

**BODY TATTOO/BODY PIERCING  
ESTABLISHMENTS AND OPERATORS  
RULES AND REGULATIONS**

**COUNTY BOARD OF HEALTH**

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**I. Authority.**

The legal authority for this Rule is Chapter 31-40 of the Official Code of Georgia Annotated. (O.C.G.A. Chapters 31-40-1 through 31-40-9, and 31-5.)

**II. Purpose.**

The purpose of these rules and regulations is to establish reasonable standards for individuals performing Body Tattoo/Body Piercing procedures and for the facilities where the procedures are provided. If followed, such standards should reduce the risk to the health and safety of all individuals performing and receiving these services.

**III. Exemptions.**

These regulations do not apply to a physician or osteopath licensed under Chapter 34 of Title 43, or to a technician acting under the direct supervision of such licensed physician or osteopath.

#### IV. Definitions.

- (1) “**Administrative Body**” or “**Owner**” means the partnership, corporation, association, or the person or group of persons who maintain and control or own the Body Tattoo/Body Piercing Establishment and personnel, and who are legally responsible for the operation of the establishment.
- (2) “**Antimicrobial solution**” means any solution used to retard the growth of microorganisms approved for application to human skin and includes all products labeled accordingly as approved by the Food and Drug Administration (FDA).
- (3) “**Antiseptic**” means an agent or substance that will destroy or inhibit the growth and development of infectious microorganisms on human skin or mucous membranes.
- (4) “**Applicant**” means any person who applies for a Body Tattoo/Body Piercing Operator Permit, Guest Body Tattoo/Body Piercing Operator Permit or Body Tattoo/Body Piercing establishment permit.
- (5) “**Autoclave**” or “**Sterilizer**” means an apparatus, certified to meet generally accepted medical standards, for sterilization utilizing steam pressure at a specific temperature over a period of time per manufacturer’s specifications.
- (6) “**Biohazardous waste**” means liquid or semi-liquid blood or other potentially infectious materials and/or contaminated items, which if compressed, would release blood or other potentially infectious materials in a liquid or semi-liquid state.
- (7) “**Blood borne pathogens**” means pathogenic microorganisms present in human blood that 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).
- (8) “**Body Tattoo/Body Piercing**” means the practice of physical body adornment by means of tattooing or body piercing. This definition does not include practices considered medical procedures by the Georgia Board of Registration in Medicine such as implants under the skin which are prohibited unless such medical procedures are performed by a person licensed by the Georgia Board of Registration in Medicine.
- (9) “**Body Tattoo/Body Piercing Establishment**” means any permanent building or structure on a permanent foundation, holding a valid city or county business license, if applicable, and permit from the County Board of Health where the practices of Body Tattoo and/or Body Piercing are performed whether or not for profit.
- (10) “**Body Tattoo/Body Piercing Establishment Permit**” means departmental approval in writing authorizing the Administrative Body to operate a Body Tattoo/Body Piercing establishment for the purpose of engaging in the practice or business of Body Tattoo/Body Piercing procedures. Health Department approval shall be granted solely for the practice of Body Tattoo/Body Piercing pursuant to these regulations.
- (11) “**Body piercing**” means puncturing or penetrating the skin or mucosa of a client utilizing a single use sterile needle or other sterile instrument for the purpose of inserting jewelry or other adornment into the body for non-medical purposes; body piercing includes ear piercing, except when the ear piercing procedure is performed on the ear lobe with a single use ear piercing gun using sterile materials. (See definition 48)
- (12) “**Cleaning room**” shall mean the area in a Body Tattoo/Body Piercing establishment used in the sterilization, sanitation or other cleaning of instruments or other equipment used for the practice of Body Tattoo/Body Piercing and shall be separated from any other area in the facility by means of doors, nonabsorbent curtains, or similar approved partition extending from floor to ceiling or a height of eight feet.

- (13) “**Client**” or “**customer**” shall mean an individual upon whom one or more Body Tattoo/Body Piercing activities are to be performed.
- (14) “**Contaminated**” means the presence or the reasonably anticipated presence of blood, other body fluids, other potentially infectious materials, or potentially harmful chemicals on an item or surface.
- (15) “**Contaminated waste**” shall mean any liquid or semi-liquid blood or other potentially infectious material; contaminated items that would release blood or other potentially infectious material in a liquid or semi-liquid state if compressed; items on which there is dried blood or other potentially infectious material and which are capable of releasing these materials during handling; sharps and any wastes containing blood or other potentially infectious materials, as defined in O.C.G.A.
- (16) “**County Board of Health**” or “**Health Department**” means the local County Board of Health, County Health Department, County Health Department Office of Environmental Health, District Office of Environmental Health, and/or District Health Director or any other designee/agent authorized to act on behalf of the Local County Board of Health such as the Georgia Division of Public Health.
- (17) “**Critical item(s)**” means those aspects of operation or conditions which, if in violation, constitute the greatest hazards to health and safety, including imminent health hazards. Critical violations shall include the following:
- (a) Autoclave that does not meet minimum time, pressure or temperature requirements;
  - (b) Lack of a monthly negative spore or microbiological monitoring test for quality control;
  - (c) Non-disposable tubes and needles that are not sterilized or were sterilized greater than six (6) months ago;
  - (d) Work area that is not equipped or stocked as required;
  - (e) Reuse of single use equipment or supplies;
  - (f) Sterile instruments are not properly handled;
  - (g) Reusable instruments are not handled properly;
  - (h) Employees with infectious lesions on hands not restricted from Body Tattoo/Body Piercing procedures;
  - (i) Employees not practicing proper cleanliness and good hygienic practices;
  - (j) Water supply not approved or hot and cold running water under pressure not available;
  - (k) Approved sewage and liquid waste disposal not available or improper disposal of liquid wastes;
  - (l) Cross connection allowing back-siphonage present in plumbing system;
  - (m) Readily available hand washing and toilet facilities not available for operators and employees;
  - (n) Insect and rodent evidence, harborage, or outer opening present;
  - (o) Toxic items not properly stored, labeled, or used;
  - (p) Un-permitted operator performing tattooing/ Body piercing;
  - (q) Prohibited procedures occurring within establishment.

