

CODES
&
REGULATIONS

BODY ARTS - SANITARY CODE



BRISTOL-BURLINGTON HEALTH DISTRICT
240 Stafford Avenue, Bristol, Connecticut 06010-4617
Tel. (860) 584-7682 • Fax (860) 584-3814

BODY ARTS SANITARY CODE

Section I: PURPOSE

To regulate the provision of body arts; including but not limited to body piercing and tattooing services in the towns of Bristol and Burlington so as to ensure the safety of these procedures and the cleanliness of the facilities in which they are provided.

Section II: DEFINITIONS

The following definitions apply to terms used throughout this document:

Advanced Practice Registered Nurse means a person licensed to perform advanced level nursing practice activities pursuant to subsection (b) of section 20-87a of the Connecticut General Statutes.

Anesthetics means any federally controlled substances used to inhibit pain response whether delivered topically, orally, parenterally, or by inhalation.

Antibacterial Solution means any liquid used to retard the growth of bacteria, which is approved for application to human skin and is so labeled.

Antiseptic means a substance, which inhibits the growth of microorganisms but does not necessarily kill them.

Approved means acceptable to the Health District or its authorized agents.

Aseptic Technique means the use of a procedure to minimize or eliminate exposure of surfaces to contaminating agents.

Authorized Agent means an employee of the Bristol-Burlington Health District designated by the Director of Health to enforce provisions of these regulations.

Autoclave means a device, which automatically achieves and maintains time, temperature and pressure requirements for sterilization.

Biohazardous Waste means waste products, including sharps, regulated because of the presence of blood or other potentially infectious materials.

Blood means human blood, human blood components, and products made from human blood.

Blood and Body Fluid Precautions means a method of infection control in which all human fluids are treated as if infectious for Human Immunodeficiency Virus (HIV), hepatitis, or other bloodborne pathogens.

Bloodborne Pathogens means pathogenic microorganisms present in human blood, which can cause disease in humans. These pathogens include but are not limited to hepatitis viruses and Human Immunodeficiency Virus (HIV).

Body Arts means those services, which include but are not limited to tattooing or piercing, of the human body intended to alter permanently the human body for non-medical reasons. Body arts, for the purposes of this Code, does not include the piercing of the lobe and/or outer perimeter of the ear, excluding the tragus, when performed with a mechanical device which utilizes presterilized earrings in a single-unit, single-use cartridge system or is a disposable device.

Body Piercing means the piercing of the human body by someone other than a physician, dentist or doctor of osteopathy, who inserts an object into the body for non-medical purposes. Body piercing, for the purposes of this Code, does not include the piercing of the lobe and/or outer perimeter of the ear, excluding the tragus, when performed with a mechanical device, which utilizes presterilized earrings in a single-unit, single-use cartridge system or is a disposable device.

Chemical Detection Markers means any detection device placed on an item prior to sterilization, which indicates that the object has been exposed to the steam sterilization process.

Client means any person who presents himself to a body arts facility for the performance of a body arts procedure.

Contaminated means the presence or anticipated presence of blood or other potentially infectious materials on a surface or an object.

Critical Items means those aspects of a procedure, which, if violated, constitute an imminent hazard to health and safety.

Critical Violations means one or more of the following findings:

- (1) autoclave not in proper working order or in proper use.
- (2) lack of a monthly spore test properly recorded.
- (3) nondisposable instruments and equipment improperly sterilized or stored.
- (4) Reuse of single use articles.

- (5) Improper hazardous waste disposal methods.
- (6) Improper operator scrub technique before and after a procedure.
- (7) Improper glove technique during a procedure.
- (8) No hepatitis vaccination program in place.

Decontamination means the use of chemical or physical means to remove pathogens on a surface so that the surface is incapable of transmitting infectious materials.

Director of Health means the Director of Health of the Bristol-Burlington Health District.

Disinfection means the destruction of all vegetative forms of pathogenic agents by chemical or physical means. Any disinfectant used in a Body Arts Establishment must be EPA approved.

Earlobe means the soft, non-cartilaginous lower aspect of the external ear.

Ear Piercing Gun means a mechanical device, which pierces the earlobe by forcing a disposable, single-use stud or solid needle through the lobe.

Easily Cleanable means that surfaces are readily accessible and so fabricated that residue may be easily removed by simple cleaning methods.

Equipment means all machinery, including fixtures, containers, vessels, tools, implements, furniture, display and storage areas, sinks, and other apparatus used in connection with the operation of the establishment.

Exposure Incident means a specific eye, mouth or other mucous membrane, nonintact skin or other parenteral contact with blood or other potentially infectious materials.

Extensively Remodeled means an alteration of a work space which results in an increase or decrease of floor space, or of wall location, or of changes to existing equipment, or addition of new equipment used in the provision of body arts procedures.

Facility means the physical location of a tattooing or Body Piercing Establishment.

Fee Schedule means the Bloodborne Pathogen Certificate, Tattoo Establishment License and associated fees specified in the Annual Fiscal Budget adopted by the Board of Directors of the Bristol-Burlington Health District in accordance with the provisions of the Connecticut General Statutes.

Germicide means a chemical agent that kills pathogenic microorganisms, but not necessarily spores. Germicides include disinfectants and antiseptics.

