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**Rules of  
Department of Commerce and  
Insurance**

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

**Chapter 6—Complaints and Investigations**

<b>Title</b>	<b>Page</b>
<b>20 CSR 2267-6.010</b> Enforcement .....	3
<b>20 CSR 2267-6.020</b> Public Complaint Handling and Disposition .....	3
<b>20 CSR 2267-6.030</b> Initiation of Disciplinary Proceedings (Rescinded January 30, 2010) .....	3



**Title 20—DEPARTMENT OF  
COMMERCE AND INSURANCE**  
Division 2267—Office of Tattooing, Body  
Piercing, and Branding  
Chapter 6—Complaints and Investigations

**20 CSR 2267-6.010 Enforcement**

*PURPOSE: This rule outlines the authority of the office/division personnel to inspect establishments.*

(1) Access. An authorized employee or agent of the division, upon proper identification, shall be permitted to enter any tattoo, body piercing and/or branding establishment at any reasonable time to determine if the establishment and its practitioners are in compliance with Missouri statutes and regulations. The division's employee or agent shall be permitted to examine the records of the establishment, to obtain information about supplies purchased, received or used, sterilization records and information regarding patrons who received tattoos, body piercings or branding. Any records requested by the division's employee or agent may be copied at the establishment operator's expense.

(2) Enforcement Policy. Order to correct violations. If upon inspection of a tattoo, body piercing or branding establishment, the division's employee or agent finds that a tattoo, body piercing or branding establishment is not properly equipped or operated as required pursuant to sections 324.520 to 324.524, RSMo and the regulations promulgated thereunder, the division's employee or agent shall notify the operator in writing. The notice shall include an order that directs the operator to make specified changes that will bring the establishment into compliance with the standards established by statute and regulations and stipulate the time period within which compliance is required. If the order to correct violations is not carried out by the expiration of the time period stipulated, or any reasonable extension of the time granted for compliance, the failure to comply shall be cause for discipline.

*AUTHORITY: section 324.522, RSMo Supp. 2001.\* This rule originally filed as 4 CSR 267-6.010. Original rule filed Aug. 15, 2002, effective Feb. 28, 2003. Moved to 20 CSR 2267-6.010, effective Aug. 28, 2006.*

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

**20 CSR 2267-6.020 Public Complaint Handling and Disposition**

*PURPOSE: This rule establishes a procedure for the receipt, handling and disposition of public complaints pursuant to section 620.010.15(6), RSMo.*

(1) The Division of Professional Registration shall receive and process each complaint made against any licensed practitioner and/or establishment in which the complaint alleges certain acts or practices may constitute one (1) or more violations of the provisions in sections 324.520 to 324.524, RSMo, or the regulations promulgated thereunder. Any division staff member may file a complaint pursuant to this rule in the same manner as any member of the public.

(2) Written complaints shall be submitted to the Division of Professional Registration. Complaints may be based upon personal knowledge or upon information and belief, reciting information received from other sources.

(3) All complaints shall be made in writing and shall fully identify the complainant by name and address, if available. Verbal or telephone communication will not be considered or processed as a complaint, however, the person making such communication will be asked to supplement the communication with a written complaint.

(4) Each complaint received under this rule will be logged and maintained by the division. The log will contain a record of each complainant's name, if available; the name and address of the subject(s) of the complaint, if available; the date each complaint is received by the office; a brief statement concerning the alleged acts or practices; a notation including whether the complaint was dismissed or disciplinary action pursued; and the ultimate disposition of the complaint. This log shall be a closed record of the office.

(5) Each complaint received under this rule shall be acknowledged in writing within thirty (30) days. The complainant and licensee or establishment shall be notified of the ultimate disposition of the complaint.

(6) Failure of a licensee to respond in writing, within thirty (30) days from the date of the division's written request or inquiry, mailed to the licensee's address currently registered with the office, shall be sufficient grounds for taking disciplinary action against that licensee.

(7) This rule shall not be deemed to limit the division's authority to file a complaint with the Administrative Hearing Commission charging the licensee or establishment with any actionable conduct or violation, whether or not such a complaint exceeds the scope of the acts charged in a preliminary complaint filed with the division.

(8) The division interprets this rule to exist for the benefit of those members of the public who submit complaints. This rule is not deemed to protect, or inure to the benefit of those licensees, or other persons against whom the division has instituted or may institute administrative or judicial proceedings concerning possible violations of the provisions of sections 324.520 to 324.524, RSMo.

*AUTHORITY: section 324.522, RSMo Supp. 2001.\* This rule originally filed as 4 CSR 267-6.020. Original rule filed Aug. 15, 2002, effective Feb. 28, 2003. Moved to 20 CSR 2267-6.020, effective Aug. 28, 2006.*

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

**20 CSR 2267-6.030 Initiation of Disciplinary Proceedings**  
(Rescinded January 30, 2010)

*AUTHORITY: section 324.522, RSMo Supp. 2001. This rule originally filed as 4 CSR 267-6.030. Original rule filed Aug. 15, 2002, effective Feb. 28, 2003. Moved to 20 CSR 2267-6.030, effective Aug. 28, 2006. Rescinded: Filed July 22, 2009, effective Jan. 30, 2010.*