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Tuesday, March 17, 2009, 8:30am, CR 329

To: House Committee on Health
Rep. Ryan I. Yamane, Chair
Rep. Scott Y. Nishimoto, Vice Chair

From: Hawaii Medical Association
Gary A. Okamoto, MD, President
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Linda Rasmussen, MD, Legislative Co-Chair
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Re: SB 1263 RELATING TO TATTOO ARTISTS
Updates the regulation of tattoo artists and tattoo shops in the State.
(SD2)

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.

Hawaii Medical Association
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Suite 200
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(808) 528-2376 fax
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CORRECTED

Health Committee:
Rep. Ryan Yamane Chair
Rep. Scott Nishimoto, Vice-Chair

Hearing: Tuesday 3/17/09, 8:30 am

Support of SB1263 SD2 Relating to the permitting of tattoo shops and licensure of tattoo artists, with minor revisions.

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).

Thank you for hearing this bill and for the opportunity to testify. This testimony is on behalf of a coalition of twenty two licensed tattooists, five medical practitioners, and twenty five community members. We are pleased that the bill has passed all Senate hearings, and we sincerely hope that you consider passing it as well, with the specified revisions.

The current draft of the bill meets the primary concerns of our coalition, with only minor amendments. Since our first hearing in the Senate, however, we have been working very closely with the Sanitation Branch of DOH, and they have some additional concerns that we would like to see addressed in the amendments--largely administrative "housekeeping" issues. Rex Mitsunaga with DOH will be submitting a list of their suggested revisions, which we support. Some of our suggested revisions below may, in fact, duplicate those that will be suggested by Mitsunaga, as we have had lengthy meetings on what we see as necessary revisions.

Our suggested amendments:

Page 2, lines 10, 11 to read as follows:

"A \$500 participation fee, ~~if an~~ for any event where tattooing occurs for monetary gain, having not more than forty participating tattoo artists, or"

Page 3, line 8 to read as follows:

"...disposition of the application ~~in a timely manner~~ within twenty working days...

Page 7, articles 1-3, or lines 1-7 are problematic, as how could such violations ever be substantiated? There would be near impossible to enforce. We suggest eliminating these first 3 articles or violations.

Page 7, article 5, lines 13-17: we suggest adding the phrase "...or aiding another individual in doing so" as we have knowledge that forged licenses are being sold.

Page 7, line 19: add the same phrase as specified above: "...or aiding another individual in doing so" as there are copies of the state test advertised for sale online (the test will be altered as a result).

Page 8, article 8, line 3-4 we suggest eliminating, as it would be near impossible to investigate out-of-state violations. Also the DOH does not have the budget or manpower to investigate such.

We tremendously appreciate your taking these changes into consideration, and passing SB1263.

Coalition for Safe Tattooing in Hawai'i

in support of SB1263 with specified revisions

* indicates primary contacts for the coalition

LICENSED TATTOOISTS

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From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 15, 2009 10:34 PM
To: HLTtestimony
Cc: rodneypo@hawaii.edu
Subject: Testimony for SB1263 on 3/17/2009 8:30:00 AM

Testimony for HLT 3/17/2009 8:30:00 AM SB1263

Conference room: 329
Testifier position: support
Testifier will be present: No
Submitted by: Rodney Powell
Organization: Individual
Address: Pohakulani Hilo. HI
Phone: 8083335192
E-mail: rodneypo@hawaii.edu
Submitted on: 3/15/2009

Comments:

I am writing in support of this bill. I was ecstatic to hear how far this bill has gone and the amount of support it has received. Having the Hawaii Medical Association on board is also a positive because it takes tattooing out of the parlor and places it into the public health realm. Due to tattooing's tremendous popularity over the past years, it becomes ever more important to create laws that facilitate licensing and permits in a SAFE manner.

Please feel free to contact me should you have any questions. Thank you very much for your time and support. Rodney Powell

Hearing: Mar 17, 2009 8:00 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.

We have made allowance 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