Handwashing Facilities means a facility, which provides an adequate supply of potable hot and cold water, liquid soap or other antibacterial solution, single use towels, and an adequate container to dispose of waste from washing.

Imminent Health Hazard means any condition or practice, which is very likely to result in injury or loss of life.

Infection means the pathological response of the body to an invasion by a pathogenic agent, which results in injury to the body. The five classic signs of infection include: pain, redness, swelling, heat production and dysfunction.

Infectious Waste means biohazardous waste or regulated waste.

Inflammation means the normal healing response of the body to insult or injury. Inflammation may be characterized by pain, redness, swelling, heat production, or dysfunction.

Law means any provision of the state or municipal codes controlling a procedure or a facility.

License means to authorize any individual who satisfies the Department's stated requirements to practice one or more of the body arts.

Microbiological Monitoring means the use of a standard spore, *Bacillus stearothermophilus*, to monitor the effectiveness of the sterilization process.

Occupational Exposure means the same as exposure incident as defined above.

Osteopathic Physician means a person licensed to practice osteopathy pursuant to chapter 371 of the Connecticut General Statutes.

Parenteral means piercing mucous membranes or the skin barrier through such events as needlesticks, cuts or abrasions.

Permit means to authorize any facility, which satisfies the Department's stated requirements to be open for the conduct of the business of the body arts.

Personnel means any persons employed or working in a Body Arts Establishment.

Personal Protective Equipment means specialized clothing or equipment worn by an employee to protect against a hazard. General clothing not specifically designed to protect against a hazard is not considered protective equipment.

Physician means a person licensed to practice medicine and surgery pursuant to chapter 370 of the Connecticut General Statutes.

Physician Assistant means a person licensed pursuant to section 20-12b of the Connecticut General Statutes.

Piercing means body piercing as defined above.

Piercing Artist means any individual licensed by the Health District to practice the art of body piercing.

Potentially Infectious Material means human body fluids or any item or surface contaminated with human fluids.

Registered Nurse means a person licensed to practice nursing pursuant to subsection (a) of section 20-87a of the Connecticut General Statutes.

Regulated Waste means biohazardous waste or infectious waste, including sharps, capable of releasing potentially infective materials upon contact with human skin.

Sanitary means an effective germicidal process, which applies enough heat or concentration of chemicals for a sufficient time to reduce the pathogens to a safe level.

Scarification means permanent modification to the human skin from the infliction of a wound by creating designs made up of scars produced by branding (scarification through burns), cuttings (fine scarification using a thin blade), and general scarification using various means other than those body piercing and tattooing procedures permitted in the sanitary codes of the Bristol-Burlington Health District.

Sharps means any objects which can penetrate the skin, including but not limited to needles, razor blades, scalpels, and broken glass or capillary tubes.

Single Use means a disposable item used one time on one client.

Sterilization means a process by which all forms of microbial life, including bacteria, viruses, spores and fungi are destroyed.

Steam Sterilization means holding an object in an autoclave at a minimum of fifteen (15) pounds of pressure per square inch (PSI) at a minimum of 250° Fahrenheit or 121° Celsius for a minimum of thirty (30) minutes or a minimum of 272° Fahrenheit or 133° Celsius for a minimum of fifteen (15) minutes.

Surgical Revision of Scar Tissue means any procedure whose intent is to mechanically alter or remove existing scar tissue.

Tattoo means any method of applying marks under human skin utilizing needles or other instruments to alter the appearance of the skin for nonmedical reasons.

Tattoo Artist means any individual, other than a physician, dentist, or doctor of osteopathy currently licensed by the state of Connecticut, and who is licensed by the Health District to practice the art of tattooing.

Tattoo Apprentice means any individual other than a physician, dentist, or doctor of osteopathy currently licensed by the State of Connecticut who is working under the direct supervision of a tattoo artist, licensed by the Health District to practice the art of tattooing. No apprenticeship may be entered into without permission of the Health District.

Tattoo Establishment means any room or space where tattooing is practiced or where the business of tattooing is conducted or any part thereof.

Ultrasonic Cleaner a mechanical cleaning process to remove soil. It is not a form of sterilization. The tank solution includes a detergent to aide in the process of dislodging soils from the surface.

Universal Precautions means an approach to infection control in which all human blood and certain human body fluids are treated as if known to be infected with Hepatitis B Virus (HBV), Hepatitis C Virus (HVC), Human Immunodeficiency Virus (HIV) and other bloodborne pathogens.

Waste means any substance or object, which is the result or by-product of a body arts procedure.

Work Area means a specified area within an establishment where body arts procedures are conducted.

Section III: PROHIBITED ACTS

No person shall perform a body arts procedure on another person under the age of eighteen (18) years. However, a minor may have a *piercing procedure* with the written consent of a parent or legal guardian who is physically present at the time of the procedure and presents proper identification. No one under the age of sixteen (16) years may receive a *tattoo* procedure.

No person shall perform an ear piercing procedure with an ear piercing instrument unless the instrument utilizes presterilized earrings in a single-unit, single-use cartridge system or is a disposable device.

No person shall perform a body arts procedure when the person receiving the procedure is under the influence of drugs or alcohol.

No person other than a licensed physician, dentist, or doctor of osteopathy shall employ the use of federally controlled substances, including topical, oral, parenteral or inhaled anesthetics, while providing body arts procedures. Topical anesthetics, which are licensed for sale over-the-counter, may be used at the discretion of the artist for the desensitization of the skin, as long as manufacturer's directions are followed carefully.

