



City of Laramie Board of Health Rules and Regulations

CHAPTER IV. BODY ARTIST AND BODY ART ESTABLISHMENTS

Section 1. Authority

The City of Laramie Board of Health, “The Board,” has authority to adopt rules and regulations under Sections 2.20.030, 2.20.040, and 8.12 of the Laramie Municipal Code and Sections 16-3-103, 35-1-303, and 15-1-103 (a) (xxix) of the Wyoming Statutes. The Board finds that licensing, inspection, and regulation of body art establishments is within the Board’s duty to control epidemic, endemic, and communicable disease within the community and is necessary for the protection of public health.

Section 2. Purpose and Definitions

Purpose

The purpose of these regulations is to establish the safe and sanitary practice of body art, the safe and sanitary physical environment where body art is performed, and the safe and sanitary conditions of equipment used in body art procedures.

Definitions

After care – written instructions given to the client, specific to the body art procedure(s) rendered, about caring for the body art and surrounding area, including information about when to seek medical treatment, if necessary.

Antiseptic - an agent that destroys disease-causing micro-organisms on human skin or mucosa.

Bloodborne Pathogens - pathogenic organisms that are present in human blood and can cause disease in humans. These pathogens include, but are not limited to hepatitis B virus (HBV), hepatitis C virus (HCV) and human immunodeficiency virus (HIV).

Board of Health or City of Laramie Board of Health - this Laramie City Council appointed board has the authority to enact rules and regulations pertaining to the prevention of disease and the promotion of public health. The Board of Health has the authority to prescribe and fix penalties for the violation or refusal to obey such rules and regulations.

Body Art - the practice of physical body adornment by licensed establishments and practitioners using, but not limited to, the following techniques: body piercing, tattooing, and cosmetic tattooing. This definition does not include branding, scarification, or braiding. This definition does not include practices that are considered medical procedures by the Board of Registration in Medicine, such as implants under the skin, which procedures are prohibited. Nor does this definition include piercing of the perimeter or lobe of the ear with pre-sterilized single-use stud-and-clasp ear-piercing systems.

Body art establishment - a location, place, or business that has been granted a license by the City of Laramie, whether public or private, where the practices of body art are performed, whether or not for profit.

Body Art Practitioner or practitioner or body artist - a specifically identified individual who has been granted a license by the City of Laramie to perform body art in an establishment that has been granted a license by the City of Laramie.

Body Piercing - puncturing or penetration of the skin of a person with pre-sterilized single-use needles and the insertion of pre-sterilized jewelry or other adornment thereto in the opening, except that puncturing the outer perimeter or lobe of the ear with a pre-sterilized single-use stud-and-clasp-ear-piercing system shall not be included in this definition.

Cleaning area - the areas in a body art establishment used in the sterilization, sanitation or other cleaning of instruments or other equipment used for the practice of body art.

Client - a member of the public who requests a body art procedure at a body art establishment.

Communicable Disease - a disease which is capable of being transmitted from person-to-person.

Contaminated Waste - any liquid or semi-liquid blood or other potentially infectious materials; contaminated items that would release blood or other potentially infectious materials in a liquid or semi-liquid state if compressed; items that are caked with dried blood or other potentially infectious materials and are capable of releasing these materials during handling; sharps and any wastes containing blood and other potentially infectious materials, as defined in 29 Code of Federal Regulations Part 1910.1030, known as "Occupational Exposure to Blood borne Pathogens."

Contamination/contaminated - the presence or the reasonably anticipated presence of blood or other potentially infectious materials on an item or surface.

Cosmetic Tattooing - also known as permanent cosmetics, micro-pigment implantation or dermal pigmentation, means the implantation of permanent pigment around the eyes, lips and cheeks of the face and hair.

Department - refers to the City of Laramie.

Disinfectant - a product registered as a disinfectant by the U.S. Environmental Protection Agency.

Disinfection - the destruction of disease-causing microorganisms on inanimate objects or surfaces, thereby rendering these objects safe for use or handling.

Ear piercing - the puncturing of the outer perimeter or lobe of the ear with a pre-sterilized single-use stud-and-clasp ear-piercing system, following the manufacturer's instructions.

