



**House
Legislative
Analysis
Section**

House Office Building, 9 South
Lansing, Michigan 48909
Phone: 517/373-6466

PROHIBIT TONGUE SPLITTING

**House Bill 4688 (Substitute H-1)
Sponsor: Rep. William Callahan**

**Committee: Health Policy
First Analysis (5-15-02)**

THE APPARENT PROBLEM:

Tongue splitting is a form of body modification that involves cutting the tongue, generally down the middle, separating the tongue into left and right halves, and preventing the halves from growing back together. The tongue may be split with a cauterizing laser, a scalpel, or even fishing wire tied tightly through a tongue piercing. Depending on how far back the incision is made, a split tongue may look “forked,” with two tines protruding from the base, or it may even look like two tongues lying side by side. The result is often compared to a serpent’s tongue. Virtues of a split tongue include its increased surface area, which increases the number of taste buds, and the ability to move the separate halves of the tongue independently, which enhances the tongue’s dexterity and thus enables a person to perform a variety of tasks with his or her tongue. People may have the procedure performed by a physician, assuming they can find a doctor willing to perform the procedure, while others consult professional body piercers or others who have experience in body modification procedures. Others choose to split their own tongues because they wish to save money or because they see the procedure as an act of self-creation and wish to be personally involved with the procedure to the fullest extent possible.

Ten years ago, no one would have even thought to prohibit tongue splitting any more than they would think to ban eye splitting or toe splitting today. Yet it seems that tongue splitting has become something of a fad among certain circles in California, and although it is unlikely to become as widespread a phenomenon as cigarettes, tattoos, or ear or even nose rings, it has allegedly piqued some interest here in Michigan. Legislation has been introduced to prohibit from one person from splitting another person’s tongue.

THE CONTENT OF THE BILL:

House Bill 4688 would amend the Public Health Code (MCL 333.13101 and 333.13102) to prohibit an individual from performing tongue splitting on

another individual. “Tongue splitting” would be defined as “the cutting of a human tongue or any part of a human tongue into 2 or more parts for nonmedical purposes”. The bill would also exclude tongue splitting from the code’s definition of “body piercing.”

Part 131 of the Public Health Code, which deals with tattoo parlors, defines “body-piercing” as the perforation of a human tissue other than an ear for a nonmedical purpose. The code prohibits a person from body-piercing a minor unless the minor’s parent or legal guardian has given prior written consent in the presence of an employee or agent of the person doing the piercing.

FISCAL IMPLICATIONS:

According to the House Fiscal Agency, the bill would have no fiscal impact. (5-14-02)

ARGUMENTS:

For:

The procedure known as tongue splitting involves cutting the tongue, usually down the center, into two or more parts. Splitting the tongue may lead immediately to various complications, including excessive blood loss and swelling of the tongue, which can in turn cause difficulty with breathing and, at least theoretically, suffocation. Moreover, anyone who has performed any sort of oral surgery or has had any oral surgery performed on them knows that maintaining oral hygiene while the mouth heals is a constant, uphill battle, lasting long after the surgery. Simply put, tongue splitting is mutilation of the human body, and because it can be a very painful and dangerous procedure and provides no medical benefit, a person should not be allowed to split another person’s tongue.

House Bill 4688 (5-15-02)

Against:

Whether or not beauty is in the eye of the beholder, the legislature should be wary about codifying what are really aesthetic judgments. To define tongue splitting as mutilation is to distinguish it from “cosmetic” surgeries such as facelifts and tummy tucks. The bill’s message is ultimately that “cosmetic” surgeries like facelifts and tummy tucks are legitimate endeavors because, whether or not most people would have them, most people understand or at least think they understand why people do have them, namely to look “better”. Perhaps people who want to have forked tongues believe that this will make them look “better”, according to their own preferred understanding of the term. Actually, anecdotal reports suggest that some people who engage in body modification, including tongue splitting, do it precisely to distinguish people who rush to conclusions about others based solely on their appearance from those who are willing to look beyond appearances and evaluate people based on their inner thoughts and feelings as well as their actions.

Ultimately, all such procedures are modifications of a human being’s outward appearance. One person thinks that wrinkles in his face make him look old and decides to have a facelift. Another person thinks that her tongue is plain and fails to embody its full potential and decides to have her tongue split. Neither procedure is “medically necessary”, and if performed improperly, a facelift or tongue splitting procedure can have devastating effects. More to the point, the Public Health Code allows a person to pierce the tongue, cheek, and lip of another person, which is not medically necessary and raises the same oral health considerations that tongue splitting does.

All of these procedures can be performed safely, and people who are attentive to hygiene after the procedures can prevent complications from developing. If the legislature is concerned with public health, safety, and welfare, it should require that any individual who chooses to have his or her body modified have the procedure performed by a medical or other licensed, trained professional. This would probably effectively reduce the number of people who are legally able and willing to perform the procedure to a very small number anyway. Anyone who performed the procedure could be required to advise the patient of the risks and obtain parental consent in the case of a minor, and the patient could be held responsible for maintaining oral hygiene after the procedure was performed to prevent infections.

Response:

Although in most cases neither facelifts nor tongue splitting procedures are medically necessary, facelifts are not typically dangerous, whereas an incision halfway down the tongue can be very painful and can lead to infection and even death. The bill does not make any aesthetic judgments but rather makes a judgment about what is in the interest of the public’s health, safety, and welfare. As for oral piercings, if it is admitted that oral piercings raise the same health concerns that tongue splitting does, then it is arguable that they should be banned as well.

Reply:

Facelifts are not typically dangerous because they are typically performed by physicians who know what they are doing. A “kitchen” facelift would create a health risk no less than a “backyard” tongue splitting does. Whether or not oral piercings and tongue splitting may become infected due to the negligence of a person who has such procedures performed on him or her is beside the point. People should generally be free to have their bodies modified as long as they accept responsibility for the potential risks.

POSITIONS:

The Michigan Dental Association supports the bill. (5-14-02)

Analyst: J. Caver

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.