No person shall perform tattooing on the head, neck, hands, feet or genitalia of any person. Tattooing may be performed on the posterior neck (back or nape) no higher than the natural hairline. Tattooing shall not be performed on the lateral or anterior neck.

No person shall perform a body arts procedure in the presence of evidence of unhealthy conditions in the area of the body to receive the procedure. No person except a licensed physician, doctor of osteopathy, or dentist may remove a tattoo or other permanent mark on human skin.

No body arts facility shall be combined with another business.

No person may perform a body arts procedure in a facility, which does not possess a current permit.

No person or facility may conduct body arts procedures in the presence of any critical violations as defined above.

Under no circumstances may an ear piercing instrument be used on any body part other than the lobe and/or outer perimeter of the ear, excluding the tragus.

Violation of any of these prohibitions shall result in the suspension or revocation of the artist's license and/or the facility's permit, and shall be subject to additional penalties and fines as defined in this document. Repeated violations (three or more) shall result in permanent revocation of licenses or permits.

Section IV: INSPECTIONS

- (1) The Director of Health or authorized agent shall inspect each Body Arts Establishment at least once annually, and shall make as many inspections or reinspections as deemed necessary, for the enforcement of these regulations. Failure to pass inspection may result in suspension or revocation of the license.
- (2) The Director of Health or authorized agent, after proper identification, shall be permitted to enter, at any reasonable time, any Body Arts Establishment for the purpose of making an inspection to determine compliance with these regulations.
- (3) The Director of Health or authorized agent shall be permitted to examine records of the Body Arts Establishment, to obtain information pertaining to persons tattooed and equipment, but not including financial records. There shall be a person knowledgeable of these records in the Body Arts Establishment during all hours of operation.
- (4) Whenever the Director of Health or authorized agent conducts an inspection of a Body Arts Establishment, the Department's findings shall be recorded on an inspection report form provided for this purpose, and a copy of such inspection report form shall be furnished to the license holder or person in charge.
- (5) Whenever the Director of Health or authorized agent conducts an inspection and observes that any of the requirements of these regulations have been violated, the Director of Health or authorized agent shall notify the license holder or person in charge of such violations by means of the inspection report form or other written notice. Such notification shall include the specific violation(s) observed and a reasonable period of time for the correction of the observed violation(s).
- (6) The Director of Health or authorized agent may, upon written notice to the license holder or person in charge, place an embargo on any item, substance or equipment that is determined to be or is believed associated with the cause of illness or infection. It shall be considered unlawful to remove or alter such an embargo without the permission of the Director of Health, except by order of a court of competent jurisdiction.

SECTION V: ESTABLISHMENT REQUIREMENTS

- (1) Plan Review and Submission
 - (a) When a Body Arts Establishment is constructed or remodeled, plans drawn in a minimum 1/4 inch scale and specifications for construction must be submitted along with a Body Arts Establishment License application to the Department for approval.

- (b) The plans must include but are not limited to: description and location of work areas and equipment, sinks, counters, storage areas, toilet facilities, fixtures, waiting and viewing areas.
 - (c) Manufacturers' specification sheets shall be included in the plan submission for all equipment, floors, walls and ceilings.
 - (d) All plans must be approved by this department prior to construction of the Body Arts Establishment.
- (2) Location of Establishment
- (a) Body Arts Establishments shall be in locations permissible under local zoning codes.
 - (b) Written approval from the local Zoning Code Enforcement Officer must be submitted with the plans.
 - (c) There shall be no human habitation, food service and/or preparation or other such activity, which may cause potential contamination of work surfaces inside the Body Arts Establishment.
- (3) Floors, Walls and Ceilings
- (a) Floors shall be constructed of approved materials so as to be durable, easily cleanable, non-absorbent and free of holes. Floors shall be kept clean and in good repair.
 - (b) The juncture between the floor and wall shall be closed or covered to permit effective cleaning.
 - (c) Walls, ceilings and attached equipment shall be constructed of approved materials so as to be durable, easily cleanable, non-absorbent and free of holes. Walls, ceilings and attached equipment shall be kept clean and in good repair and finished in a light color that will not conceal the presence of soil and debris.
- (4) Equipment
- (a) The chair, seat or table to be utilized by the person receiving the tattoo or piercing shall be smooth, easily cleanable and non-absorbent.
 - (b) All chairs, seats or tables must be cleaned and disinfected prior to use by the next client.
 - (c) All walls with chairs, seats and tables placed against them must be sanitized prior to use of chairs, seats and tables by the next client.
 - (d) All equipment shall be maintained in good repair.
- (5) Lighting

Body Arts Establishments shall have adequate lighting of at least fifty (50) foot candles of illumination. Such illumination shall be reasonably free from glare and distributed so as to avoid shadows.

(6) Ventilation

Ventilation shall be provided so as to prevent condensate and/or excess moisture and to remove objectionable odors in such a manner that will not cause a public health nuisance.

(7) Water Supply

The water supply shall be adequate, of a safe, sanitary quality and from a source approved by the Department. Hot and cold water under pressure shall be provided at all sinks.

(8) Toilet Facilities

(a) All Body Arts Establishments shall provide an adequate toilet facility for the employees and comply with all applicable statutes, ordinances and regulations. Sewage shall be disposed of in a public sewer system or, in the absence thereof, in a manner approved by the Director of Health.