Exposure - an event whereby there is an eye, mouth or other mucous membrane, non-intact skin or parenteral contact with the blood or body fluids of another person or contact of an eye, mouth or other mucous membrane, non-intact skin or parenteral contact with other potentially infectious matter.

Exposure Control Plan - a written plan outlining the practices and procedures for the safe operation of a body art establishment to address the following areas: client protection and care, exposure to blood protocol, how to eliminate or reduce blood exposures, use of personal protective equipment, engineering controls, contaminated waste management, and record keeping.

Gloves - coverings for the hands, which are disposable and single-use, and are labeled for surgical or examination purposes. Gloves for instrument cleaning shall be heavy-duty, multiuse, and waterproof.

Hand sink - a lavatory equipped with hot and cold running water under pressure, used solely for washing hands, arms, or other portions of the body.

Hectograph - a copy made from a prepared gelatin surface to which the original document has been transferred.

Infectious waste - blood or other potentially infectious materials; contaminated items that would release blood or other potentially infectious materials; items caked with blood or other potentially infectious materials that can release these materials upon handling; contaminated sharps; and human pathological/anatomical waste.

Jewelry - any ornament inserted into the body, which must be made of surgical implant-grade stainless steel; solid 14 k or 18 k white or yellow gold; niobium, titanium, or platinum; or a dense, low-porosity plastic, which is free of nicks, scratches, or irregular surfaces.

Minor - any person under the age of 18 years.

Mobile body art establishment - a body art establishment that reports to and operates from a permanent body art establishment and is readily moveable; is a motorized, wheeled vehicle; or is a towed, wheeled vehicle designed and equipped to conduct body art procedures.

Operator - any person who individually, or jointly or severally with others, owns, or controls and establishment, but might not be a body art practitioner.

Person in Charge - the owner, manager, or individual (s) present at the body art establishment who is responsible for the operation at the time of an inspection. If no individual is responsible, then any employed person present is the person in charge. If multiple body artists share operation of the establishment, then each artist shall be considered a person in charge and shall be accountable for all requirements of this regulation with regard to common areas and practices in addition of his/her own separate areas and practices.

Personal Protective Equipment - specialized clothing or equipment worn by an employed for protection against a hazard. General work clothes (e.g., uniforms, pants, shirts or blouses) not intended to function as protection against a hazard are not considered to be personal protective equipment.

Piercing - puncturing or penetration of the skin or mucosa of a person and the insertion of jewelry or other adornment in the opening, except that of puncturing the outer perimeter or lobe of the ear with sterilized stud-and-clasp ear-piercing systems. Pre-sterilized instrument—those that are commercially sterilized by the manufacturer. Packaging shall bear a legible sterilization lot number and sterilization date.

Procedure surface areas - any surface of an inanimate object that contacts the client's skin during a body art procedure and all surfaces where instruments and supplies are placed during a procedure.

Regulated waste - liquid or semi-liquid or other potentially infectious materials; contaminated items that would release blood or other potentially infectious materials in a liquid or semi-liquid state if compressed; items that are caked with dried blood or other potentially infectious materials and are capable of releasing these materials during handling; contaminated sharps; and pathological and microbiological wastes containing blood or other potentially infectious materials.

Sanitize - the application of a U.S. EPA registered sanitizer on a cleaned surface in accordance with the label instructions.

Sharps - any object, sterile or contaminated, that may intentionally or accidentally cut or penetrate the skin or mucosa, including but not limited to, needle devices, lancets, scalpel blades, razor blades, and broken glass.

Sharps containers - a puncture resistant, leak-proof container that can be closed for handling, storage, transportation, and disposal and that is labeled with the International Biohazard Symbol.

Single use items - products or items that are intended for one-time, one-person use and are disposed of after use on each client, including, but not limited to, cotton swabs or balls, tissues or paper products, paper or plastic cups, gauze and sanitary coverings, razors, piercing needles, scalpel blades, stencils, ink cups, and protective gloves.

Spore test- monitoring system for sterilizing equipment such as autoclave, dry heat, chemiclave, and ETO sterilizers with biological spore strips to ensure they are sterilizing properly. Monitoring is required through a third party mail-in program.

