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CHRONOLOGY OF EVENTS RELATING TO TRADITIONAL HAWAIIAN HEALING PRACTICES SINCE 1985

The following chronology is an attempt to identify major public policy events around which discussion of traditional Native Hawaiian healing practices has occurred. It is not a comprehensive listing of all activities that have occurred during the past two decades around traditional Hawaiian healing practices.

1985

December 1985: The Native Hawaiian Health Research Consortium under *ALU LIKE* releases its *E Ola Mau – Native Hawaiian Health Needs Study*, which identifies the importance of culture and traditional healing practices for addressing health issues and improving health and wellness in the Native Hawaiian community

1986

June 16, 1986: The organization *E Ola Mau* is formed by Dr. Kekuni Blaisdell and later incorporated under Dr. Chiyome Fukino as its first president to bring together Native Hawaiian traditional practitioners and western-trained health professionals.

October 11, 1986: The *Office of Hawaiian Affairs (OHA)* along with *ALU LIKE* and *E Ola Mau* sponsor 'Aha Kupuna Lā'au Lapa'au with guidance from Uncle Harry Mitchell. This was one of the first state gatherings of traditional practitioners and was held on O'ahu.

1988

Chronology of Events
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February 14-17, 1988: OHA sponsors the second ‘Aha Kupuna Lā‘au Lapa‘au gathering at the Keauhou Beach Hotel in Kailua-Kona, Hawai‘i. This was the second such gathering and attended by more than 40 participants.

October 31, 1988: The United States promulgates the Native Hawaiian Health Care Improvement Act (P.L. 100-579) which recognizes the role of Native Hawaiian traditional healing practices and defines *Traditional Native Hawaiian Healer* (42 USC 11707(9)):

The term “traditional Native Hawaiian healer” means a practitioner-

(A) who-

- (i) is of Hawaiian ancestry, and*
- (ii) has the knowledge, skills, and experience in direct personal health care of individuals, and*

(B) whose knowledge, skills and experience are based on a demonstrated learning of Native Hawaiian healing practices acquired by-

- (i) direct practical association with Native Hawaiian elders, and*
- (ii) oral traditions transmitted from generation to generation.*

The Act goes on to state:

Nothing in this Act shall be construed to restrict the authority of the State of Hawaii to license health practitioners (42 USC 11708).

1989

After the OHA sponsored conference, follow up gatherings, “Own Identity, Own Voice” were held throughout the year on different islands sponsored by E Ola Mau to provide the opportunity for the practitioners to continue their conversation.

1992

October 6, 1992: The United States promulgates the reauthorization of the Native Hawaiian Health Care Improvement Act (P.L. 102-396) which incorporates the above definition (42 USC 11711(10)) and includes the statement enabling licensure by the State of Hawaii (42 USC 11712).

1995

October 17-19, 1995: *POL* and others support the *1995 Hawaii Symposium on Healing Alternatives* sponsored by the US Department of Veterans Affairs. Presenters included: Papa Henry Auwae, Aunty Margaret Machado, Aunty Ulunui Garmon, Hinano Paleka, Aunty Betty Jenkins, Frank Hewett and Uncle Kalua Kaiahua.

1996

August 22, 1996: A major organization of traditional healing practitioners *Kupuna Lā'au Lapa'au o Hawai'i* under Po'okela Papa Henry Auwae incorporates with the mission to "perpetuate the art of *Lā'au Lapa'au*."

1998

January 1998: SB 1946 introduced into the State Legislature which recognizes the importance of traditional healing practices and definitions noted in the federal Native Hawaiian Health Care Improvement Act and mandates Papa Ola Lōkahi (POL) to develop a process that would protect traditional Hawaiian healing practices and Native Hawaiians who practice them. The Act exempts Native Hawaiian practitioners from state licensure for practicing medicine for two years until July 1, 2002, to enable time for public discussions and input.

July 14, 1998: SB 1946 passes as Act 162.