(b) Toilet fixtures shall be sanitary and easily cleanable.

(c) Toilet facilities including rooms and fixtures shall be kept in a clean condition and in good repair.

(d) Antibacterial liquid soap, toilet paper and single use, disposable towels shall be provided at each handwash sink in each toilet room.

(e) The doors for all toilet rooms shall be self-closing.

(f) Equipment or supplies used for body arts procedures shall be neither used nor stored in the toilet facilities.

(9) Handwashing

(a) Each work station in the Body Arts Establishment shall have a handwashing sink in close proximity with hot and cold potable running water for the exclusive use of the Body Artist for the purpose of washing his or her hands and prepping clients.

(b) At each handwashing sink liquid antibacterial soap and single use, disposable towels shall be provided at all times. Common towels are prohibited.

(10) Refuse and Refuse Containers

(a) All garbage and rubbish shall be kept in leakproof, nonabsorbent, easily cleanable, covered containers, which must be kept clean.

- (b) Refuse containers inside the establishment shall be operated by a foot pedal.
 - (c) All garbage and rubbish shall be disposed of with sufficient frequency and in such manner as to prevent a public health nuisance.
 - (d) Infectious wastes shall be disposed of in compliance with the Regulated and Infectious Waste requirements of these regulations.
- (11) Regulated and Infectious Waste
- (a) All infectious and regulated waste must be disposed of by means of medical regulated waste containers and licensed medical waste disposal methods.
 - (b) All needles and attached equipment shall be disposed of in Sharps containers. The needles shall not be broken prior to disposing in the Sharps container.
 - (c) A written plan of disposal for regulated and infectious waste must be submitted to the Department for approval prior to issuance of the Body Arts Establishment License.
- (12) Pest Control
- (a) Effective measures shall be taken to protect against entrance, or presence, or breeding of pests or rodents inside the Body Arts Establishment.
 - (b) All openings into the outer air shall be effectively screened to prevent the entrance of flies.
- (13) Toxic Items
- Only poisonous and toxic materials that are required to maintain sanitary conditions and utilized in sterilization may be stored in the Body Arts Establishment. These materials shall be labeled and stored in such a manner as to not constitute a hazard to clients, employees or equipment.
- (14) Miscellaneous Items
- (a) Only articles deemed necessary for the routine operation and maintenance of the Body Arts Establishment shall be permitted in the Body Arts Establishment.
 - (b) No live animals shall be kept or allowed in the Body Arts Establishment except guide dogs that accompany physically disabled person(s) may be permitted.
 - (c) Adequate facilities shall be provided for the storage of employees' clothing and personal belongings. This storage shall not be located in the work areas.

SECTION VI: CERTIFICATION AND LICENSURE

(1) Body Arts Bloodborne Pathogen Certification

- (a) In accordance with the Connecticut Public Health Code, Connecticut General Statutes Section 19a-92a and Regulations of Connecticut State Agencies Section 19a-92a-1, no person shall engage in tattooing except a physician, an osteopathic physician, an advanced practice registered nurse rendering service under the direction of a physician or osteopathic physician, a registered nurse rendering service under the supervision, control and responsibility of a physician or osteopathic physician, a physician assistant rendering service under the supervision, control and responsibility of a physician, or a technician rendering service under the supervision of a physician or osteopathic physician in accordance with regulations adopted by the Department of Public Health.
- (b) No person shall practice the art of tattooing or body piercing within the Bristol-Burlington Health District, without first obtaining the Body Arts Bloodborne Pathogen Certificate from this Department. This certificate will be presented upon completion of The Bristol-Burlington Health District's Bloodborne Pathogen and Universal Precaution Seminar.
- (c) After successful completion of Section VI(1)(b), the Tattoo or Body Piercing Artist shall receive a Body Arts Bloodborne Pathogen Certificate from this department, which will be effective for one year from date of issue.
- (d) In order to renew the Body Arts Bloodborne Pathogen Certificate, the Tattoo or Body Piercing Artist shall attend The Bristol-Burlington Health District's Bloodborne Pathogen and Universal Precaution Seminar on an annual basis.
- (e) The fee for the Body Art Bloodborne Pathogen Certificate shall be a reasonable amount set by this department. The fee shall be paid in full before the certificate is issued.
- (f) Each Tattoo or Body Piercing Artist shall provide the Department with the following information in order to be issued a certificate: name, home address and home phone number of the Tattoo Artist or Body Piercing and location of the Body Arts Establishment where he or she is employed.
- (g) The Body Arts Bloodborne Pathogen Certificate shall be posted in a prominent location where it can be observed by patrons.
- (h) The Body Arts Bloodborne Pathogen Certificate is not transferable between persons.
- (i) The Department reserves the right to waive the Body Arts Bloodborne Pathogen Certification requirement if the applicant has completed an equivalent bloodborne pathogen course, which is approved by this department. The applicant must submit the name, date and location of the course, contact person for course administration, course outline and certificate of completion to the Department for approval.
- (j) Each Tattoo Artist shall provide the Department with the proper documentation required by the State of Connecticut Public Health Code under Connecticut General Statutes Section 19a-92a (Regulation of Persons Engaged in Tattooing. Penalty) and

Regulations of Connecticut State Agencies Section 19a-92a-1 (Conditions for Advanced Practice Registered Nurses, Registered Nurses, Physicians Assistants and Technicians Engaging in Tattooing).