Sterilize - the use of physical or chemical procedure to destroy all microbial life including highly resistant bacterial endospores.

Sterilization Equipment - any equipment that is designed and labeled by the manufacturer as a medical instrument sterilizer and is used for the destruction of microorganisms and their spores.

Sterilizer monitoring - provided by routine spore testing to ensure that the sterilizer is functioning properly.

Tattoo - the indelible mark, figure or decorative design introduced by insertion of dyes or pigments into or under the subcutaneous portion of the skin.

Tattooing - any method of placing ink or other pigment into or under the skin or mucosa by the aid of needles or any other instrument used to puncture the skin, resulting in permanent coloration of the skin or mucosa. This term includes all forms of cosmetic tattooing.

Temporary establishment - A body art establishment that operates at a fixed location for a period of time not to exceed 14 consecutive days in conjunction with a single event or celebration.

Temporary License - a license that allows a body art practitioner to work within the City of Laramie for up to 14 days.

Universal Precautions - an approach to control infection. The concept where all human blood and human body fluids are treated as if known to be infectious for HIV, HBV, and other blood borne pathogens.

Section 3. Licensing

It is unlawful for any person to engage in the business of operating a body art establishment or to engage in the practice of body art without first obtaining a license from the City of Laramie.

Establishment Licensing (Tattoo and Body Piercing)

- A. An application for license shall be submitted on a form provided by the Department. Any change of ownership or location shall require a new application and license, with payment of fees therefore.
- B. Establishment licenses shall be renewed annually and run from January 1 through December 31 of each calendar year. The initial license for engaging in the business of operating a body art establishment within the City shall be \$100.00. The annual renewal license fee shall be \$50.00. Any establishment operator who fails to renew the license within 30 days of the expiration must reapply and pay the initial fee.
- C. Before an establishment license is issued, the applicant shall obtain a Certificate of Inspection from the Department, indicating that the establishment has been inspected and is in compliance with the provisions of these regulations.

Body Artist Licensing (Tattoo and Body Piercing)

- A. An application for license shall be submitted on a form provided by the Department. Artists' licenses shall be renewed annually and run from January 1 through December 31 of each calendar year. The initial fee for engaging in the business of body art within the City of Laramie shall be \$75.00. The annual renewal fee shall be \$50.00. Any body artist who fails to renew the license within 30 days of the expiration must reapply and pay the initial fee.
- B. The artists must possess and demonstrate knowledge of universal precautions, health and safety precautions, disinfection and sterilization techniques, procedures for infection and exposure control.

Visiting Artists/Temporary License

- A. An application for visiting body art practitioner license shall be submitted to the Department on forms provided by the Department.

- B. The visiting artist or temporary license applicant must provide proof of completion of a blood borne pathogen/universal precaution class within the year prior to the date of issuance.
- C. A visiting artist license is limited to 14 days. A visiting artist may re-apply three times per calendar year for three different visiting artist licenses, for a total of 42 days per year.
- D. The fee for each 14 day visiting artist license is \$25.00.
- E. Licenses shall be posted in a prominent and conspicuous area where patrons may readily see them.
- F. The visiting artist must submit a letter of agreement from the owner of the licensed establishment in which the visiting artist will be working.
- G. Any disciplinary action against the visiting artist shall be against the visiting artist and the resident body art practitioner under whose establishment license the visiting artist is practicing.

Temporary Demonstration License Requirements

- A. A temporary license may be issued by the Department for education, trade show or product demonstration purposed only. The license will be valid for up to 14 days.
- B. A person who wishes to obtain a temporary demonstration license must submit the request in writing for review by the Department, at least 14 days prior to the event. The request should specify:
 - 1. The purpose for which the license is requested
 - 2. The period of time during which the license is needed
 - 3. The fulfillment of operator requirements
 - 4. The location where the temporary demonstration license will be used
- C. The applicant's event must be contained in a completely enclosed, non-mobile facility (e.g., inside a permanent building.)
- D. Compliance with all of the requirements in these regulations includes but is not limited to the following:
 - 1. Hand wash facilities shall be easily accessible to each procedure area. Hand wash facilities shall comply with Section 6, paragraph J; or

temporary hand-wash facilities shall consist of soap, single-use paper towels, covered garbage receptacle, and an adequate supply of potable water (at a temperature of at least 110°F) dispensed through a continuous flow spout. Wastewater shall be collected and disposed of in a sanitary manner.