- (18) “**Decontamination**” means the use of physical or chemical means to remove, inactivate, or destroy blood borne pathogens on a surface or item to the point where they are no longer capable of transmitting infectious particles and the surface or item is rendered safe for handling, use, or disposal.
- (19) “**Disinfectant**” means a solution registered as a hospital tuberculocidal disinfectant by the U.S. Environmental Protection Agency (EPA) and is intended to destroy or inactivate specific viruses, bacteria, or fungi on clean, inanimate surfaces.
- (20) “**Disinfection**” means the destruction of disease-causing microorganisms on inanimate objects or surfaces, thereby rendering these objects safe for use or handling.
- (21) “**Ear piercing**” means the puncturing of the outer ear for non-medical purposes.
- (22) “**Easily cleanable**” means that surfaces are readily accessible and made of such materials and finish and so fabricated that residue may be effectively removed by normal cleaning methods.
- (23) “**Equipment**” means all machinery, including fixtures, containers, vessels, tools, devices, implements, furniture, display and storage areas, sinks, and all other apparatus and appurtenances used in connection with the operation of a Body Tattoo/Body Piercing establishment.
- (24) “**Establishment**” means the physical location of a business which offers and performs Body Tattoo/Body Piercing procedures
- (25) “**Germicidal solution**” means any solution approved by the FDA which destroys microorganisms and is so labeled.
- (26) “**Gloves**” means medical grade disposable single use gloves labeled for surgical or examination purposes.
- (27) “**Guest Operator**” shall mean a visiting Body Tattoo/Body Piercing Operator possessing a Guest Operator Permit issued by the Health Department
- (28) “**Guest Operator Permit**” means the issuance of a 7 day permit by the Health Department to allow a person to practice Body Tattooing/Body Piercing in accordance with these regulations under the direct supervision of a permitted Body Tattoo/ Body Piercing Operator.
- (29) “**Hand Sink**” means a lavatory equipped with hot and cold potable running water under pressure, used solely for washing hands, arms, or other portions of the body. The facility shall include a soap dispenser, soap, and single use disposable towels on a dispenser.
- (30) “**Imminent health hazard**” means any condition, deficiency, or practice, as discovered by the environmental health inspector which, if not corrected, is very likely to result in disease transmission, injury, or loss of life to any person.
- (31) “**Informed Consent**” means the Health Department-approved statement that a client signs prior to receiving a Body Tattoo/Body Piercing procedure notifying them of the possible hazards of receiving a tattoo or piercing.
- (32) “**Instruments**” means hand pieces, needles, needle bars, and other instruments that may come in contact with a client's body or may be exposed to bodily fluids during any Body Tattooing/ Body Piercing procedure.
- (33) “**Jewelry**” means any ornament used in any Body Piercing procedure which is inserted into a newly pierced area. Jewelry used shall be one of the following: Surgical Steel that is American Society of Testing Materials International (ASTM) F-138, International Standards Organization (ISO) 5832-1, or ISO 10993-(6,10 or 11) compliant; Titanium that is ASTM F-136, ASTM- 67, or ISO 5832-3 compliant; Niobium; Solid Platinum; Biocompatible Polymers Tygon, PTPE, or

Bioplast; Glass such as fused quartz, lead-free borosilicate and lead-free soda-lime glass that can be autoclaved; or Solid 14 karat or higher, white or yellow nickel-free gold. Copies of the jewelry manufacturer's documentation, which verify compliance with these standards, must be available for inspection on request.

- (34) “**Microbiological monitoring for quality control**” means the use of a standard spore, to challenge the sterilization process.
- (35) “**Minor**” means an individual under the age of eighteen (18).
- (36) “**Notification of Risk**” or “**Disclosure Statement**” means a framed, posted Health Department-approved statement which notifies clients of the possible hazards of Body Tattoo/Body Piercing procedures.
- (37) “**Occupational exposure**” means a specific eye, mouth, other mucous membrane, non-intact skin, or parenteral contact with blood or other potentially infectious materials resulting from the performance of an employee's activities.
- (38) “**Operator**” means a person at least eighteen (18) years of age who performs tattooing or body piercing and who is responsible for complying with applicable provisions of these regulations.
- (39) “**Operator Permit**” shall mean a document issued by the Health Department pursuant to this Body Tattoo/Body Piercing Regulation authorizing a person to conduct allowed Body Tattoo/Body Piercing procedures.
- (40) “**Personal protective equipment**” means specialized clothing or equipment, such as gloves or lap cloth, worn by an employee for protection against a hazard. General work clothes not intended to function as protection against a hazard are not considered to be personal protective equipment.
- (41) “**Personnel**” means the permit holder, any person who performs Body Tattoo/Body Piercing, persons having supervisory or management duties, or any other person employed or working in a Body Tattoo/Body Piercing establishment. Such an individual may or may not be an Operator.
- (42) “**Physician**” or “**osteopath**” means a person licensed to practice medicine in Georgia.
- (43) “**Proof of age**” means a driver's license or other generally accepted means of identification that describes the individual as eighteen (18) years of age or older, contains a photograph, and appears on its face to be valid.
- (44) “**Sanitary**” means clean and free of agents of infection or disease.
- (45) “**Sanitize**” means the application of a U.S. EPA registered sanitizer on a cleaned surface by a process that provides sufficient concentration of chemicals for enough time to reduce the microorganism level, including pathogens, to a safe level on utensils and equipment in accordance with the label instructions.
- (46) “**Sharps**” means any object, sterile or contaminated, that may intentionally or accidentally cut or penetrate the skin or mucosa.
- (47) “**Sharps container**” means 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.
- (48) “**Single use**” means disposable products or items that are intended for one-time, one-person use and are properly disposed of by appropriate measures after use on each client. Single use items include but are not limited to piercing needles, stencils, ink cups, razors, single use instruments, cotton swabs or balls, tissues or paper products, paper or plastic cups, gauze and sanitary coverings, medical grade absorbent liner that is waterproof on one side, and protective gloves.

- (49) **“Solid waste”** means refuse, garbage, trash, rubbish, and any other item(s) which could cause an unsanitary condition or undesirable health and safety conditions.
- (50) **“Sterilization”** or **“sterilize”** means the use of a physical or chemical procedure by which all forms of microbial life, including bacteria, viruses, spores, and fungi are destroyed including highly resistant bacterial endospores. This is achieved by holding in an autoclave for fifteen (15) minutes, at fifteen (15) pounds pressure, and at a temperature of two hundred fifty degrees (250° F) Fahrenheit or one hundred twenty-one degrees (121°C) Celsius, or any equivalent procedure resulting in complete destruction of microbial life including spores.
- (51) **“Sterilized indicator”** means a tape, strip, bag, or other device designed to change color to indicate that sterilization temperature has been achieved during the sterilization procedure.
- (52) **“Tattoo”** means to mark or color the skin by pricking in, piercing, or implanting indelible pigments or dyes under the skin. Micropigmentation is included in this definition.
- (53) **“Ultrasonic cleaning unit”** means a unit approved by the Health Department with lid, physically large enough to fully submerge instruments in liquid, which removes all foreign matter from the instruments by means of high frequency oscillations transmitted through the contained liquid.
- (54) **“Universal precautions”** means treating all blood and body fluids as if they contain blood borne pathogens and taking proper precautions to prevent the spread of any blood borne pathogens. (See Appendix I)
- (55) **“Utensil”** means any implement, tool, or other similar device used in the storage, preparation, operation, or processing of Body Tattoo/Body Piercing.
- (56) **“Violation correction”** means a plan for correcting deficiencies in meeting these rules and regulations of the local Board of Health.
- (57) **“Waste”** means solid waste, sewage, blood and body fluids or other waste resulting from the operation of a Body Tattoo/Body Piercing establishment.