(k) Exemptions

- (i) Physicians and osteopathic physicians licensed by the State of Connecticut, who perform body piercing in a medical care setting as part of patient treatment are exempt from these body piercing regulations.
- (ii) Individuals who pierce only the lobe and/or the outer perimeter of the ear excluding the tragus with a presterilized single-use stud-and-clasp ear piercing system are exempt from these regulations. Individuals who use ear piercing systems must conform to the manufacturer's directions on use and applicable U.S. Food and Drug Administration requirements. The Department retains authority to investigate consumer complaints relating to alleged misuse or improper disinfection of ear piercing systems.

(2) Body Arts Establishment Licensure

- (a) No person or person(s) shall operate a Body Arts Establishment until a Body Arts Establishment License from the Department has been issued.
- (b) The Body Arts Establishment License shall be issued by the Department prior to opening and shall expire on May 31 of each year.
- (c) The fee for the Body Arts Establishment License shall be a reasonable amount set by the Department. Applications and fees received after the license expiration date are subject to the addition of a late fee as specified in the fee schedule. Any applicant whose check is returned unpaid to the Director of Health shall be required to pay a returned check fee as specified in the fee schedule.
- (d) In order to receive the Body Arts Establishment License, the establishment shall meet the Body Arts Establishment Requirements of these regulations.
- (e) Each applicant shall provide the Department with the following information: full name(s) and address(es) of the applicants, and whether such applicant is an individual, firm or association, including but not limited to, any partnership, limited partnership, limited liability partnership, company, limited liability company, corporation, trust or estate, and if not an individual, the name(s) of the partners, members, officers, or if applicable, the duly authorized representative thereof, including but not limited to, a fiduciary, trustee or receiver, together with their addresses; establishment name, proposed hours of operation, names of all employees and their exact duties, complete description of services provided, exact inventory of equipment to be utilized in the tattoo procedure, name of

manufacturers and names and addresses of all suppliers of all tattoo equipment and supplies, a copy of the written aftercare instructions given to each client and a copy of the informed consent that each client must sign.

- (f) The Body Arts Establishment License shall not be transferable between persons, places or other establishments. Any planned change in ownership or renovation of a facility must be reported promptly to the Department and such changes must be approved by the Department prior to the issuance of an operating license.
 - (g) No person shall build a new facility, or extensively alter an existing facility, without first submitting plans to the Department for approval prior to the commencement of a project.
 - (h) The Body Arts Establishment License shall be displayed in a prominent location within the establishment where it can be observed by patrons.
 - (i) The Establishment shall provide the Department with the proper documentation required by the State of Connecticut Public Health Code under Connecticut General Statutes Section 19a-92a (Regulation of Persons Engaged in Tattooing Penalty) and Regulations of Connecticut State Agencies Section 19a-92a-1 (Conditions for Advanced Practice Registered Nurses, Registered Nurses, Physicians Assistants and Technicians Engaging in Tattooing).
 - (j) The Body Arts Establishment License may be revoked when, in the opinion of the Director of Health or authorized agent, unsanitary or other conditions, including but not limited to critical violations as described in section A(7) of this code, that constitute an immediate hazard to the public health exist.
- (3) Tattoo Apprenticeship
- (a) No person shall practice the art of tattooing or body piercing within the Bristol-Burlington Health District without first completing an apprentice form prescribed the district. The artist must have completed a minimum of a 12-month apprenticeship before tattooing or body piercing within the district.

SECTION VII: RECORDS

- (1) Each Practitioner shall keep permanent records for each client which shall consist of the following: the name, address and telephone number of the client, the date the tattoo or body piercing was applied, a photocopy of the legal document that certifies the client is at least eighteen (18) years of age or an emancipated minor, a description of the tattoo or piercing, the area of the body tattooed or pierced, a photocopy of the written after care instructions of the tattoo or body piercing and a release form signed by the client that these records are accurate. Permanent records for each emancipated minor must contain photographic identification and a photocopy of the legal document declaring the client an emancipated minor.
- (2) No person shall tattoo or pierce an unemancipated minor under eighteen (18) years of age without the permission of the parent or guardian of such minor. This permission

shall be signed by either parent or guardian. Photographic identification of the parent or guardian must be obtained by the Artists. A photocopy of the photographic identification shall be included in the client's permanent records.

- (3) The client shall sign an informed consent waiver. A photocopy of this waiver must remain as part of the client's permanent record. The informed consent waiver shall be approved by the Department prior to the issuance of a Body Arts Establishment License. The informed consent waiver shall include, but is not limited to, the following information: nature of the procedure, reasonably foreseeable risks of the procedure, description of the equipment utilized in the procedure and sterilization techniques, and explanation of the tattoo removal procedure. The client shall have the opportunity to ask questions and understand the contents of the informed consent to his/her satisfaction.
- (4) The Body Arts Establishment shall keep written records of maintenance and sanitation of operating equipment, including repairs of autoclaves and ultrasonic devices.
- (5) The Body Arts Establishment shall maintain written records of biological monitoring of sterilization devices conducted, including spore test reports prepared by an independent testing agency approved by the Department.
- (6) The Body Arts Establishment shall maintain written records of hepatitis B vaccination for each employed Artist or other employee who may come in contact with bloodborne pathogens. An employee may refuse vaccination for hepatitis B, but a signed statement attesting to his or her refusal must be part of his/her record.
- (7) The records must be maintained for two years and are to be made available to the Department upon request. All records and signatures shall be written in ink. Failure to maintain proper records shall result in suspension or revocation of the operating license.