- E. Body artists may bring pre-sterilized instrument, or instruments which have been sterilized at another location with documentation showing a negative spore test result within the previous 30 days. On-site sterilizing equipment may be used; however, there must be an adequate number of sterilizing equipment to accommodate the instruments requiring sterilization. Each sterilizing equipment in use must have manufacturer's instructions and evidence of spore test performed on the sterilization equipment 30 days or less prior to the date of the event. Otherwise, only single-use prepackaged, sterilized equipment obtained from reputable suppliers or manufactures will be allowed.
- F. Sterilizing equipment bags must be labeled as to the date and time of the sterilization.
- G. Instruments, ink bottles, germicidal spray bottles, tattoo machines, and other similar items that may be handled during the tattoo process, must be covered with single-use plastic sleeves. Sleeves shall be discarded between patrons.
- H. All temporary body artists must follow the procedures outlined in Section 10 of these regulations.

Section 4. Requirement of Premises

- A. All new, remodeled, temporary, and mobile body art establishments require Department-approved plans. The plans must be approved prior to temporary events, operation of a mobile unit, or commencing work, and prior to issuance of any building, plumbing, or electrical license.
- B. All facilities shall be constructed and completed in accordance with all applicable local codes, including the layout of the reception area, the procedure areas, the cleaning and sterilization area, and the toilet facilities.
- C. A body art establishment must have a minimum floor area of 60 square feet for one artist and 40 square feet for each additional artist. Multiple body art stations shall be separated by dividers or partitions, at a minimum.
- D. All walls, floors, ceilings and procedure surfaces shall be smooth, free of open holes or cracks, light-colored, washable, and in good repair. Walls, floors, ceilings shall remain in good repair and in clean condition.

- E. All procedure surfaces, including client chairs/benches, shall be of such construction as to be easily cleaned and sanitized after each client.
- F. All body art establishments shall be completely separated by solid partitions or by walls extending from floor to ceiling, from any room used for human habitation, any food establishment or room where food is prepared, any hair salon, any retail sales, or any other such activity that may cause potential contamination of work surfaces.
- G. Effective measures shall be taken by the body art operator to protect against entrance into the establishment and against the breeding or presence on the premises of insects, vermin, and rodents. Insects, vermin, and rodents shall not be present in any part of the establishment, its appurtenances, or appertaining premises.
- H. The establishment shall be well ventilated and provided with adequate artificial light source.
- I. No animals of any kind shall be allowed in a body art establishment except service animals used by persons with disabilities. Fish aquariums shall be allowed in waiting rooms and nonprocedural areas.
- J. There shall be no potted plants in the body art or piercing procedure area.
- K. All facilities shall have a waiting area that is separate from the body art procedure area, and separate from the instrument cleaning, sterilization, and storage areas.
- L. A separate, readily accessible hand sink with hot and cold running water, under pressure, preferably equipped with a wrist or foot-operated controls and supplied with liquid soap, and disposable paper towels shall be readily accessible within the body art establishment. One hand sink shall serve no more than three operators. In addition, there shall be a minimum of one lavatory, excluding any service sinks, and one toilet in a body art establishment.
- M. Distinct, separate areas shall be used for cleaning equipment, wrapping/packaging equipment, and for the handling and storage of sterilized equipment.
- N. Sewage, including liquid wastes, shall be discharged to a sanitary sewer or to a waste system constructed, operated, and maintained according to the law.

- O. Refuse, excluding infectious wastes, shall be placed in a lined waste receptacle and disposed of at a frequency that does not create a health or sanitation hazard.
- P. Discarded sharps shall be disposed of in sharps containers.
- Q. Infectious/regulated waste other than sharps shall be placed in impervious, tear resistant plastic bags, which are red in color and marked with the Universal Biological Hazard symbol.

