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# Rules of Department of Commerce and Insurance

## Division 2267—Office of Tattooing, Body Piercing, and Branding

### Chapter 2—Licensing Requirements

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**Title 20—DEPARTMENT OF  
COMMERCE AND INSURANCE  
Division 2267—Office of Tattooing, Body  
Piercing, and Branding  
Chapter 2—Licensing Requirements**

**20 CSR 2267-2.010 Licenses**

*PURPOSE: This rule outlines the requirements for obtaining a tattoo, body piercing, and branding license.*

(1) No person shall operate a tattoo establishment, body piercing establishment, and/or branding establishment unless he or she has obtained a license for the establishment from the division. An application for an establishment license shall be notarized and accompanied by the appropriate fee. Only one (1) application shall be required for any single establishment.

(2) No person, other than an apprentice, shall tattoo, body pierce, and/or brand another person; use or assume the title of tattooist, body piercer, and/or brander; designate or represent themselves to be a tattooist, body piercer, and/or brander unless he or she has obtained a license from the division for the profession practiced. An application for a practitioner license shall be notarized and accompanied by the appropriate fee and evidence of having successfully completed the following:

(A) A bloodborne pathogen training program (or equivalent) which includes infectious disease control; waste disposal; hand-washing techniques; sterilization equipment operation and methods; and sanitization, disinfection, and sterilization methods and techniques (Example: “Preventing Disease Transmission” (American Red Cross) and “Bloodborne Pathogen Training” (U.S. OSHA)); and

(B) First aid and cardiopulmonary resuscitation (CPR); and

(C) An apprenticeship, which shall include at least three hundred (300) documented hours of practical experience that includes at a minimum fifty (50) completed procedures in each area that the applicant has filed an application for licensure. The documented work shall be certified and supervised by a currently licensed Missouri practitioner, a currently licensed Missouri professional whose scope of practice includes tattooing, body piercing, and/or branding, or by a practitioner who is licensed to practice tattooing, body piercing, and/or branding in another state, territory, or commonwealth whose requirements for licensure are substantially equivalent to the requirements for licensure in Missouri. A supervising practitioner shall register a person needing to meet the require-

ment set forth in this subsection by submitting an affidavit acknowledging the supervisory relationship on a form prescribed by the office. The affidavit shall be submitted by the supervising practitioner within ten (10) business days of beginning the supervisory relationship. The supervising practitioner shall be present during the entire procedure and shall be licensed in the same field of practice in which the applicant has filed a license application. Proof of having completed the apprenticeship requirement set forth in this section shall be submitted on forms prescribed by the office. The apprentice shall notify the office in writing within ten (10) business days of the termination of the supervisory relationship; or

(D) In lieu of an apprenticeship, an applicant may submit proof that he/she has successfully completed a course of study in tattooing, body piercing, and/or branding in a school licensed or accredited as a school by any state or federal agency. The course of study must have been completed in the same practice area that the applicant has applied for a license.

1. The course of study shall consist of at least three hundred (300) documented hours of instruction and/or training which shall include, at a minimum, instruction in sanitation, equipment handling, disease control, skin treatment and/or skin infections, design and/or artistry, and clinical practice. Applicants shall submit an official transcript demonstrating compliance with the requirements of this section. Official transcripts must be mailed directly to the division by the school.

2. A person applying under this subsection shall also submit proof of practical experience that includes at least twenty-five (25) completed procedures in the same field that the applicant has applied for licensure. For purposes of this subsection, proof of practical experience may be certified to by a school which meets the requirements of this rule or by any person licensed to practice tattooing, branding, or body piercing in another state, territory, or commonwealth; or

(E) Alternatively, and in lieu of an apprenticeship, an applicant may submit proof or other evidence which verifies that he/she has, within the last seven (7) years, practiced for a minimum of three (3) years in the same practice area that the applicant has applied for licensure. Sufficient proof or evidence may include, but is not limited to:

1. Affidavits from prior employer(s) or supervisors;

2. W-2 or 1099 forms; or

3. Tax returns verifying occupational status.

(F) All applicants shall ensure that each state, District of Columbia, United States ter-

ritory, province, or country in which a license, certificate, registration, or permit to practice tattooing, body piercing, or branding is held or has ever been held to submit verification of licensure, certification, registration, or permit directly to the division. The verification shall include the license, registration, certification, or permit issued, the number, status, issue and expiration dates, information regarding disciplinary action, and the name and title of the person verifying information with date and board seal.