**V. Administrative Body.**

- (1) The Administrative Body shall be responsible for compliance with the requirements in Chapter 31-40 of the Official Code of Georgia Annotated, with applicable administrative rules and regulations of the local County Board of Health, including but not limited to all applicable statutes, rules and regulations regarding disclosure of ownership.
- (2) The Administrative Body shall certify in its application the name(s) and exact duties of the Operators who have been designated as being responsible for carrying out the rules and policies adopted by the Administrative Body. The following information shall be included: Valid driver's license or Government issued I.D., date of birth (DOB), gender, home address, home/work phone numbers, ID photos of all operators.
- (3) Prior to being granted a permit, each Body Tattoo/Body Piercing establishment shall develop a written statement of policies and standard operating procedures including:
  - (a) Sterilization
  - (b) Employee health
  - (c) Sanitizing areas and equipment between clients
  - (d) Disposal of waste
  - (e) Record keeping
  - (f) Client screening

- (g) Aftercare procedures
  - (h) Emergency sterilization procedures
- (4) Prohibited Facilities
- (a) Body Tattoo/Body Piercing establishment shall not be allowed in the same facilities used for human habitation, any food service establishment, retail sales area, hotel room or similar areas. This does not prohibit Body Tattoo/Body Piercing operations in completely separated areas by walls and doors of these or other businesses.
  - (b) Body Tattoo/Body Piercing establishment shall not be allowed in automobiles, mobile, transitory or other non-fixed facilities. Such non-fixed facilities include, but are not limited to, mobile trailers, tents, and recreational vehicles.
- (5) Prohibited Procedures
- (a) Implants or other procedures involving insertion of foreign objects completely under the skin, such as 3-D procedures, are prohibited.
  - (b) Any Body Tattoo/Body Piercing procedures which result in the permanent removal of tissue or requiring medical equipment (ex. Scalpels) shall be prohibited, except that a physician or osteopath licensed under Chapter 34 of Title 43, or a technician acting under the direct supervision of such licensed physician or osteopath shall be authorized to perform such procedures.
  - (c) It shall be unlawful for any person to pierce the body, with the exception of the ear lobes, of any person under the age of 18 for the purposes of allowing the insertion of earrings, jewelry, or similar objects into the body, unless the body piercing is performed in the presence of the person's parent or legal guardian. The parent or legal guardian must have proper identification and sign a written consent form provided by the Body Tattoo/ Body Piercing establishment. The consent form must indicate the methods and part(s) of the minor's body upon which the body art procedure is performed. Nipple and genital piercing is prohibited on minors regardless of parental or legal guardian consent.
  - (d) No person under the age of eighteen (18) shall be tattooed, except that a physician or osteopath licensed under Chapter 34 of Title 43, or a technician acting under the direct supervision of such licensed physician or osteopath shall be authorized to do so.
  - (e) In accordance with O.C.G.A.16-12-5(b), it shall be unlawful for any person to perform permanent tattooing or cosmetic micropigmentation procedures within any area within one inch of the nearest part of the eye socket unless performed by a physician, licensed osteopath, or a technician acting under the direct supervision of a physician or licensed osteopath.
  - (f) No person except a duly licensed physician or a Georgia licensed laser technician under the supervision of a physician shall remove or attempt to remove any tattoo.
- (6) Body Tattoo/Body Piercing Operators shall not be under the influence of alcohol and/or drugs while performing Body Tattoo/Body Piercing procedures.
- (7) Operators shall refuse services to any person who is or appears to be under the influence of alcohol or drugs.
- (8) Body Tattoo/Body Piercing Operators shall not provide service to any person who shows evidence of being mentally incapacitated.
- (9) Live animals shall be excluded from within the Body Tattoo/Body Piercing establishment and from adjacent areas within the facility under the control of the permit holder. However, this exclusion

does not apply to fish in aquariums. Service animals accompanying disabled persons shall be permitted in the establishment.

- (10) The skin of the Body Tattoo/Body Piercing Operator shall be free of rash, any lesion or visible sign of infection. A Body Tattoo/Body Piercing Operator shall not conduct any form of Body Tattoo/Body Piercing activity upon any area of a client that evidences the presence of any rash, lesion or other visible signs of infection.
- (11) No Body Tattoo/Body Piercing equipment or tattoo dyes and pigments shall be made available for use to non-permitted operators or establishments.
- (12) Any future Body Tattoo/Body Piercing procedures not covered within these rules which have the potential for transmitting infectious disease must receive written Health Department approval prior to being offered to customers or patrons.
- (13) Body Tattoo/Body Piercing shall only be performed by currently approved Body Tattoo/Body Piercing Operators in a permitted Body Tattoo/Body Piercing establishment meeting the requirements of these regulations.

## **VI. Personnel**

- (1) Persons performing the Body Tattoo/Body Piercing procedures shall successfully complete a written examination specified by the County Health Department, obtain current certification in Red Cross Basic First Aid/CPR or equivalent, and proof of successful completion of an Occupational Safety and Health Administration (OSHA) approved Blood Borne Pathogen/Universal Precautions training program, at least yearly as required by OSHA. Training/courses provided by professional Body Tattoo/Body Piercing organizations/associations or by equipment manufacturers may also be submitted for consideration.
- (2) The Body Tattoo/Body Piercing establishment owner shall make available, at no cost to the personnel, Hepatitis B vaccination series, as well as any routine booster dose(s) to every person who may have occupational exposure to blood or other potentially infectious material. For new personnel, the vaccine shall be made available within ten (10) business days of initial work assignment.
- (3) Proof shall be provided upon request that all operators have completed the Hepatitis B vaccination series; that antibody testing has revealed that the employee is immune to Hepatitis B; or that the vaccine is contraindicated for medical reasons. Contraindication requires a dated and signed physician's statement specifying the name of the employee and stating the reason the vaccine cannot be given.
- (4) The Owner or Administrative Body must maintain a file on all employees who perform Body Tattoo/Body Piercing procedures. Employee files must be kept on location and for a minimum of two (2) years even after the employee is terminated. The employee files must be available for inspection and include the following:
  - (a) Report of Hepatitis B Vaccination, Hepatitis B antibody testing, or contraindication to Hepatitis B vaccine.
  - (b) Evidence of Red Cross Basic First Aid/CPR certification or equivalent and completion of an OSHA approved Blood Borne Pathogen/Universal Precautions training program.
  - (c) A copy of a Photo I.D.
  - (d) A copy of the Health Department issued Operator Permit.