Section 5. Mobile Body Art Establishments

- A. License holders are responsible for ensuring that all local agency regulations are complied with, such as, but not limited to zoning and business license requirements.
- B. Mobile body art establishments are licensed for use only at special events, lasting 14 calendar days or less. Licenses must be obtained at least 14 days prior to the event, and no body art procedures are to be performed before the license is issued. Permit holders are responsible for ensuring that all other local regulations are complied with, including, but not limited to, zoning and business license requirements.
- C. Body art performed pursuant to this section shall be done only from an enclosed vehicle such as a trailer or mobile home. No body art procedures shall be performed outside the vehicle.
- D. Mobile body art establishments must have approved sterilization equipment available, in accordance with all the requirements in Section 9. If there is no on-board sterilization equipment, the mobile vehicle shall be associated with an approved permanent facility. Such vehicles shall have onboard sufficient instruments, equipment, and supplies to perform procedures safely.
- E. The mobile body art establishment shall be used only for the purpose of performing body art procedures. No habitation or food preparation is permitted inside the vehicle unless the body art work station is separated by walls, floor to ceiling, from culinary or domicile areas.
- F. The mobile body art establishment shall be equipped with an equipment washing sink and a separate hand sink for the exclusive use of the operator/artist for hand washing and preparing the client for the body art

procedures. The hand sink shall be supplied with hot and cold running water under pressure to a mixing type faucet, and liquid soap and paper towels in dispensers. An adequate supply of potable water shall be maintained for the mobile establishment at all times during operation. The source of the water and storage (in gallons) of the tank(s) shall also be identified.

- G. All liquid wastes shall be stored in an adequate storage tank with a capacity at least 50 percent greater than the capacity of the on-board potable water supply. Liquid wastes shall be disposed of at a site approved by the Department.
- H. If there is not an on-board restroom, the mobile vehicle shall be operated within two hundred feet of a public restroom with a hand washing sink, paper towels, and liquid soap.
- I. All body art operators/artists working in a mobile body art establishment must be licensed by the City of Laramie and comply with the requirements of these regulations.
- J. Mobile body art establishments must receive an initial inspection prior to use to ensure compliance with structural requirements.
- K. Licenses shall be posted in a prominent and conspicuous area where patrons may readily see them.
- L. No animals, except service animals of clients, shall be allowed in the mobile body art establishment at any time.

Section 6. Minimum Requirements for Body Art Establishments

- A. The body art establishment must have a person(s) in charge at all times who is responsible for the operation.
- B. The following information on each artist working at the establishment shall be on file and available for inspection by the Department:
 - 1. Full legal name
 - 2. Home address
 - 3. Home phone number
- C. The person in charge shall have access to the following information and it shall be on the premises for review by the Department:

1. Contract or agreement for sharps disposal and/or other infectious/regulated waste disposal
2. Spore test monthly results
3. Client records for 3 years
4. Manufacturer's information on sterilization equipment
5. Infection and exposure control written procedures
6. Establishment license posted in a prominent location.

Section 7. Client Records

- A. The person in charge shall have access to and shall maintain client records on the premise for a minimum of three (3) years. The client records shall be available for review by the Department.
- B. The following information shall be documented and used by the body artists to determine the client's suitability for receiving a body art procedure. The client shall be asked to disclose if he/she has any of the following:
 1. Diabetes
 2. Hemophilia
 3. Skin diseases or skin lesions
 4. Allergies or adverse reactions to latex, pigments, dyes, disinfectants, soaps, or metals
 5. Any other information that would aid the body artist in the client's body art healing process evaluation
 6. Communicable disease
 7. History of epilepsy, seizures, fainting, or narcolepsy
- C. Client consent form shall include the following:
 1. Name, address, and current phone number of the client
 2. Legal Guardian consent signature space for minors ages 16 and 17, as per Wyoming State Statute 14-3-107.
 3. Date of the procedure
 4. The type and location of the body art
 5. Source/manufacturer and lot number of ink, pigment, or dyes if any are used in the procedure
 6. Documentation that both written and verbal instructions regarding risks, outcome, and aftercare were given to the client including:
 - a. Name, address, and phone number of the establishment and the name of the body artist who performed the procedure
 - b. Directions on when to consult a physician to include signs of infection, allergic reaction, and expected duration of healing
 - c. Detailed description of how to care for the body art procedure site
 - d. Explanation that body art should be considered permanent

- e. Possible side effects from the procedure
 - f. Indication that this facility is licensed by the City of Laramie
- D. A body artist shall immediately report to the Department any known or suspected communicable disease associated with the practice of body art.