The Act is codified in *HRS 453-2(C) License required; exceptions:*

Nothing herein shall prohibit traditional Hawaiian healing practices by traditional native Hawaiian healers, both as recognized and certified as such by the panel convened by Papa Ola Lōkahi

October 29-31, 1998: POL convenes a gathering of respected Native Hawaiian *kupuna kahuna* of traditional healing practices and their *kāko'o* to discuss Act 162 in Kailua-Kona, Hawai'i. Those master practitioners (and their *kāko'o*) invited to attend are:

Papa Henry Auwae (Haunani Kalama Smith)
*Kahu David Kaalakea (Keoki Sousa)
*Aunty Abbie Napeahi
Aunty Margaret Machado (Nerita Machado)
Aunty Agnes Cope (Kamaki Kanahele)
Aunty Malia Craver (Millie Kawaa)
Uncle Kalua Kaiahua (Janice Nielson)

*unable to attend

October 31, 1998: This group develops the **KAHUNA STATEMENT** for the legislature. It states:

WE, THE UNDERSIGNED KUPUNA PRACTITIONERS OF HAWAIIAN HEALING HAVE COUNSELED AND AGREE:

(1) THAT WE ARE ONLY INSTRUMENTS IN THE HEALING PROCESS AND THAT THE TRUE SOURCE OF HEALING COMES FROM THE ALMIGHTY, KNOWN AS AKUA, 'IO, OR GOD. IT IS THIS SOURCE THAT GIVES US OUR CALLING TO PRACTICE;

(2) THAT THE LEGISLATURE OF THE STATE OF HAWAII IS NOT KNOWLEDGEABLE IN THE HEALING TRADITIONS OF THE HAWAIIAN PEOPLE; AND

(3) THAT WHILE WE ARE GRATEFUL THAT THE LEGISLATURE HAS PASSED S.B. 1946, THE BLOOD QUANTUM, LICENSURE, AND CERTIFICATION ISSUES RAISED IN THE LEGISLATION ARE INAPPROPRIATE AND CULTURALLY UNACCEPTABLE FOR GOVERNMENT TO ASCERTAIN. THESE ARE THE KULEANA OF THE HAWAIIAN COMMUNITY ITSELF THROUGH KUPUNA WHO ARE PERPETUATING THESE PRACTICES.

FURTHER, WE AGREE THAT KUPUNA HENRY AUWAE SERVES AS CHAIRMAN OF THIS COUNCIL OF MASTER PRACTITIONERS AND HAS THE CONSENT OF ITS MEMBERS TO ADDRESS FUTURE ISSUES RELATED TO THIS LEGISLATION.

*SIGNED: Henry Auwae, Po'okela
Agnes Cope
Malia Craver
Kalua Kaiahua
Margaret Machado*

- Master practitioner Kahu David Kaalakea of Maui ua hala December 9th.

1999

January 10, 1999: POL submits its report with the KAHUNA STATEMENT to the State Legislature.

2000

- Master practitioner Kalua Kaiahua of Maui ua hala August 8th.
- Master practitioner Henry “Papa” Auwae ua hala December 31st.

Wai'anae Coast Comprehensive Health Center (WCCHC) opens its Native Hawaiian Traditional Healing Center

September 19-20: POL participates with the *Waimānalo Health Center's* “O Ke Aloha Ka Mea i Ho'ōla Ai” Healers Conference. Act 304 is discussed in depth. A number of kupuna note their concerns with the act. Two major recommendations from the conference were made to POL:

- (i) promote more discussion on each of the islands through 'aha; and
- (ii) be accountable for legislation regarding Act 304.

POL contracts Kumu Kawaikapu Hewett to conduct kūkākūkā sessions with kūpuna statewide on issues surrounding Act 304. Kūpuna on all islands are interviewed.

2001

January 25, 2001: SB1390 is introduced into the State Legislature, which recognizes the KAHUNA STATEMENT and moves to initiate a

process by which Native Hawaiian practitioners would be permanently exempt from licensure with the Native Hawaiian communities themselves serving as the appropriate reviewing authority. This legislation sets in motion a process to exempt “qualified” Native Hawaiians practitioners from licensure in the State of Hawai‘i. The legislation (1) enables POL to form a panel or panels of traditional Native Hawaiian healers to address issues and recommend legislation relating to the permanent implementation of the purposes of this Act, (2) adds composition requirements of the panel(s) convened by POL, and (3) exempts practitioners from liability under medical licensing law.