## **VII. Application for Permit.**

- (1) The Administrative Body of each Body Tattoo/Body Piercing establishment shall submit to the local County Health Department an application for a permit to operate under the rules and regulations. No establishment shall be operated and no Body Tattoo/Body Piercing performed without such permit, which is current under these rules and regulations.
- (2) The application for permit shall be made on forms provided by the County Health Department.
- (3) Each application for a permit shall be accompanied by an 8 ½" x 11" or larger page containing a detailed floor drawing to scale of the Body Tattoo/Body Piercing establishment. Such drawing shall show the accurate placement of each of the following: windows, doors, room measurements, chairs, tables, sinks, bathrooms, waiting area, and equipment placement for clients and/or staff. Plans must be submitted and approved fourteen (14) days prior to construction of a new Body Tattoo/Body Piercing establishment or remodeling of an existing Body Tattoo/Body Piercing establishment.
- (4) Specification sheets must be submitted for all equipment.
- (5) A listing of the names of all staff including the owner who will be working in the establishment shall be included with the application for a permit. This listing shall include the full name of each staff person.
- (6) The ownership of the establishment shall be fully disclosed in its application for a permit.
- (7) Zoning and other local requirements regarding proper location and establishment of Body Tattoo/Body Piercing establishments shall be addressed by the applicant with the responsible local officials.
- (8) Existing Establishments and Personnel.
  - (a) Both Body Tattoo/Body Piercing establishments and Body Tattoo/Body Piercing Operators in business at the date of adoption of the rules and regulations shall make application for a permit within (30) days of the adoption date.
  - (b) The Health Department may approve up to a (12-month) period from the date of application for compliance of physical facilities of existing establishments; provided however, that no exemptions will be granted for circumstances presenting an immediate threat to public health such as lack of potable water, toilet facilities, waste disposal, adequate lighting, adequate sinks and lavatories, and universal precautions.
  - (c) Body Tattoo/Body Piercing Operators in business at the date of adoption of these rules must be certified in Blood Borne Pathogens/Universal Precautions and Basic First Aid/CPR certification within (90 days) of adoption date.

## **VIII. Body Tattoo/Body Piercing Establishment Permit.**

- (1) Any person planning to operate a Body Tattoo/Body Piercing establishment shall obtain a written application for a permit on a form provided by the Health Department through the local County Health Department prior to operating a Body Tattoo/Body Piercing establishment.
- (2) A new or initial application is required for Body Tattoo/Body Piercing establishments that have not previously been permitted or for instances when ownership changes. To be eligible for a permit the establishment must be in compliance with these rules and regulations.
- (3) The local Health Department shall issue a Body Tattoo/Body Piercing establishment permit:
  - (a) Upon receiving a completed application and plans with applicable fees;

- (b) After an inspection of the proposed facility reveals that the facility is in compliance with requirements of these rules.
- (4) The establishment permit and framed "Notification of Risk" shall be displayed in within fifteen feet (15') of the front or primary public door and between five feet (5') and seven feet (7') from the floor and in an area where it can be read at a distance of one foot (1') away.
- (5) Permits shall expire on June 30<sup>th</sup> each year and are not transferable from one facility to another.
- (6) A permit shall no longer be valid and shall be returned to the Health Department when the establishment ceases to operate, has moved to another location, the ownership changes, or the permit is suspended, revoked or expired.
- (7) An establishment which fails to comply with these rules and regulations shall be subject to the sanctions available to the County Health Department pursuant to O.C.G.A. 31-5 including, but not limited to, denial or revocation of its permit by the County/Health Department.

**IX. Body Tattoo/Body Piercing Operator Permit.**

- (1) No person shall practice Body Tattoo/Body Piercing procedures without first obtaining a Body Tattoo/Body Piercing Operator Permit from the County Health Department.
- (2) An applicant for a Body Tattoo/Body Piercing Operator permit must be a minimum of 18 years of age and shall demonstrate to the Health Department his/her successful compliance with all training, disclosure, consent and educational requirements of this Body Tattoo/Body Piercing Regulation prior to the issuance or renewal of a Body Tattoo/Body Piercing Operator Permit by the Department.
- (3) Application for the Body Tattoo/Body Piercing Operator permit shall include:
  - (a) Name
  - (b) Date of Birth
  - (c) Sex
  - (d) Residence address
  - (e) Mailing address
  - (f) Phone number
  - (g) Place(s) of employment as a Body Tattoo/Body Piercing Operator
  - (h) Photo I.D.
  - (i) Proof of passing the departmental exam, successful completion of an OSHA approved Blood Borne Pathogen/ Universal Precautions training program and Basic First Aid/CPR class approved by the Health Department.
- (4) No permit will be issued without successfully completing an OSHA approved course in Blood Borne Pathogens/Universal Precautions, Basic First Aid/CPR and passing departmental exam.
- (5) Individuals seeking a Body Tattoo/Body Piercing Operator permit shall submit a completed application provided by the Health Department, pay a set fee determined by the Health Department, and provide proof of Health Department-required courses.
- (6) Acting within the scope of the permit: A Body Tattoo/Body Piercing Operator shall only perform those form(s) of Body Tattoo/Body Piercing that is/are indicated in the Body Tattoo/Body Piercing Operator permit application submitted to the Health Department.

- (7) The Body Tattoo/Body Piercing Operator permit shall expire on June 30<sup>th</sup> each year and must be renewed unless revoked sooner by the Health Department.
- (8) In order for a Body Tattoo/Body Piercing Operator permit to be renewed, Body Tattoo/Body Piercing Operators must attend a Health Department-approved educational class on Blood Borne Pathogens/Universal Precautions every year as required by OSHA, maintain current certification in Basic First Aid/CPR, and pay all applicable fees.
- (9) All Body Tattoo/Body Piercing Operator permits shall be posted in a prominent and conspicuous area where they may be readily observed by clients.
- (10) Guest Body Tattoo/Body Piercing Operator Permit.
  - (a) The Health Department may issue one (7-day) Permit per year to a Guest Body Tattoo/Body Piercing Operator. Such Guest Body Tattoo/Body Piercing Operator Permit will allow a person to practice Body Tattoo/Body Piercing under the direct supervision of a Body Tattoo/Body Piercing Operator holding a valid Body Tattoo/Body Piercing Operator Permit issued by the Health Department. The issuance of a Guest Body Tattoo/Body Piercing Operator Permit is conditioned upon the applicant demonstrating the following:
    1. The applicant has received training equivalent to the minimum training requirement set by this Body Tattoo/Body Piercing Regulation;
    2. The applicant shall provide a letter of consent signed by a Health Department-approved Body Tattoo/Body Piercing Operator, a copy of the Body Tattoo/Body Piercing Operator Permit, and a copy of the Body Tattoo/Body Piercing establishment permit where the applicant will practice any Body Tattoo/Body Piercing procedures;
    3. Paying a set application fee paid to the Health Department.
  - (b) No visiting Body Tattoo/Body Piercing Operator shall practice Body Tattoo/Body Piercing without a Guest Body Tattoo/Body Piercing Operator Permit issued by the Health Department.
  - (c) Any Body Tattoo/Body Piercing Operator permitted by the Health Department requesting to have a visiting Body Tattoo/Body Piercing Operator perform under his/her supervision shall:
    1. Notify the Health Department in writing in advance of the proposed effective date of the requested Guest Body Tattoo/Body Piercing Operator Permit;
    2. Require that the visiting Body Tattoo/Body Piercing Operator obtain a Guest Body Tattoo/Body Piercing Operator permit from the Health Department.

**X. Client Files.**

- (1) For each client, proper records of identification, Body Tattoo/Body Piercing administered, informed consent, and care instructions shall be kept and retained for a minimum of two (2) years at the establishment or pre-approved location.
- (2) Records of each client shall be prepared prior to the Body Tattoo/Body Piercing procedure being performed and shall reflect the client's name and signature, address, proof of age, date procedure performed, design, its location and name of the Operator.
- (3) A statement of Informed Consent approved by the Health Department must be read and signed by the person receiving the Body Tattoo/Body Piercing procedure and maintained in the client file.
- (4) A signed statement by the client attesting that he/she is not under the influence of alcohol and/or drugs shall be on file.