(3) Within a reasonable period of time after receiving a completed notarized application for a license, the division shall either approve the application and issue a license or deny the application. If the application for license is denied, the division shall give the applicant reasons in writing for the denial and provide information about how the applicant may appeal the decision.

(4) The division shall not issue a license to a new or temporary tattoo, body piercing, and/or branding establishment without completing an inspection of the establishment to ensure that the establishment complies with the requirements set forth in these rules.

(5) Applicants who are approved for licensure shall receive one (1) license. Duplicate licenses may be provided upon payment of the appropriate fee pursuant to the rules promulgated by the division.

(6) Reciprocity. A person licensed to practice tattooing, body piercing, and/or branding in another state, territory, or commonwealth may apply for licensure by reciprocity in the same practice area if the other state, territory, or commonwealth has requirements that are substantially equivalent to the requirements of Missouri for the license sought. Applicants for licensure by reciprocity shall submit or cause to be submitted the following:

(A) A completed notarized application and the accompanying application fee;

(B) A copy of a current tattoo, body piercing, and/or branding license from the other state, territory, or commonwealth;

(C) A current copy of the rules and regulations pertaining to tattooing, body piercing, and/or branding from the other state, territory, or commonwealth; and

(D) A letter of license verification mailed by the state, territory, or commonwealth licensing agency to the division which shall include:

1. Verification that the applicant holds a valid and unexpired license;

2. The license issuance date;

3. The license expiration date; and



4. A statement verifying whether the applicant has ever been subject to discipline or if there are any complaints or investigations pending against the licensee.

5. Upon request, a consent that allows the office to examine disciplinary, complaint, and/or investigative records of the other licensing authority.

(E) A person applying for licensure by reciprocity from a state, territory, or commonwealth whose licensing requirements are less stringent than those in force in the state of Missouri shall be required to meet the requirements of 20 CSR 2267-2.010(2).

AUTHORITY: section 324.522, RSMo 2016.\* This rule originally filed as 4 CSR 267-2.010. Original rule filed Aug. 15, 2002, effective Feb. 28, 2003. Moved to 20 CSR 2267-2.010, effective Aug. 28, 2006. Amended: Filed April 10, 2008, effective Nov. 30, 2008. Amended: Filed July 22, 2009, effective Jan. 30, 2010. Amended: Filed Sept. 13, 2019, effective March 30, 2020.

\*Original authority: 324.522, RSMo 1998, amended 1999, 2001, 2007.

20 CSR 2267-2.020 Fees

PURPOSE: This rule establishes and fixes various fees and charges authorized by section 324.522, RSMo.

(1) The operator of a tattoo, body piercing, or branding establishment shall pay fees to the office as follows:

- (A) Establishment application fee \$200
(B) Combined establishment application fee \$300
(C) Establishment renewal fee \$200
(D) Combined establishment renewal fee \$300

(2) The operator of a temporary tattoo, body piercing, and/or branding establishment shall pay a fee to the division as follows:

- (A) Temporary establishment (per event) \$100
(B) Combined temporary (per event) \$100

(3) A person who wishes to practice as a tattooist, body piercer, or brander shall pay fees to the division as follows:

- (A) Practitioner application fee \$100
(B) Renewal fee for practitioner \$100
(C) Combined practitioner application fee \$120
(D) Renewal fee for combined practitioner \$120

(E) Temporary Courtesy License Application Filing Fee for nonresident military spouse \$ 50

- (4) Additional Fees:
(A) Duplicate license fee \$ 5
(B) Bad check fee \$ 25

AUTHORITY: sections 41.950, 324.008, and 324.522, RSMo 2016.\* This rule originally filed as 4 CSR 267-2.020. Original rule filed Aug. 15, 2002, effective Feb. 28, 2003. Amended: Filed Feb. 15, 2005, effective Aug. 30, 2005. Moved to 20 CSR 2267-2.020, effective Aug. 28, 2006. Amended: Filed July 17, 2006, effective Jan. 30, 2007. Rescinded and readopted: Filed Aug. 15, 2008, effective Feb. 28, 2009. Amended: Filed Nov. 30, 2010, effective May 30, 2011. Amended: Filed March 5, 2018, effective Sept. 30, 2018. Amended: Filed Sept. 13, 2019, effective March 30, 2020.