July 2, 2001: SB1390 passes as **Act 304**.

2002

HRS 453-2(c) is amended to read:

Nothing herein shall prohibit traditional Hawaiian healing practices by traditional native Hawaiian healers, both as recognized and certified as such by a panel convened by Papa Ola Lōkahi. No person or organization involved with the selection of panel members or the denial of certification of healers under this subsection shall be held liable for any cause of action that may arise out of their participation in the selection or certification process.

February 2002: POL issues its instructions on the process for recognition and certification of Kupuna Councils in accordance with Act 304. POL’s intent is to recognize Kupuna Councils affiliated with the Native Hawaiian Health Care Systems and community health centers in the State of Hawai‘i.

March 8th: Wai‘anae Coast Comprehensive Health Center (WCCHC) petitions POL for recognition of its Kupuna council in compliance with Act 304. POL grants recognition on December 10, 2002.

May: POL submits inquiry to the State Attorney General regarding liability issues surrounding its Board responsibilities and those of panels formed under Act 304.

October 3rd : The State Attorney General responds indicating that:

- (i) POL is not a State board and not eligible to counsel from its offices (POL is a private entity);

- (ii) Panels are state boards and are “eligible to seek advice and counsel from the Department of the Attorney General”; and
- (iii) panels are subject to HRS Chapters 91 and 92 requirements.

December 4th : *POL* refines its recognition process in accordance with Act 304 for an organization and/or an agency wishing to provide traditional Hawaiian healing practices to their clients. The process requires that the requesting organization/agency submit a letter of request along with documenting evidence for recognition of its panel to *POL*. *POL* upon review then recognizes by letter the panel as being constituted in accordance with Act 304 if it is in fact in compliance with the act.

2003

March 7th: *Nā Pu‘uwai Native Hawaiian Health Care System, Moloka‘i*, petitions *POL* for recognition of its Kupuna Council in compliance with Act 304. *POL* grants recognition.

March 7th: *Hui No Ke Ola Pono Native Hawaiian Health Care System, Maui*, petitions *POL* for recognition of its Kupuna Council in compliance with Act 304. *POL* grants recognition.

August 11th: *Hui Mālama Ola Nā ‘Ōiwi Native Hawaiian Health Care System, Hawai‘i*, petitions *POL* for recognition of its Kupuna Council (East Hawai‘i) in compliance with Act 304. *POL* grants recognition.

2004

As per recognition by Wai‘anae Coast Comprehensive Health Center’s (WCCHC) Kupuna Council, activities conducted by Native Hawaiian practitioners at the WCCHC are covered by the Federal Tort Reform Act. Additionally, the WCCHC develops health service reimbursement codes for its services provided.

May 10th: *POL* convenes a gathering of more than 20 recognized kupuna practitioners at the Honolulu International Airport to discuss the ongoing issues around licensure and quality assurance issues of practice.

2005

January 27th: SB 1285 is introduced into the State Legislature which proposes the following amendments to Act 304:

- (i) changes the word “panel” to “kupuna council”;
- (ii) makes each kupuna council independent from the State.

Each kupuna council shall:

- 1. be independent;
- 2. not be a component of any state branch;
- 3. not be subject to chapters 91 and 92, HRS; and
- 4. develop its own policies, procedures and rules necessary or appropriate to certify traditional Hawaiian healers.

June 23, 2005: SB 1285 passes as **Act 153**.

HRS 453-2(c) is amended to read:

Nothing in this chapter shall prohibit healing practices by traditional Hawaiian healers engaged in traditional native Hawaiian healing practices, both as recognized and certified as such by any kupuna council convened by Papa Ola Lōkahi. No person or organization involved with the selection of kupuna council members, the convening of a kupuna council, or the certification process of healers under this subsection shall be sued or held liable for any cause of action that may arise out of their participation in the selection, convening, or certification process. Nothing in this chapter shall limit, alter, or otherwise adversely affect any rights of practice of traditional Native Hawaiian healing pursuant to the Constitution of the State of Hawaii.