- (5) A copy of instructions signed by the client advising them of proper subsequent care of the Body Tattoo/Body Piercing procedure shall be maintained on file.
- (6) A copy of notification signed by the client informing them of the risks involved and possible complications that might result from the Body Tattoo/Body Piercing procedure must be maintained on file.

**XI. Minimum Standards.**

- (1) Each establishment where Body Tattoo/Body Piercing procedures are administered shall provide a work area separate from observers or visitors.
- (2) All new Body Tattoo/Body Piercing establishments permitted after adoption of these rules shall have a minimum of forty-five (45) square feet of floor space for each Operator in the establishment. Multiple workstations shall be separated by dividers, nonabsorbent curtains, or partitions.
- (3) At least one work area shall provide complete privacy for clients by means of doors, nonabsorbent curtains, or similar approved partition.
- (4) A Body Tattoo/Body Piercing establishment shall have a cleaning room to be used exclusively for the cleaning, disinfection, and sterilization of instruments.
  - (a) The cleaning room shall have a separate National Sanitation Foundation (NSF) approved instrument sink or stainless steel instrument sink reserved only for instrument disinfectant activities and shall be equipped with hot and cold running water.
  - (b) The cleaning room shall be separated from any other area in the facility by means of doors, nonabsorbent curtains, or similar approved partition extending from floor to ceiling or a height of eight feet.
  - (c) The cleaning room shall be equipped with an ultrasonic cleaning unit that will remove all foreign matter from the instruments and a medical grade autoclave. The autoclave shall be used to sterilize all non-disposable and reusable Body Tattoo/Body Piercing equipment.
  - (d) The autoclave shall be separated from the ultrasonic cleaner and the instruments sink by a minimum distance of forty-eight (48) inches, unless using a splashguard approved by the Health Department.
  - (e) In establishments that only tattoo, the requirement for an ultrasonic cleaning unit and autoclave may be waived if the establishment only stores and uses commercially purchased sterile single use disposable tattoo instruments.
- (5) A wrist-action or foot pedal-operated hand sink shall be provided for each private workstation and for every two adjacent workstations. Hand sinks shall be no more than fifteen (15) feet of unobstructed distance from any workstation. Obstructions include, but are not limited to, doors. Establishments in operation prior to the adoption of these rules and regulations shall have a hand sink located within thirty-five (35) feet of unobstructed distance from each workstation.
- (6) The use of common towels and cloths is prohibited. Hand sinks shall be equipped with a soap dispenser and single use disposable towels on a dispenser.
- (7) Hot water must be a minimum of one hundred ten (110) degrees Fahrenheit.
- (8) At least one janitorial sink or one curbed cleaning facility equipped with a floor drain shall be provided and conveniently located for the cleaning of mops or similar wet floor cleaning tools and for the disposal of mop water and similar liquid waste. Any hand washing sink and instrument sink shall not be used as a janitorial sink.

- (9) Each location shall have the facilities to properly dispose of all waste material. All materials (e.g., needles) must be disposed of in accordance with Georgia Department of Natural Resources – Environmental Protection Division – Solid Waste Management – Chapter 391-3-4.15.
- (10) Sanitary Facilities and Controls.
- (a) Water Supply.
1. Enough potable water for the needs of the Body Tattoo/Body Piercing establishment shall be provided from an approved source that is a public water system; or a nonpublic water system that is constructed, maintained and operated according to applicable state or local codes.
  2. Water from a public water system shall meet 40 CFR 141 — National Primary Drinking Water Regulations and state drinking water quality standards.
  3. Water from a non-public water system shall follow guidelines established in the Georgia EPD and Division of Public Health Memorandum of Understanding for Non-Public Water Supplies.
  4. The most recent sample report for the non-public water system shall be retained on file in the Body Tattoo/Body Piercing establishment and results must be forwarded to the local Environmental Health Office.
- (b) Sewage. All sewage, including liquid water, shall be disposed of by a public sewerage system or by a sewerage disposal system constructed and operated according to law.
- (c) Plumbing. Plumbing shall be sized, installed, and maintained according to law. There shall be no cross-connection between the potable water supply and any other water supply or other source of contamination.
- (11) Toilet Facilities.
- (a) Toilet facilities shall be designed, installed, and maintained according to law. Toilet facilities shall be made available to customers. Public access to toilet facilities shall not be through cleaning rooms or work areas; however, for establishments in business prior to the adoption of these regulations, access through such areas may be allowed if the risk of contamination is determined to be minimal.
- (b) Toilet rooms opening directly into work or client waiting areas shall be completely enclosed and shall have tight-fitting, self-closing, solid doors, which shall be closed except during cleaning or maintenance.
- (c) All toilet rooms shall have sufficient mechanical ventilation to keep them free of excessive heat, steam, condensation, vapors, obnoxious odors, smoke, and fumes.
- (d) Toilet fixtures shall be kept clean and in good repair. A supply of toilet tissue on a dispenser shall be provided at each toilet at all times. Easily cleanable receptacles shall be provided for waste materials. Toilet rooms shall have at least one covered waste receptacle.
- (12) Hand Sinks.
- (a) Hand sinks shall be designed, installed, and maintained according to law. Facilities shall be of sufficient number and location to permit convenient use by clients and operators.
- (b) Each hand sink shall be provided with hot and cold water tempered by means of a mixing valve or combination faucet. Any self-closing, slow-closing, or metering faucet used shall be designed to provide a flow of water for at least 20 seconds without the need to reactivate the faucet.

- (c) An approved soap dispenser with liquid soap shall be available at each hand sink. A supply of single use sanitary towels shall be conveniently located near each lavatory. Easily cleanable covered waste receptacles shall be conveniently located near the hand washing facilities.
  - (d) Soap dispensers, paper towel dispensers, and all related fixtures shall be kept clean and in good repair.
- (13) Solid Waste.
- (a) Garbage and refuse shall be kept in durable, easily cleanable, leak proof and non-absorbent containers. Containers shall be kept in a clean and sound condition and disposed of according to O.C.G.A. 12-8-20.
  - (b) At least one covered waste receptacle shall be provided in each Operator area and each toilet room. Receptacles in the operator area shall be emptied daily and solid waste shall be removed from the premises at least weekly or more often if necessary. All refuse containers shall be covered when not in use and maintained.
  - (c) There shall be a sufficient number of containers to hold all the garbage and refuse that accumulate.
- (14) The premises shall be kept in such condition as to prevent the entrance, harborage, or feeding of insects, rodents, or vermin.
- (15) Floors and floor coverings of all work areas, dressing rooms, locker rooms, toilet rooms and vestibules shall be constructed of smooth, nonabsorbent, durable material and maintained in good repair. Carpeting is allowed in the lobby area only and shall be of closely woven construction, properly installed, easily cleanable, and maintained in good repair.
- (16) Walls, Ceilings, and Attachments.
- (a) Walls must be painted, covered, or sealed in a manner which would allow for easy and effective cleaning. Ceilings shall be maintained in good repair allowing for easy and effective cleaning.
  - (b) Light fixtures, vent covers, wall-mounted fans, and similar equipment attached to walls and ceilings shall be easily cleanable and maintained in good repair.
- (17) Physical Facilities. Floors, walls, ceilings, and attached equipment and decorative materials shall be kept clean and maintained in good repair.
- (18) Lighting.
- (a) Artificial light sources shall be installed to provide at least 50 foot candles of light on all work area surfaces and at equipment washing work levels.
  - (b) Artificial light sources shall be installed to provide at a distance of 30 inches from the floor at least 10 foot candles of light in all other areas.
- (19) All rooms shall have sufficient ventilation to keep them free of excessive heat, steam, condensation, vapors, obnoxious odors, smoke, and fumes.
- (20) Poisonous or Toxic Materials.
- (a) Materials permitted: There shall be present in the Body Tattoo/Body Piercing establishment only those poisonous or toxic materials necessary for maintaining the establishment and cleaning or sanitizing equipment, as well as controlling insects and rodents.

