Title 20—DEPARTMENT OF COMMERCE AND INSURANCE
Division 2267—Office of Tattooing, Body Piercing, and Branding
Chapter 3—Establishments

20 CSR 2267-3.010 Tattoo, Body Piercing, and Branding Establishments

PURPOSE: This rule specifies the requirements to operate a tattoo, body piercing, and branding establishment.

(1) Each operator of a licensed establishment shall:
   A) Only employ or allow licensed practitioners to perform tattooing, body piercing, and/or branding procedures on the premises of the licensed establishment;
   B) Ensure that no practitioner in his/her employ or practicing on the premises of the licensed establishment performs beyond the scope of his or her practice and expertise, nor shall an establishment operator direct or require a practitioner to perform beyond the scope of his or her practice and expertise;
   C) Maintain on file in the establishment a copy of each current practitioner’s license;
   D) Ensure that each practitioner employed or practicing at the licensed establishment engages in the safe and sanitary practice of tattooing, branding, and/or body piercing including but not limited to the use ofuniversal precautions and proper hygiene;
   E) Conspicuously display for the public in the establishment, the license issued by the division for the establishment and the license of each practitioner working in the establishment. A photograph of each practitioner shall be in close proximity to the license for that practitioner;
   F) Be responsible for maintaining client records, in a manner where inspectors can gain reasonable access, for a minimum of two (2) years. If a tattoo requires more than one (1) visit to be completed, client records shall be maintained for two (2) years following the completion of the work;
   G) Maintain documentation of compliance with all applicable building, fire, and plumbing codes prescribed by the state or local government. If no zoning codes are available, establishments shall be equipped with and maintain a minimum of at least one (1) fire extinguisher, and one (1) smoke alarm, each of which shall be maintained in good working condition;
   H) Maintain all equipment used to perform tattooing, body piercing, and branding procedures in a safe and sanitary condition;
   I) Provide for safe and unobstructed human passage in the public areas of the premises;
   J) Provide for the removal of biohazardous waste, garbage, and refuse in a safe and sanitary manner; and
   K) Provide for the safe storage and removal of flammable materials.

(2) General Premises.
   A) Licensed establishments located in buildings that are also used as residences or buildings that are also used as residences shall be provided with and maintain a minimum of at least one (1) fire extinguisher, and one (1) smoke alarm, each of which shall be maintained in good working condition at all times.
   B) All tattoo, body piercing, and/or branding establishments shall have a public toilet and handwashing facility that is separate from any living areas.
   C) All tattoo, body piercing, and/or branding establishments shall have a separate sink to be used only for sterilization purposes.
   D) Proper lighting shall be available to enable the practitioner to safely perform tattooing, body piercing, and branding on a patron.
   E) Water and sewage systems shall comply with all state and local requirements.
   F) A panel or other barrier of sufficient height and width to effectively separate a patron on whom a procedure is being performed from observers or waiting patrons shall be in place or readily available at the patron’s request. A panel or barrier shall be in place or readily available and must be used during any tattooing, body piercing, or branding of the genital area.
   G) Easily cleanable waste containers with non-absorbent, durable plastic liners shall be used for disposal of all tissue, towels, gauze pads, and other similar items used on patrons. Infectious waste, including, but not limited to, sharps waste, shall be placed in a properly marked biohazard bag or sharps container and disposed of by an approved biohazardous waste company. All items which are single use and are not considered sharps waste that come in contact with body fluids must be placed in a biohazard container and disposed of by an approved biohazardous waste company.
   H) The premises and all facilities used in connection with the premises shall be main-

(3) Restroom, Handwashing, and Cleaning Areas.
   A) All tattoo, body piercing, and/or branding establishments shall have a public toilet and handwashing facility that is separate from any living areas.
   B) All tattoo, body piercing, and/or branding establishments shall have a separate sink to be used only for sterilization purposes.
(4) Refusal to permit an inspection, if required by the division, shall constitute grounds for discipline or denial.
