaua Ave, Honolulu, HI 96815 808 924 7460

Ali Blevins, Licensed Tattooist, Shop Owner

2309 Kuhio Ave., Honolulu, HI 96815 no phone schmonzie@hotmail.com

Sergio Dowd, Licensed Tattooist

320 Ward Ave #215 Honolulu HI 96814, 808 541-7400

Dan Foerster, Licensed Tattooist

2128 Kalakaua Ave, Honolulu, HI 96815 808 924 7460

Rick Milligan, Licensed Tattooist, Shop Owner juggalolo13@yahoo.com

66-590 Kamehameha Hwy # 1C Haleiwa, HI 96712

Jordan K. Wolfe, Tattoo Apprentice

1211 Nanakai St. Pearl City, HI 96782

Mildred Schwarz, Tattoo Apprentice

320 Ward Ave #215 Honolulu HI 96814, 808 541-7400 sadlilstar@gmail.com

MEDICAL PROFESSIONALS AND HEALTH CARE WORKERS

Stephen E. Case, John A. Burns School of Medicine, Biological Safety Officer

45-128 Alina Place, Kaneohe, HI 96744 808 554-1136 stevec@hawaii.edu

JoAnn Johansen, RN, CNM, MSN,
P.O. Box 6329 Kamuela, HI 96743 808-887-0167 joannj@hawaiiintel.net
Brigid Mulloy, RN CNM, ARNP
PO Box 280 Kaunakakai Hi 96748 808 553-3380 brigid@mobetah.net
Lisa Abbott, APRN-RX, nurse practitioner
3810 Claudine St., Honolulu, HI 96816 734-3439 labbott@hawaii.rr.com
Peter Silva, Pacific Island Trainer, Life Foundation.
541 Pohakulani Street Hilo, HI 96720 (808) 333-5192

COMMUNITY MEMBERS

JoAnn Kahanamoku, Kupuna and Cultural Advisor
P.O. Box 4616 Kailua-Kona, HI 96745 808 334-0217
Claud Sutcliffe, Ph.D., Executive Director, Mediation Center of Molokai
P.O. Box 1708, Kaunakakai, HI 96748 808:553-3844 claud@hawaiiintel.net
Patricia Lee Masters, Ph.D, Academic Program Officer, University of Hawaii at West O'ahu
4741 Matsonia Drive Honolulu, Hi 96816 sumanateri@aim.com
Carlos Juarez, Ph.D, Professor and Dean of International Studies, Hawaii Pacific University
7413 Makaa St. Honolulu HI 96825, 808.779.8004 cjuarez@hpu.edu
Angela M. Britten, Director of Corporate Development & Special Events, Bishop Museum
758 Iana Street, Kailua, HI 96734 w: (808) 848-4170 angela.britten@bishopmuseum.org
Ephrosine Daniggelis, Ph.D, community support
2002 Hunnewell St., Honolulu, HI 96822, 947-5828 ephro@hotmail.com
Kimo Silberstein, Cultural Practitioner
2350 Palolo Ave, Honolulu, Hi 96816 808 737-9194 kumukimo@hawaii.rr.com
P.F. Ski Kwiatkowski, Cultural Practitioner/Traditional Tattooist
P.O. Box 2250 Kamuela, Hi 96743 kakaukii@hawaiiintel.net
Waimea Williams, community support
45-539 Pahia Road Kaneohe, HI 96744 808 375-5036 williamsw011@hawaii.rr.com
Audra Sellers, community support
P.O. Box 13207, Lahaina, HI 96761 808-281-5280 audral@hawaii.rr.com
Deyna Puckett, community support
P.O. Box 13207, Lahaina, HI 96761 808-281-5280 deyna@hawaii.rr.com
Karna Hazelhoff, community support
PO Box 858 Kamuela, HI 96743 karnahazelhoff@comcast.net
James Bayley, community support
2765 Round Top Dr., Honolulu, HI 96822 (808) 946-9669 jimskalabim@hotmail.com
Sally Lundburg, community support
PO Box 244 Paauilo, Hawaii 96776 (808)776-1535 sallylundburg@hotmail.com
Keith Tallett, community support
PO Box 244 Paauilo, Hawaii 96776 (808)776.1535 keithtallett2005@hotmail.com
Mimi Forsyth, community support
P O Box 970968 Waipahu, HI 96797 (808)-676-8261 forsythm001@hawaii.rr.com
Janice Tumpap, community support
23 Poniu Circle Wailuku 96793 808 205-8068 tumpapc@gmail.com
Jim Patterson, community support
62 Hui Rd F Lahaina, Maui, HI 96761 808-669-0872 terpatterson@yahoo.com