SECTION VIII: TATTOO PROCEDURES

(1) Additional Requirements for Tattoo Artists

In addition to any requirements specified elsewhere in this document, any person licensed to perform tattooing services or permitted to operate a facility for the provision of tattooing services shall comply with the following provisions pertaining specifically to tattoo operation.

(2) Skin Preparation

- (a) Only intact and healthy skin shall be tattooed.
- (b) The area of the skin to be tattooed shall first be washed with an antibacterial soap and hot water.
- (c) If the area where the tattoo is to be placed needs to be shaved, only safety razors with single use blades shall be used.

- (d) The area that has been shaved shall be prepared with an antibacterial soap and hot water. The area then shall be scrubbed with a sterile gauze pad treated with seventy percent (70%) alcohol and allowed to air dry.
- (e) The use of styptic pencils and alum blockers is prohibited.
- (f) Any petroleum jelly or antiseptic ointment applied to the area shaved shall be applied in a sanitary manner. A sanitary manner consists of either sterile petroleum jelly or antiseptic ointment removed from container and applied to skin with a clean utensil or sterilized single use, collapsible metal or plastic tubes.
- (g) No person other than a licensed physician, dentist, or doctor of osteopathy shall employ the use of federally controlled substances, including topical, oral, parenteral or inhaled anesthetics, while providing tattooing procedures.
- (h) Scarification, including but not limited to, branding, cuttings and general scarification other than those procedures described in the body piercing and tattooing codes of the Bristol-Burlington Health District, is prohibited.
- (i) Tongue splitting is prohibited.

(3) Tattoo Artist's Responsibilities

- (a) Prior to starting the tattoo, and as often thereafter as may be necessary, the Tattoo Artist shall wash his or her hands and any exposed areas of the arms by lathering with an anti-bacterial soap for at least twenty (20) seconds, rinsing under hot water and then drying with a single use disposable towel.
- (b) Disposable, single use, examination gloves shall be worn for any procedure involving contact with the client's skin, hair and other body tissue. The gloves shall be changed whenever necessary to prevent contamination.
- (c) The Tattoo Artist shall keep his or her fingernails clean.
- (d) Excessive jewelry or cosmetics that may interfere with handwashing shall not be worn by the Tattoo Artist.
- (e) Outer garments worn by the Tattoo Artist shall be clean.
- (f) The use of tobacco, by either the client or Tattoo Artist, while engaged in the act of tattooing is prohibited. The use of tobacco shall be limited to areas physically removed from the tattoo work areas.
- (g) The consumption of food or drink, by either the client or Tattoo Artist, while engaged in the act of tattooing is prohibited. The consumption of food or drink shall be limited to areas physically removed from the tattoo work areas.

(4) Dyes and Stencils

- (a) Only single use and sterile stencils shall be used. Multi-use stencils are prohibited.
- (b) Only nontoxic, sterile dyes shall be used. Dyes and inks shall not be adulterated and only used in accordance with the manufacturer's guidelines.
- (c) For each client, dyes shall be transferred to a clean, single service container.
- (d) If excessive dye must be removed from the skin, then only single use tissues or sterile gauze shall be used.
- (e) Any unused dye shall be discarded after each client.
- (f) A list of dyes by manufacturer shall be submitted to the Department. If new manufacturer is to be used, the Body Arts Establishment shall notify the Department in writing with an updated list of manufacturers.

(5) Needles and Attachments

- (a) All needles and needle bars shall be single use only.
- (b) All needles and needle bars shall be sterilized prior to use.
- (c) To resist temptation to reuse needles, a minimum of twenty-five (25) ready to use, sterilized needles shall be provided at all times on site.
- (d) Only lead free solder shall be used in conjunction with needles and needle bars.
- (e) Needle tubes shall be single use; however, surgical stainless steel tubes may be used provided they are sterilized prior to each client.
- (f) After use on each client, the needle shall be disposed of in accordance with these regulations.
- (g) All equipment used in the tattoo process shall be designed to be nontoxic, easy to clean, nonabsorbent and corrosion resistant. Additionally, all equipment shall be sterilized and stored in accordance with these regulations.

(6) Sterilization

- (a) In every Tattoo Establishment a steam sterilizer, which meets the requirements of the United States Food and Drug Administration, shall be provided. Chemical sterilizers or alternate methods of sterilization may be used upon prior approval from the Department.
- (b) In every Tattoo Establishment an ultrasonic cleaner that is resistant to chemical spills and cracking, constructed of stainless steel and capable of uniform cleaning of equipment shall be provided.