\*Original authority: 41.950, RSMo 1991, amended 2007, 2009, 2011; 324.008, RSMo 2011; and 324.522, RSMo 1998, amended 1999, 2001, 2007.

20 CSR 2267-2.030 License Renewal

PURPOSE: This rule outlines the process for renewing a practitioner's license and/or an establishment license.

(1) All practitioner and establishment licenses shall be renewed biennially. All licenses shall be renewed in odd numbered years and shall expire on June 30 as defined in 20 CSR 2231-2.010. Failure of a practitioner or the holder of an establishment license to renew the license shall cause the license to expire. A practitioner who continues to practice or a holder of an establishment license who continues to operate without a valid license shall be deemed to be practicing in violation of sections 324.520 to 324.526, RSMo.

(2) Failure to receive notice shall not relieve the licensee or the holder of an establishment license of the obligation to renew and pay the required fee prior to the expiration date.

(3) Each practitioner or holder of an establishment license shall provide the division with a completed and signed renewal form containing updated information since the preceding application/renewal period, as well as the required fee for renewal.

(4) Renewals shall be postmarked no later than the expiration date of the license.

(5) Deposit of a licensee's or operator's renewal fee by the division does not consti-

tute acceptance of the renewal application. Any practitioner or holder of an establishment license who fails to renew the license by the expiration date shall not perform any act for which a license is required.

(6) A holder of an establishment license who fails to renew said license by the expiration date will cause the license to expire. Within two (2) years of the expiration date, the owner/operator may submit payment of the renewal fee, provide a completed renewal form as provided by the division, and a statement regarding whether the establishment has been operating since the date of expiration. No original application for licensure is required if renewing within two (2) years of the license expiring.

AUTHORITY: section 324.522, RSMo 2016.\* This rule originally filed as 4 CSR 267-2.030. Original rule filed Aug. 15, 2002, effective Feb. 28, 2003. Moved to 20 CSR 2267-2.030, effective Aug. 28, 2006. Amended: Filed June 16, 2008, effective Dec. 30, 2008. Amended: Filed Dec. 23, 2008, effective June 30, 2009. Amended: Filed Sept. 13, 2019, effective March 30, 2020.

\*Original authority: 324.522, RSMo 1998, amended 1999, 2001, 2007.

20 CSR 2267-2.031 Reinstatement

PURPOSE: This rule outlines the process for reinstating a license to practice.

(1) Failure to renew a practitioner license before the expiration of the license will cause the license to expire. Within two (2) years of the expiration date, the practitioner may submit payment of the renewal fee and provide a completed renewal form as provided by the division.

(2) Any practitioner who fails to restore a license for a period of two (2) years after the expiration of the license shall reapply for licensure under the regulations in effect at the time of reapplication.

AUTHORITY: section 324.522, RSMo Supp. 2008.\* Original rule filed Dec. 23, 2008, effective June 30, 2009.

\*Original authority: 324.522, RSMo 1998, amended 1999, 2001, 2007.

20 CSR 2267-2.032 Military Training to Meet Requirements for Licensure

PURPOSE: This rule requires the division to accept evidence of military education,



*training, or service to be applied toward the requirements for licensure.*

(1) Any applicant for licensure may, as part of the evidence of meeting the requisite educational and/or training requirements for licensure, submit evidence of military experience as a member of the military.

(2) The division shall review the evidence submitted and, if appropriate, make additional inquiry of the applicant to determine the scope and duties of the military experience to determine whether the military experience shall be counted towards the qualifications for licensure.

(3) In its review of the military experience, the division shall evaluate the content and nature of the military experience to determine whether that military experience shall count towards the education, training, or service requirements for licensure. The division shall construe liberally the military experience in determining whether it will count towards the education, training, or service requirements for licensure.

(4) “Military experience” shall mean education, training, or service completed by an applicant while a member of the United States armed forces or reserves, the national guard of any state, the military reserves of any state, or the naval militia of any state.