Tere Patterson, community support

62 Hui Rd F Lahaina, Maui, HI 96761 808-669-0872 terpatterson@yahoo.com

Dave Wethington, taxpayer

350 Ward Ave, #10622, Honolulu, HI 96814 808 239 7776

Joyce Chun, taxpayer

350 Ward Ave, #10622, Honolulu, HI 96814 808 239 7776

Carol Colbath, graphic artist, community support

45-539 Kamo'oali'i, Kaneohe, Hawai'i 96744 808 235-4828 ccdsgn@hawaii.rr.com

Goro Suljoadikusumo, community support

3810 Claudine St., Honolulu, HI 96816 734-3439 goro@hawaii.rr.com

Lyza Sosa, community support

PO.Box 223682 Princeville, HI 96722 808-635-3586 Buterflyza@yahoo.com

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 24, 2009 7:27 PM
To: JGO Testimony
Cc: ladytattoo@hawaii.rr.com
Subject: Testimony for SB1263 on 2/26/2009 9:00:00 AM

Testimony for JGO 2/26/2009 9:00:00 AM SB1263

Conference room: 016
Testifier position: support
Testifier will be present: No
Submitted by: Peggy Sucher
Organization: Individual
Address: 2128 Kalakaua Ave. Honolulu, HI
Phone: 808.778.0117
E-mail: ladytattoo@hawaii.rr.com
Submitted on: 2/24/2009

Comments:
Judiciary and Govt. Operations Committee:
Sen. Taniguchi, Chair
Sen. Takamine, Vice-Chair
Hearing: Feb 26, 2009 9:00 am

Support of Bill SB1263: Relating to the licensing of tattoo artists and permitting of tattoo shops with further amendments

Submitted by:
Peggy Sucher, 2128 Kalakaua Ave, Honolulu, HI (808) 778 0117

I am submitting this testimony in favor of Senate Bill 1263 (HB1299).

I am a Hawaii State licensed tattooer, board member, lecturer, editor and health instructor for the Alliance of Tattooists and board member, lecturer and journalist for the National Tattoo Association. I also write an information column on Safety and Professionalism in Tattooing for Oceanic Cable at www.aroundhawaii.com. I hold a bachelors degree from Purdue University. With over 28 years experience in the tattoo business I have seen a huge evolution of the industry in the last five years.

I have been very active with the coalition of tattooers of Hawaii working toward revising our very outdated regulations from 1981. Last year a bill was introduced that would have abolished nearly all regulations regarding tattooing and would allow conventions and gatherings to occur without any health related oversight from the DOH. With my experience as the (retired) Security Director for the National Tattoo Association conventions and my close involvement with the Alliance of Professional Tattooists Rendezvous convention, I understand how a safe and professional gathering MUST be conducted. With no oversight from both the event promoter AND the DOH, a gathering can be an extreme health risk to both the public in attendance and to the participants.

On the mainland, large tattoo events occur weekly and are quite frightening. With no established guidelines, an invasive procedure such as tattooing with possible exposure to blood borne pathogens the likelihood of cross-contamination poses a tremendous threat to all

present. It is our goal with SB 1263 to contain the scope of any such gatherings here in Hawaii. With a substantial registration fee and site overview from the DOH we hope to provide a safe haven for those wishing to participate. By limiting the number of tattooers present it is a manageable task unlike the large Tattoo Expos' I've witnessed with hundreds of tattooers, piercers, body brandings and suspension booths. It is our goal to limit conventions to a reasonable size (no more than 40 participants) with adequate safety precautions.

In this bill there are allowances for smaller, educational demonstrations to occur at locations such as the Bishop Museum, and Universities, provided the public is not being tattooed for monetary gain.

Many states with tattoo regulations have established guidelines for any gatherings outside of licensed and inspected shops, or are now addressing the issue and revising their regulations. I am traveling to Concord, NC this spring for the 30th National Tattoo Association Convention and our booth holders must present strict criteria to the DOH of NC in order to be temporarily licensed to practice their trade.

As Hawaii was one of the first states to regulate tattooing in 1981 we should again set a high standard for conventions and exhibitions. We've been fortunate to have input from numerous sources here in Hawaii, not only tattooers and body piercers but health practitioners, CDC representatives and our own Health Department. We do not take lightly our responsibility to our clients, the public and our fellow artists.

This bill has been passed by the HTH and the CPC Committees with amendments. The amendments are extremely important to truly represent the need to continue to provide safety and professionalism for our industry. I respectfully ask that you approve the bill and it's amendments.

Respectfully,
Peggy Sucher