- (c) All equipment to be sterilized shall be cleaned in the ultrasonic cleaner according to the manufacturer's recommendations, then packaged in individual peel packs, arranged in the autoclave in accordance with the manufacturer's recommendations and then sterilized for thirty (30) minutes at fifteen point nine (15.9) minimum pounds pressure at a minimum temperature of two hundred fifty (250) degrees Fahrenheit. A temperature sensitive autoclave tape shall be included in every load that is placed in the autoclave. This tape shall indicate that the requirements of this section have been attained before use of the equipment sterilized.
 - (d) A test using a biological monitoring system that is processed through a licensed laboratory shall be conducted monthly to insure the sterility of the autoclave. The Department must be notified within forty-eight (48) hours of receipt of test that indicates nonsterile conditions.
 - (e) After sterilization, all packages containing sterilized needles shall be stored in a sanitary manner.
 - (f) Packages shall be dated with the month, day and year of sterilization. Sterilized equipment shall be used within eight (8) months of the sterilization date.
 - (g) All equipment shall remain in the sterilized packages until the time of the tattoo. These packages shall be opened in front of the client to be tattooed. When opening the package and assembling the equipment, the Tattoo Artist shall wear gloves that meet the requirements of these regulations.
 - (h) All needles and equipment shall be stored and handled in a way that will prevent contamination.
- (7) After Care of Tattoo
- (a) After completion of the tattoo, the area of skin tattooed shall be washed with a hospital grade germicidal solution or a seventy percent (70%) alcohol solution from a single service container or applied with single use applicators.
 - (b) After air-drying, the tattooed area shall have petroleum jelly or antibacterial ointment applied using a sterile gauze. A sterile gauze shall be applied to the tattooed area and affixed with adhesive tape.

SECTION IX: BODY PIERCING PROCEDURES

(1) Additional Requirements for Body Piercing Artists

In addition to any requirements specified elsewhere in this document, any person licensed to perform body piercing services or permitted to operate a facility for the provision of body piercing services shall comply with the following provisions pertaining specifically to body piercing operations:

(2) Skin Preparation

- (a) Only healthy, intact body parts may be body pierced.
- (b) If shaving of the skin where the piercing is to occur is required, only single use razors shall be used. New razors for each client shall be used and disposed of after each use.
- (c) The area of skin to be pierced shall first be washed with an antibacterial soap and hot water. The skin must be prepared for not less than forty-five (45) seconds with a povidine-iodine solution prior to all piercings. A seventy percent (70%) alcohol solution, applied for ninety (90) seconds, may be used as an alternative for clients sensitive to povidine-iodine.
- (d) No person other than a licensed physician, dentist or doctor of osteopathy shall employ the use of federally controlled substances, including topical, oral, parenteral or inhaled anesthetics, while providing body piercing procedures.
- (e) All solutions applied to the skin shall be allowed to air dry.
- (f) Prior to all oral piercing, the client must rinse with an antibacterial mouthwash for at least sixty (60) seconds.
- (g) All preparation solutions shall be applied in a sanitary manner. All cotton balls, swabs or other applicators shall be single use.
- (h) Only single use toothpicks may be used for marking in oral piercings.
- (i) The use of styptic pencils and alum blockers is prohibited.
- (j) Medical grade anticoagulants may be used but must first be approved by the Department.
- (k) Scarification, including but not limited to, branding, cuttings, implanting objects under the skin and general scarification other than those procedures described in the body piercing and tattooing codes of the Bristol-Burlington Health District, is prohibited.

(3) Jewelry Requirements

- (a) Jewelry used in piercing procedures shall be composed only of one of the following:
 - (i) low carbon or low carbon vacuum-molded surgical implant grade stainless steel
 - (ii) solid 14K or 18K white or yellow gold
 - (iii) niobium, platinum, or high-density, low-porosity plastic.
Materials other than those listed are unacceptable

- (b) All jewelry shall be sterilized, by either the manufacturer or the Body Piercing Establishment, prior to use on the client.
- (c) After sterilization, all packages containing jewelry shall be kept in a sanitary manner and dated.

(4) Body Piercing Needles and Equipment

- (a) No person shall perform an ear piercing procedure with an ear piercing instrument unless the ear piercing instrument utilizes a single-use stud-and-clasp ear piercing system. Under no circumstances may an ear piercing instrument be used on any body part other than the lobe and/or outer perimeter of the ear excluding the tragus.
- (b) All body piercing needles are for single use only and shall be sterilized and dated prior to use.
- (c) To resist temptation to reuse needles, a minimum of twenty-five (25) ready to use sterilized and dated needles shall be provided at the Body Piercing Establishment at all times.
- (d) After each use, the piercing needle shall be disposed of in accordance with the Regulated and Infectious Waste requirements of these regulations.
- (e) All instruments to be used during the body piercing procedure which will come in contact with a body/or bodily fluids, including but not limited to, thimbles, nail clippers, hairclips, scissors, pliers, files, forceps, needle holders, clothespins and insertion tapers must be sterilized and kept in a sterile manner prior to use.
- (f) Corks, rubber bands and other items that cannot be sterilized must be kept in a sanitary manner prior to use and be single use only.

(5) Body Piercers' Responsibilities

- (a) Prior to the body piercing procedure, the Body Piercer shall wash his or her hands and any exposed areas of the arms by lathering with an antibacterial soap for at least twenty (20) seconds, rinsing under hot water and then drying with a single use disposable towel.
- (b) Sterile technique shall be practiced throughout the body piercing procedure.
- (c) Disposable, single use, sterile examination gloves shall be worn throughout the body piercing procedure.
- (d) Gloves shall be changed if they become contaminated during the piercing.
- (e) Outer garments worn by the Body Piercer shall be kept clean.