- (b) Containers of poisonous or toxic materials shall be prominently and distinctly labeled according to law for easy identification of contents.
  - (c) Toxic items shall be stored separately from other forms of materials used in Body Tattoo/Body Piercing procedures.
  - (d) Spray bottles containing cleaning solutions may be used for the purpose of cleaning but not while conducting a Body Tattoo/Body Piercing procedure.
- (22) Premises.
- (a) Body Tattoo/Body Piercing establishment shall be kept neat, clean, and free of litter and rubbish.
  - (b) Only articles necessary for the operation and maintenance of the Body Tattoo/Body Piercing establishment shall be stored within the establishment.
- (23) Animals: If applicable, all fish aquariums shall be cleaned and maintained in good repair. Reptiles are prohibited due to the possibility of *Salmonella* and other infectious microbes.
- (24) Equipment and Utensils.
- (a) Materials.
    1. Multi-use equipment and utensils shall be constructed and repaired with safe materials, including finishing materials; they shall be corrosion resistant and nonabsorbent; and they shall be smooth, easily cleanable, and durable under conditions of normal use. Single-service articles shall be made from clean, sanitary, and safe materials.
    2. Re-use of single use articles is prohibited.
  - (b) Design and Fabrication.
    1. General: All equipment and utensils, including plastic ware, shall be designed and fabricated for durability under conditions of normal use and shall be resistant to denting, buckling, pitting, and chipping.
      - a) Body Tattoo/Body Piercing operational surfaces shall be easily cleanable, smooth, and free of breaks, open seams, cracks, chips, pits, and similar imperfections, as well as free of difficult to clean internal corners and crevices.
      - b) Sinks and drain boards shall be self-draining.
    2. Operational surfaces: Surfaces of equipment not intended as operational surfaces, but which are exposed to splash or debris or which otherwise require frequent cleaning, shall be designed and fabricated to be smooth, washable, free of unnecessary ledges, projections, or crevices and readily accessible for cleaning. Such surfaces shall be of material and in such repair as to be easily maintained in a clean and sanitary condition.
    3. Needles, needle bars, needle tubes and pigments shall be designed and manufactured for the sole purpose of Body Tattoo/Body Piercing.
- (25) Aisles and working spaces: Aisles and working spaces between units of equipment and walls shall be unobstructed and of sufficient width to permit employees to perform their duties readily without contamination of equipment or of operational surfaces by clothing or personal contact.
- (26) Minimum supplies of establishment: Each work station is to be equipped or stocked in the following manner:

- (a) Body Tattooing Establishments:
  - a minimum of six (6) sterilized needles (with bars), and six (6) sterilized needle tubes;

Body Piercing Establishments:

- A minimum of six (6) sterilized needles, six (6) sterilized receiving tubes, six (6) sterilized medical grade forceps, and six (6) sterilized hemostats/sponge clamps.
- (b) A minimum of four extra packages of disposable towels other than the package that is being used;
  - (c) A minimum of three extra boxes of medical grade disposable gloves other than the box being used;
  - (d) An extra supply of bandages, ointment or gel, and antimicrobial soap.

**XII. Furnishings and Fixtures.**

- (1) Furnishings of the Body Tattoo/Body Piercing establishment shall be maintained in good condition, intact, and functional. Furnishings shall be made of or covered in a material that is easily cleanable and non-absorbent. The establishment shall be kept clean, neat, and free of litter and rubbish.
- (2) Cabinets and closed sealable containers for the storage of instruments, pigments, single use articles (e.g., gloves, ink caps, carbon, stencils, etc.) shall be provided for each Operator and shall be maintained in a sanitary manner which protects them from contamination.
- (3) Work tables and chairs shall be provided for each Operator.
  - (a) All exposed surfaces of all worktables and chairs shall be constructed of material, which is smooth, nonabsorbent, corrosion resistant, and easily sanitized.
  - (b) All exposed surfaces of work tables and chairs shall be sanitized with a disinfectant solution at the beginning of each work day, after each procedure on each individual, and at the end of each work day.

**XIII. Supplies.**

- (1) Single use articles shall be commercially packaged and handled to protect them from contamination. These articles shall be stored in an area separate from the work area and toilet facilities.
- (2) All materials applied to the human skin, such as inks and ointments shall be commercially packaged and dispensed in single-use, disposable containers and shall be disposed of after each use.
- (3) Only commercially packaged, single-use, sterilized needles shall be used.

**XIV. Sanitation.**

- (1) All Operator jewelry such as watches, rings, etc. shall be removed from hands prior to the start of a Body Tattoo/Body Piercing procedure.
- (2) Prior to the start of the Body Tattoo/Body Piercing procedure, the Operator shall inspect his/her hands for hangnails, small cuts, sores, and abrasions. If a cut, sore, or abrasion is detected, a bandage shall be applied for added protection before gloving. Trim fingernails to not extend past the tips of the fingers to insure that gloves are not punctured. Recent tattoos or piercings in the healing process shall also be properly covered to prevent any bodily fluid transfer.