2006

AlohaCare, a local non-profit health plan, accepts the criteria for credentialing under state law (Act 153), and provides reimbursement through AlohaCare for traditional Hawaiian healing services.

May 5-7, 2006: Traditional Healers ‘Aha is held at Waimea, Kaua‘i hosted by *Ho‘ōla Lāhui Hawai‘i Native Hawaiian Health Care*

System. More than 50 traditional practitioners participated. Recommendations from the ‘Aha are:

- (i) The Native Hawaiian community needs to exert and protect its intellectual property rights as they relate to traditional healing practices;
- (ii) There is an on-going need for ‘aha focusing on traditional healing practices. POL will be asked to prepare a timeline to reconvene another ‘aha.
- (iii) The Native Hawaiian Health Care Systems (NHHCSs) need to be encouraged to take on the kuleana of developing “kauhale” systems for Native Hawaiian practitioners; and
- (iv) The concept of a strategic plan for implementation is supported.

August 9th: The organization *Kupuna Lā‘au Lapa‘au o Hawai‘i* is reinstated under Po‘okela Aunty Marie Place.

August 9th: The organization *E Ola Mau* is reinvigorated under President Loretta Hussey with its mission “to promote traditional Native Hawaiian concepts of health...”

2007

August 9-10th: A gathering of traditional practitioners is hosted by *Kupuna Lā‘au Lapa‘au o Hawai‘i* and *E Ola Mau* at Pu‘u Hoku Ranch on the island of Moloka‘i. More than 20 practitioners participated in the conference.

October 10th: *Ke Ola Mamo Native Hawaiian Health Care System, O‘ahu*, petitions POL for recognition of its Kupuna Council, Nā Lei Hulu No Ke Ola Mamo, in compliance with Act 304/153. POL grants recognition.

2008

September 10th: Ho‘ōla Lāhui Hawai‘i Native Hawaiian Health Care System, Kaua‘i, petitions POL for recognition of its Kupuna Council in compliance with Act 304/153. POL grants recognition.

2009

- Master ho‘oponopono practitioner Aunty Malia Craver of O‘ahu ua hala October 3rd.
- Master lomilomi practitioner Aunty Margaret Machado of Hawai‘i ua hala December 28th.

2010

Ko‘olauloa Community Health & Wellness Center, O‘ahu petitions POL for recognition of its Kupuna Council in compliance with Act 304/153. POL grants recognition.

2015

- Master lā‘au kāhea practitioner Aunty Agnes “Aggie” Kalaniho‘okaha Cope of O‘ahu ua hala November 16th .

2016

- Master lā‘au lapa‘au practitioner Aunty Marie Kauai Ku‘uleionaona Place of Moloka‘i ua hala January 19th

2019

- April 19: Passage of Hawaii State Legislature SB1033 SD2 HD2, Act 32, “Nothing in this chapter shall prohibit healing practices by traditional Hawaiian healers engaged in traditional healing practices of prenatal maternal, and child care as recognized by any council of kupuna convened by Papa Ola Lōkahi. Nothing in this chapter shall limit, alter, or otherwise adversely impact the practice of traditional Native Hawaiian healing pursuant to the Constitution of the State of Hawaii.”
- August: *POL* board approves the development of administrative policies and procedures for those seeking to be recognized as Kupuna Councils to provide a comprehensive process that provides staff direction and guidance in oversight responsibilities as authorized through HRS 453-2(c). Eligibility criteria for recognition includes its location in the State of Hawai‘i, must be part of or attached to a Federally Designated health entity such as a Native Hawaiian Health Care System, Federally Qualified Health Care Center (FQHC), Rural Health Center, or Federally Qualified Health Center look-alike.

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Papa Ola Lōkahi wishes to thank all who helped put this brief chronology together. Without their generous sharing, this chronology would not have been possible. Other gatherings have occurred throughout the years and continue today but this effort is an attempt to list those major ones which have focused on certification and licensure.

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