Section 8. Infection and Exposure Control Written Procedures

- A. Every mobile, temporary, or permanent body art establishment shall have and comply with written procedures for infection and exposure control. All procedures developed for the written plan shall comply with Occupational Safety and Health Administration, Centers for Disease Control and Prevention standards, and all city and state regulations.
- B. These written procedures shall include, but are not limited to:
1. Instrument cleaning and sterilization;
 2. Cleaning and disinfection of the procedure area (s), as required in Section 10.
 3. Universal precaution procedures;
 4. Post-exposure procedures;
 5. Hand washing procedures;
 6. Infectious waste management plan, including; segregation, identification, packaging, storage, transport, treatment, disposal, and contingency planning for blood spills or loss of infectious/regulated waste; and
 7. Chemical storage and safety.

Section 9. Instruments/Sterilization

All non-disposable instruments that penetrate body tissue shall be properly cleaned, packaged, or wrapped with a process indicator, sterilized, and stored appropriately to prevent cross-contamination. All other instruments shall be cleaned and disinfected after each use. Single-use items shall not be used on more than one client for any reason. After use, all single-use needles, razors, and other sharps shall be immediately disposed of in an approved sharps containers.

- A. Instrument Cleaning
1. Used instruments shall be placed in an impervious or rigid plastic-covered container, and soaked in an instrument soaking solution until cleaning can be performed. The solution shall be changed as recommended by the manufacturer.
 2. All instruments placed in the procedure area shall be repackaged and re-sterilized.
 3. Utility gloves shall be worn while cleaning instruments

4. Instruments shall be properly disassembled for cleaning according to manufacturer's recommendations.
5. All instrument components shall be cleaned, either manually or in an ultrasonic cleaner with lid in place, using the appropriate cleaning agent specific to the type of cleaning performed, following manufacturer's specifications.
6. Organic matter must be properly removed.

B. Instrument Packaging/ Wrapping

1. Utility gloves shall be worn to package/wrap instruments.
2. Process indicators are required.
3. All packages shall be labeled with the time and date of sterilization. Packages must be dated with an expiration date not to exceed six months. Peel packs may be labeled with an expiration date not to exceed twelve months.

C. Instrument Sterilization

1. Sterilizers/sterilizing equipment shall be used, cleaned and maintained according to the manufacturer's specifications, with appropriate adjustments for altitude.
2. The operator's manual for the sterilizer shall be available on the premises.
3. Sterilizer Monitoring
 - a. Sterilizer monitoring shall be performed at least monthly (unless more frequent monitoring is specified by the manufacturer) by using a commercial biological monitoring (spore) system.
 - b. All biological indicators shall be analyzed by a laboratory independent from the establishment.
 - c. Biological indicator test results shall be maintained on the premises for a minimum of three (3) years and must be available for inspection at all times.

D. Instrument Storage

1. Hands shall be washed prior to handling sterilized instrument packs.
2. After sterilization, the instruments shall be stored in a dry, clean area reserved for the storage of sterile instruments.

E. Single-Use Items

1. Single-use items shall not be used on more than one client.
2. Contaminated single-use needles, razors, and other sharps shall be disposed of immediately in approved sharps containers.