- (3) Use aseptic technique. Thorough hand washing is essential before and after client contact, after handling blood and body fluids, after wearing gloves, and prior to exiting the work area.
- (4) Before performing Body Tattoo/Body Piercing procedures, the Operator must thoroughly wash hands in hot, running water with antibacterial soap, then rinse hands and dry with disposable paper towels. Use of hand sanitizers is recommended after each hand washing. Hand washing shall be done as often as necessary to remove contaminants.
- (5) Medical grade single use disposable latex or approved non-latex examination gloves shall be worn during the Body Tattoo/Body Piercing procedure. Gloves shall be changed and properly disposed of each time there is an interruption in the Body Tattoo/Body Piercing procedure, the gloves become torn or punctured, or whenever their ability to function is compromised. Hands must be thoroughly washed whenever gloves need changing and prior to the Operator leaving the workstation. Under no circumstances shall a single pair of gloves be used on more than one individual.
- (6) A Body Tattoo/Body Piercing Operator shall maintain the highest degree of personal cleanliness, conform to standard hygienic practices, and wear clean clothes when performing Body Tattoo/Body Piercing procedures. Single use aprons, smocks, or sleeve covers are acceptable. Open-toed shoes shall not be permissible.
- (7) The skin of the Operator shall be free of rash or infection. No Operator afflicted with boils, infected wounds, open sores, abrasions, weeping dermatological lesions or acute respiratory infection shall work in any area of a Body Tattoo/Body Piercing establishment in any capacity in which there is likelihood that the individual could contaminate Body Tattoo/Body Piercing equipment, supplies, or working surfaces with body substances or pathogenic organisms.
- (8) Only single use disposable razors shall be used to shave the area receiving Body Tattoo/Body Piercing.
- (9) Any item or instrument used for Body Tattoo/Body Piercing that is contaminated during the procedure shall be discarded and replaced immediately with a new disposable item or a new sterilized instrument or item before the procedure resumes.
- (10) Universal precautions, as defined in these rules, shall be observed to prevent contact with blood or other potentially infectious materials. All employees shall be trained in universal precautions.
  - (a) Assume all human blood, plasma, serum, body fluids (semen, saliva, breast milk, vaginal secretions and any fluid contaminated with blood) and tissues to be contaminated with Human Immunodeficiency Virus (HIV), Hepatitis virus, or bacteria such as Staphylococcus or Streptococcus.
  - (b) The most susceptible route of occupational infection for HIV, HBV, and HCV is by accidental needle sticks, but may include contamination of the mucous membranes, or through broken, abraded, or irritated skin. Use appropriate caution and maximum protection to prevent such contact.
  - (c) Proper decontamination procedures, emergency biohazard spill management, and proper use of biosafety equipment shall be utilized.
  - (d) Use aseptic technique. Thorough hand washing is essential after client contact, after handling blood and body fluids, after wearing gloves, and prior to exiting the work area.
  - (e) All regulated wastes shall be disposed of in labeled, manufacturer's color-coded waste containers.
  - (f) Infectious material spills shall be cleaned using an Environmental Protection Agency (EPA) registered disinfectant and universal precautions.

- (g) Clean all work areas and equipment used in handling human biohazardous materials with an EPA registered disinfectant when concluding work to protect personnel from accidental infection.
- (h) Eating, use of tobacco products, applying cosmetics or lip balm are not permitted in the work area.
- (i) All procedures shall be performed carefully to minimize the creation of aerosols which could transmit infectious material.
- (j) Employees shall report all work related accidents, incidents, and unexplained illness to their supervisor and/or physician immediately.
- (k) Soiled gloves shall be removed in a manner to minimize the risk of self contamination or cross contamination after each operation and prior to contacting work surfaces, door knobs, wall switches, or telephones. Dispose of used gloves in a bagged trash container.
- (l) Food storage cabinets or refrigerators shall be located outside the work area.

#### **XV. Instrument Cleaning.**

- (1) Used non-disposable instruments shall be kept in a separate puncture resistant container soaked in an EPA approved disinfectant until cleaned. The solution shall be changed as recommended by the solution manufacturer.
- (2) Employees shall use personal protective equipment, protecting their eyes, nose, mouth and hands while cleaning instruments and follow manufacture's safety precautions for any chemicals used.
- (3) Instruments shall be completely disassembled and must be cleaned by immersing in detergent and water in an ultrasonic cleaning unit following manufacturer's directions. The ultrasonic unit must be sealed and covered when in use to protect from aerosolization.
- (4) After removal from ultrasonic cleaning unit, instruments shall then be brush scrubbed in hot water and soap, in a manner approved by the Health Department avoiding aerosolization, then rinsed in clean water and dried.
- (5) Ultrasonic cleaning units shall be clearly labeled "biohazardous" and placed away from the autoclave and workstations and shall be operated in accordance with the manufacturer's recommendation.
- (6) The ultrasonic cleaning unit shall be used and maintained according to manufacturer's specifications, emptied, thoroughly cleaned, and disinfected per manufacturer's recommendations after each use.

#### **XVI. Sterilization.**

- (1) Cleaned Instruments shall be packed individually in sterilized packs and sterilized in a medical grade autoclave. All sterilized packs shall contain either a sterilized indicator or internal temperature indicator.
- (2) Prior to being placed in the autoclave all equipment shall be bagged, labeled, initialed, dated and sealed. Packages will no longer be considered sterile six (6) months after the date of sterilization.
- (3) Each autoclave bag must be used in accordance with the manufacturer's recommendations and may hold no more than one individual item (e.g., one tube or needle bar). A piercing set may be bagged together.
- (4) The medical grade autoclave shall be used and maintained according to manufacturer's specifications. The medical grade autoclave shall be thoroughly cleaned and disinfected daily.

The autoclave manufacturer's instructions must be available at all times.

- (5) After sterilization, the packaged instruments shall be stored in a clean dry cabinet or other tightly covered container reserved and labeled for storage of sterile instruments.
- (6) If a sterilized package has been breached or allowed to get wet, the instrument(s) must be re-packaged and sterilized again before use.
- (7) Spore indicators shall be used a minimum of at least once a month (unless more frequent monitoring is specified by the manufacturer) and the results must be kept on-site for a minimum of two years. An independent commercial testing laboratory contracted by the Administrative Body shall perform monthly biological spore testing of the autoclave. A provision shall be included in the contract between the Administrative Body with the commercial testing laboratory requiring the commercial testing facility to notify the Health Department of any failure of the autoclave to eradicate all living organisms, including spores.
- (8) Upon notification of a positive microbiological monitoring report, the sterilizer shall be immediately checked for proper use and function, and the Operator shall cease use of the sterilizer immediately upon receipt of the positive report. Three consecutive negative biological tests must be achieved before the establishment is reopened. The establishment shall have the option to obtain a properly functioning sterilizer with a negative biological report in order to remain open or if the facility has more than one autoclave in operation they may be given approval to remain open. The Health Department may consider the Body Tattoo/Body Piercing establishment's emergency plan should autoclave failure or malfunctions occur.

#### **XVII. Dyes and Pigments (Ink).**

- (1) All ink shall be from commercial professional suppliers, specifically manufactured for the tattooing of human skin, containing an alcohol based preservative, and shall be used according to the manufacturer's instructions.
- (2) All ink shall be handled by using the following protocol:
  - (a) All bulk containers of ink shall not be used for longer than twelve (12) months from the date of initial opening, and not longer than the manufacturer's expiration date. Each open bulk container must be labeled with the date the container is first opened.
  - (b) A supply of ink must be located at each work station and stored in a closed cabinet or drawer.
  - (c) Containers of ink may only be handled while wearing clean medical grade gloves.
  - (d) The tops of containers of ink must be disinfected prior to dispensing. After dispensing, the containers must be disinfected and immediately returned to their approved storage location before any tattoo procedures begin.
  - (e) All ink must be dispensed into approved single use containers.
- (3) After tattooing, the remaining unused pigment in the single use container(s) shall be properly discarded along with the container(s).
- (4) In preparing dyes and pigments to be used by the operator, only nontoxic single use materials shall be used.
- (5) The Material Safety Data Sheet (MSDS) of all inks must be available for client review to assess any possible allergic reactions to ingredients.