- (f) The use of tobacco in the work area by either the Body Piercer or client, is prohibited. The use of tobacco shall be limited to areas physically removed from the work area.
 - (g) The consumption of food or drink, by either the Body Piercer or client while in the work area is prohibited. The consumption of food or drink shall be limited to areas physically removed from the work area.
 - (h) The Body Piercer shall discuss with the clients the options regarding the sizing of jewelry based on body parts and types.
- (6) Sterilization
- (a) In every Body Piercing Establishment a steam sterilizer, which meets the requirements of the United States Food and Drug Administration, shall be provided. Chemical sterilizers or alternate sterilizers or alternate methods of sterilization may only be used upon prior approval from the Department.
 - (b) In every Body Piercing Establishment an ultrasonic cleaner that is resistant to chemical spills and cracking, constructed of stainless steel and capable of uniform cleaning of equipment shall be provided.
 - (c) All equipment to be sterilized must be cleaned in the ultrasonic cleaner according to the manufacturer's recommendations, then packaged in individual peel packs, arranged in the autoclave in accordance with the manufacturer's recommendations and then sterilized for thirty (30) minutes at fifteen point nine (15.9) pounds pressure at a minimum temperature of two hundred fifty (250) degrees Fahrenheit. A temperature sensitive autoclave tape shall be included in every load that is placed in the autoclave. This tape shall indicate that the requirements of this section have been attained before use of the equipment sterilized.
 - (d) A test with a biological monitoring system that is processed through a licensed laboratory shall be conducted monthly to insure the sterility of the autoclave. The Department must be notified within forty- eight (48) hours of receipt of test that indicates nonsterile conditions.
 - (e) After sterilization, all packages containing sterilized needles shall be stored in a sanitary manner.
 - (f) Packages shall be dated with the month, day and year they were sterilized. Sterilized equipment shall be used within eight (8) months of the sterilization date.
 - (g) All equipment shall remain in the sterilized packages and stored in a sanitary manner until the time of the body piercing. All packages containing sterilized equipment must be opened, and handled with sterile technique. These packages shall be opened in front of the client.
 - (h) All needles and equipment shall be stored and handled in a way that will prevent contamination.

- (7) After Care of the Piercing
 - (a) The Body Piercer shall explain the aftercare instructions to each client upon completion of the piercing.
 - (b) The Body Piercer shall inform clients that latex barriers are recommended whenever the client will be placing their piercing into the body or bodily fluids of another person.

SECTION X: NEEDLESTICKS

- (1) Each Body Arts Establishment shall have a written protocol for needlestick accidents. This protocol shall include, but is not limited to, treatment of the area and reporting the needlestick to the supervising physician for further evaluation.
- (2) This written protocol shall be submitted to the Department at the time of application for the Body Arts Establishment License for approval.

SECTION XI: PENALTIES

- (I) Revocation
 - (a) The Director of Health may revoke the license of any person for serious or repeated violations of the provisions of this code including, but not limited to, critical violations as described in Section III. Written notice of intent to revoke the license, setting forth the violation(s), shall be delivered to the licensee at his/her establishment ten (10) days prior to such revocation. The licensee may file a request for a hearing with the Director of Health within two (2) business days of receiving notice of intent to revoke the license. If no request for a hearing is filed within two (2) business days, the revocation of the license becomes final. A license may be suspended for cause pending its revocation or a hearing relative hereto.
 - (b) The Director of Health may suspend the license of any person, Body Arts Establishment or Temporary Body Arts Establishment if the business or Tattoo Artist has made any material misrepresentation to the Department, does not meet or no longer meets, or has a history of noncompliance with the requirements of the applicable sections of this document or of the Connecticut Public Health Code. The license holder or operator shall be notified in writing that the license is, upon service of the notice, immediately suspended, and that an opportunity for a hearing will be provided if a written request for a hearing is filed with the Director of Health by the license holder within two (2) business days following the service of such notice.
 - (c) Hearings provided for by this ordinance shall be conducted by the Director of Health at a time and place designated by the Director. Hearings will be conducted within five (5) days of receipt of a request for same. A written report of the hearing decision shall be furnished to the license holder by the Director of Health.

- (d) A suspended license will be reinstated when an inspection made by the Department reveals that the conditions causing suspension of the license have been corrected. The inspection will be conducted within ten (10) days of a written request for license reinstatement indicating how each of the conditions, which caused the suspension, have been corrected and shall be signed by the license holder.
- (e) In addition to the revocation and suspension of any license, any person who violates any provision of this regulation shall be fined not more than one hundred (\$100.00) dollars for each violation.

SECTION XII: UNCONSTITUTIONALITY CLAUSE

Should any section, paragraph, sentence, clause or phrase of this code be declared unconstitutional or invalid for any reason, the remainder of said code shall not be affected thereby.

SECTION XIII: CONFLICT OF REGULATIONS

In any case where a provision of this code is found to be in conflict with a regulation of the State Department of Public Health or any other state law or regulation, on the effective date of this code, the provision which establishes the higher standard for the promotion and protection of the health and safety of the people shall prevail.

SECTION XIV: EFFECTIVE DATE

This code shall be effective November 10, 2005.

S:\DeptShared\Health\Sanitarians\Ordinance\Chapter VIII - Body Arts - Sanitary Code.doc