F. Times when sterilizing equipment may not be required for a body art establishment and procedure.

1. The permanent cosmetic technician or tattoo artist is not required to have an ultrasonic cleaner and sterilizing equipment if only individually packaged, sterile, single-use, needles, needle chambers, machine tips, machine casings, and combo couplers are used.
2. If a manual device is used, it shall be single and disposable.
3. The use of some rotary pens (also called cosmetic machines) is permitted. Any rotary pen that uses a sponge at the opening of a chamber to stop the pigment or body fluids from getting into the machine or is designed in a manner that doesn't allow it to be properly cleaned and sterilized shall not be permitted.
4. Only rotary pens that have detachable, disposable, sterile combo couplers and detachable, disposable or casings that can be cleaned and sterilized can be used. Pre-sterilized needles shall be used in all procedures.
5. Fresh pigment and disposable pigment containers shall be used for each client. Used pigment and pigment containers shall be discarded after each client.

G. Instrument Recall

1. In the event of a positive biological indicator result or mechanical failure, all items sterilized since the time of the last negative biological monitor result shall immediately be recalled and prohibited from use until cause of the positive biological indicator test result is identified. The sterilizer shall not be used to sterilize instruments until the cause of positive indicator testing is identified.
2. Biological monitor testing shall be repeated, and if negative, all recalled items may be used and sterilization may continue. If repeat testing is positive, sterilizer servicing shall be performed. The sterilizer may not be used until sterilizer service is complete, and biological indicator testing is negative.

Section 10. Body Art Procedure

A. Prohibitions include:

1. The reuse of needles in any procedure; only single-use needles will be used for body art.
2. A body artist may not engage in the practice of body art while under the influence of alcohol or mind altering drugs.
3. Procedures performed on any client who is noticeably impaired by drugs or alcohol.

4. Smoking, eating, and drinking in the procedure and/or instrument cleaning areas.
5. Procedures performed on skin surfaces that have sunburn, rash, acne, jaundice, boils, infections, moles, or manifest any evidence of unhealthy conditions.
6. No body artist shall perform a body art procedure upon a minor, unless the body artist has received express written consent from the minor's parent or guardian on premises.
7. Minors are prohibited from engaging in the administration of body art.
8. A body artist who knowingly has an infectious disease in the communicable stage may not practice body art.

B. The following procedures shall be practiced by all body artists:

1. Before beginning a procedure, use an Environmental Protection Agency (EPA) registered disinfectant, according to label instructions, to disinfect surfaces.
2. Thoroughly wash hands with soap and warm water for at least 20 seconds before and after serving each client. Following thorough washing, hands shall be dried using clean, disposable paper towels.
3. Wear new, clean, disposable examination gloves for each client and for each procedure. If a glove is pierced, torn, or contaminated, both gloves must be properly removed and discarded. Hands shall be washed prior to donning a clean pair of gloves, and immediately upon removing gloves.
4. Change drapes, lap cloths, or aprons between clients.
5. Wear new, clean gloves while assembling instruments and supplies to be used in the procedure. All sterilized instruments shall remain in the sterile packages until opened in front of the client.
6. Dispense all substances used in the procedures from containers in a manner to prevent contamination of the unused portion. For example, substances from multi-use containers shall be dispensed into single-use portions and shall be applied to only one client.
7. Discard single-use ointment tubes, applicators, and supplies after the procedure.
8. After each client, use an EPA registered disinfectant according to label instructions, and a single-use paper towel to wipe all surfaces after the procedure. Surfaces include, but are not limited to, counters, tables, equipment, chairs, recliners, shelving, cabinets, and supplies.
9. If spray bottles are used to dispense liquids, the liquid shall be sprayed onto a single use wipe rather than directly onto the client.
10. Each client shall be provided written after care instructions, specific to the body art procedure(s) rendered, about caring for the body art and surrounding area. Information about when to seek medical care, if necessary, shall be included.

11. A body artist shall wear clean, laundered clothing and shall maintain good personal hygiene.

C. Procedures Specific to Tattooing

1. The use of hectograph or single use stencils shall be required for applying a tattoo outline to the skin, except that, when the design is drawn free-hand, non-toxic single-use devices shall be used. Multi-use stencils are prohibited.
2. Before placing the design on the skin, the body artist shall clean the area with soap and, if necessary, shave off any hair with a disposable, single-use safety razor. The area shall be treated with an antiseptic prior to stencil application.
3. Inks, dyes, or pigments in single-use containers shall be used for each client. Any remaining unused dye or pigment shall be discarded immediately following the tattoo procedure.
4. If inks, dyes, or pigments are prepared by the body artist, a list of ingredients and the procedure used in the production must be on file for review by the inspector.
5. All inks, dyes, and pigments must be nontoxic and approved for use in body art.
6. Excess ink, dye, or pigment applied to the skin during tattooing shall be removed with a clean single-use product.
7. After the procedure is completed, the area shall be covered with clean gauze or an appropriate covering and held in place with a suitable skin tape.