*AUTHORITY: sections 324.007 and 324.522, RSMo Supp. 2013.\* Original rule filed March 29, 2016, effective Sept. 30, 2016.*

*\*Original authority: 324.007, RSMo 2013 and 324.522, RSMo 1998, amended 1999, 2001, 2007.*

### **20 CSR 2267-2.033 Renewal of License or Registration for Military Members**

*PURPOSE: This rule sets forth the procedures for licensees and registrants who are members of any United States or State of Missouri military, pursuant to section 41.950, RSMo, who have served on active military duty, pursuant to section 41.950, RSMo. Specifically, the rule sets forth procedures for the renewal of a license or registration, for completing obligations of the division, and for discipline of a license or registration.*

(1) Any individual holding a current license or registration that is engaged in the performance of active military duty who has their license or registration lapse while performing such military service, may renew or reinstate such license or registration without penalty by—

(A) Filing with the division a Notice of Active Military Duty on a form provided by the division or by written communication accepted by the division that shall be signed and dated by the individual and shall contain the individual’s name, address, the type of license or registration, license or registration number, and the date of active duty activation, and shall be accompanied by a copy of the individual’s active duty orders or other evidence sufficient for the division to determine the dates of active military duty; and

(B) Filing such Notice of Active Military Duty or accepted written communication with the division no later than sixty (60) days after completion of the active duty military service.

(2) Upon receipt and approval of the Notice of Active Military Duty or accepted written communication, the division shall reinstate the individual’s license or registration with no further requirements.

(3) If a licensee or registrant fails to take any required action or fails to meet any required obligation of the division while the licensee or registrant is on active military duty, the licensee or registrant shall have at least one hundred eighty (180) days after the end of his or her active military duty to take those actions or fulfill those obligations before any administrative action can be taken by the division.

(4) If the division desires to initiate disciplinary action, administrative action, or any other proceeding where the licensee or registrant is a necessary party and the licensee or registrant is on active military duty, the division shall stay such action or proceeding until at least sixty (60) days after the licensee or registrant returns from active duty.

*AUTHORITY: sections 41.950 and 324.522, RSMo Supp. 2013.\* Original rule filed March 29, 2016, effective Sept. 30, 2016.*

*\*Original authority: 41.950, RSMo 1991, amended 2007, 2009, 2011 and 324.522, RSMo 1998, amended 1999, 2001, 2007.*

### **20 CSR 2267-2.034 Issuance of Temporary Courtesy License to Nonresident Military Spouse**

*PURPOSE: This rule states the requirements and procedures for a nonresident spouse of an active-duty member of the military who is transferred to this state in the course of the member’s military duty to obtain a temporary courtesy license to practice for one hundred eighty (180) days.*

(1) The division shall grant a temporary courtesy license without meeting further requirements for licensure to a “nonresident military spouse” as defined in section 324.008.1, RSMo, who provides the office the following:

(A) A completed application form;

(B) A non-refundable application fee, as established by the division pursuant to rule, made payable to the Office of Tattooing, Body Piercing, and Branding;

(C) Verification sent directly to the division from the state, district, or territory from where the applicant holds a current and active license;

(D) Proof that the applicant has been engaged in active practice in the state, district, or territory of the United States in which the applicant is currently licensed for at least (2) years in the five (5) years immediately preceding this application;

(E) Verification sent directly to the division from each state, district, or territory of the United States in which the applicant has ever been licensed verifying that—

1. The applicant is, or was at the time of licensure, in good standing;

2. The applicant has not committed an act in any jurisdiction where the applicant has or had a license that would have constituted grounds for the refusal, suspension, or revocation of a license or certificate to practice at the time the act was committed; and

3. The applicant has not been disciplined by a licensing or credentialing entity in another jurisdiction and is not the subject of an unresolved complaint, review procedure, or disciplinary proceeding by a licensing or credentialing entity in another jurisdiction;

(F) If the division is unable to determine if the licensing requirements of the state, district, or territory in which the applicant is currently licensed are equivalent to Missouri’s licensing requirements, the applicant shall submit documentation regarding the licensing requirements equivalency; and

(G) Such additional information as the division may request to determine eligibility for a temporary courtesy license.

(2) Any temporary courtesy license issued pursuant to this rule shall be valid for one hundred eighty (180) days from the date of issuance and may be extended for another one hundred eighty (180) days upon submission of a written request by the holder of the temporary courtesy license.

(3) If a nonresident military spouse seeks full licensure in this state during the time while the temporary courtesy license is valid, he or she may request full licensure by filing a written request with the division. Any fees



paid for a temporary courtesy license shall be credited towards the application fees due for full licensure.

*AUTHORITY: sections 324.008 and 324.522, RSMo 2016.\* Original rule filed Sept. 13, 2019, effective March 30, 2020.*

*\*Original authority: 324.008, RSMo 2011 and 324.522, RSMo 1998, amended 1999, 2001, 2007.*