D. Procedures Specific to Body Piercing

1. All body piercing needles shall be sterile, single-use, and manufactured for either medical or body piercing purposes. All needles shall be disposed of immediately after use in a sharps container.
2. Only sterilized jewelry meeting the definition found in Section 9 of these regulations, in new or good condition, shall be used for initial piercing.
3. High-porosity jewelry, such as plastic or acrylic, is prohibited for use in initial piercing procedures.
4. Stud-and-clasp systems shall only be used on the earlobe or the outer perimeter of the ear.

Section 11. Inspections

- A. Agents of the Department, after proper identification, shall be permitted to enter any body art establishment during business hours for the purpose of making inspections, investigating complaints, and to determine compliance

with these regulations. Such inspections will be conducted as often as necessary throughout the year to ensure compliance with these regulations. Agents of the Department shall only enter a procedure area with the client's consent.

- B. The agents shall inspect and document any violations that exist. A copy of the completed report shall be furnished to the person in charge by the end of the next workday following conclusion of the inspection.
- C. It is unlawful for any person to interfere with the Department in the performance of its duties.

Section 12. Enforcement

Procedure for Summary Suspension:

- A. These procedures apply when the Environmental Health Specialist determines that an imminent health hazard exists. Including but not limited to:
 - 1. Fire;
 - 2. Flood;
 - 3. Extended interruption of electrical or water services;
 - 4. Sewage back up;
 - 5. And/or after consultation with the Health Officer
- B. The Environmental Health Specialist shall provide written notice to the license holder or the person in charge. Notice is to include:
 - 1. License is immediately suspended and that all operations shall cease;
 - 2. Reasons for suspension;
 - 3. The type of imminent threat;
 - 4. Name and address of the Environmental Health Specialist to whom notice for re-inspection may be made;
 - 5. The Environmental Health Specialist may certify that the reason for the suspension is resolved.
 - 6. The Board of Health is notified of the summary suspension.
- C. The Environmental Health Specialist does not need to provide prior warning, notice of hearing, or a hearing prior to summary suspension.
- D. The license holder may request a contested case hearing within 5 business days of the summary suspension.

- E. The Laramie Board of Health will hold a hearing, if requested, within 10 business days of the suspension.
- F. The Environmental Health Specialist will provide a notice of reinstatement to the license holder or person in charge when the imminent health hazard no longer exists.

Procedure for Revocation of License:

- A. This policy applies when:
 - 1. The condition for summary suspension is not corrected;
 - 2. For failure to correct critical violations from a routine inspection;
 - 3. If there is a history of non-compliance with this Rule; or
 - 4. For refusal to grant access to the regulatory authority.
- B. The revocation notice shall state:
 - 1. That the license shall be revoked fifteen (15) calendar days after receipt of the revocation notice and that all operations shall cease at that time unless a contested case hearing is requested;
 - 2. The revocation notice shall be sent by certified mail, return receipt requests;
 - 3. The reasons for revocation;
 - 4. That the license holder may request a hearing by submitting a request within fifteen (15) days of the receipt of the notice of revocation;
 - 5. The name and address of the City of Laramie representative to whom a request for a hearing may be made;
 - 6. If a hearing is requested, the hearing shall be conducted by a hearing officer in accordance with the Wyoming Administrative Procedure Act. W.S. 16-3-107 through 115 and the Laramie Municipal Code Chapter 1.20.
 - 7. The licensee may appear in person, by counsel, or with counsel licensed to practice in the State of Wyoming.
- C. The final decision, accompanied by written findings of fact and conclusions of law and order shall be issued by the Chair of the Laramie Board of Health.
- D. The final decision shall be delivered to the license holder by certified mail, return receipt requested.