### **XVIII. Tattoo Preparation.**

- (1) All medical trays used in tattooing must be washed in hot water and soap and dried, then saturated with disinfectant prior to the procedure.
- (2) Medical grade disposable gloves shall be worn during the preparation of equipment and during the tattoo procedure.
- (3) Before the procedure begins, all utensils to be used in the tattooing must be placed on a medical grade absorbent liner that is waterproof on one side, which must be placed on the disinfected medical tray.
- (4) Only a commercially packaged single use pre-sterilized needle assembly with bar shall be used and disposed of immediately after use into a puncture proof disposable biohazard container.
- (5) The use of some rotary pens is permitted. Any rotary pen that uses a sponge at the opening of the chamber to stop the pigment or body fluids from getting into the machine or is designed in a manner that does not allow it to be properly cleaned and sterilized is prohibited.
- (6) Only rotary machines or other instruments that are engineered to prevent cross contamination through the use of detachable, disposable or autoclavable components shall be used.
- (7) Sterilized instruments shall remain in sterile packages until opened in front of the client.
- (8) Any part of a tattooing machine that may be touched by the Operator during the procedure shall be covered with a disposable plastic sheath that is discarded after each procedure and the machine shall be disinfected.
- (9) A clip cord sleeve and barrier film shall be used over exposed electrical cords or other cleaning and disinfection methods demonstrated to prevent contamination.
- (10) All devices used to apply pigments must be designed and used to prevent backflow of pigments into the machine.
- (11) Single use towels or gauze shall be used in preparing the site to be tattooed and shall be disposed of after use on each patron or client.
- (12) If shaving is necessary, only single use disposable razors shall be used and shall be disposed of after use on each patron or client.
- (13) After shaving the area to be tattooed, or if the area does not need to be shaved, the site of the tattoo shall be thoroughly cleaned and germicidal solution applied in a sanitary manner before each placement of design on the skin.
- (14) When a workstation rinse cup is used alone, the cup and solution shall be disposable and discarded after each client.
- (15) If squirt/spray bottles are used to dispense liquids, the liquid shall be applied onto a single-use wipe rather than directly onto the client.
- (16) Single use ointment tubes, applicators, and supplies shall be discarded after each tattoo application on each patron or client.
- (17) When a stencil is used in body tattooing for transferring the design to the skin, it shall be single use and disposable. The use of roll-on or stick deodorants for tattoo site preparation is prohibited.
- (18) The stencil shall be applied with antimicrobial soap or a Health Department-approved product dispensed from a container in a manner that does not contaminate the unused portion.

- (19) When the design is drawn directly onto the skin, pre-sterilized, single use non-toxic pens or markers shall be used and discarded after each use.

### **XIX. Piercing Jewelry.**

- (1) Client and body piercer shall have appropriate size and quality jewelry chosen before the procedure begins. Random jewelry shall not be used for the initial piercing.
- (2) Jewelry used in piercing shall be one of the following: Surgical Steel that is American Society of Testing Materials International (ASTM) F-138, International Standards Organization (ISO) 5832-1, or ISO 10993-(6,10 or 11) compliant; Titanium that is ASTM F-136, ASTM- 67, or ISO 5832-3 compliant; Niobium; Solid Platinum; Biocompatible Polymers Tygon, PTPE, or Bioplast; Glass such as fused quartz, lead-free borosilicate and lead-free soda-lime glass that can be autoclaved; or Solid 14 karat or higher, white or yellow nickel-free gold. Copies of the jewelry manufacturer's documentation, which verify compliance with these standards, must be available for inspection on request.
- (3) The jewelry must be free of nicks, scratches, or irregular surfaces and must be properly sterilized prior to use.
- (4) All jewelry shall be sterilized in a medical grade autoclave, stored in sterile indicator bags, sealed and dated.
- (5) Ear studs or other jewelry designed for earlobe piercing are not appropriate jewelry for other body parts and must not be used by body piercers.

### **XX. Body Piercing Preparation.**

- (1) All medical trays used in body piercing must be washed in hot water and soap and dried, then saturated with disinfectant prior to the procedure.
- (2) Medical grade disposable gloves shall be worn during the preparation of equipment for a Body Piercing procedure and during the procedure.
- (3) Before the procedure begins, all utensils to be used in the body piercing must be placed on a medical grade absorbent liner that is waterproof on one side, which must be placed on the disinfected medical tray.
- (4) Only a commercially packaged single use pre-sterilized piercing needle shall be used and disposed of immediately after use into a puncture proof disposable biohazard container.
- (5) Pre-sterilize all forceps, hemostats, calipers, and tubes in sealed, properly labeled, sterile indicator bags. These items are to be used on one person, in one sitting. After one such use, they must be cleaned and sterilized as required in these regulations.
- (6) Sterilized instruments and jewelry shall remain in sterile packages until opened in front of the client.
- (7) Single use towels or gauze shall be used in preparing the piercing site and shall be disposed of after use on each patron or client.
- (8) After shaving the area to be pierced, or if the area does not need to be shaved, the piercing site shall be thoroughly cleaned and germicidal solution applied in a sanitary manner before beginning the procedure.
- (9) In the case of oral piercings, the Operator shall provide the individual with antiseptic mouthwash in a single use cup and shall ensure that the individual utilizes the mouthwash provided. In the case of a lip, labret, or cheek piercing, procedures described in this section for both skin and oral piercings shall be followed.

## **XXI. Body Tattoo/Body Piercing Aftercare.**

- (1) The completed tattoo shall be washed with a single use towel saturated with an antimicrobial solution.
- (2) After the area has dried, apply a layer of antibacterial ointment or other approved product from a single use container or single use collapsible plastic tube.
- (3) A bandage or dressing shall then be applied to the tattoo using a commercially packaged sterile sealed non-sticking pad or wrap.
- (4) Verbal and written instructions, approved by the Health Department for the care of the Body Tattoo/Body Piercing procedure site shall be provided to each client by the Operator upon completion of the procedure. The written instructions shall advise the client to consult a physician at the first sign of infection, file a report with the Health Department and shall contain the name, address and phone number of the establishment. These documents shall be signed and dated by both parties, with a copy given to the client and the Operator retaining the original with all other required records.
- (5) The facility shall also post in public view the name, address and phone number of the local County Health Department and the procedure for filing a complaint. A copy of the notice for filing a complaint shall be included in the establishment application packet.

## **XXII. Disinfection of Workplace.**

- (1) Each Body Tattoo/Body Piercing establishment must be kept clean and sanitary. The owner must develop and implement a written cleaning schedule that includes appropriate methods of decontamination and tasks or procedures to be performed.
- (2) This written schedule must be based on the location within the establishment, the type of surfaces to be cleaned, type of possible contamination present, the tasks or procedures to be performed, and their location within the establishment.
- (3) The following procedures shall be adhered to:
  - (a) Clean and sanitize all equipment and work surfaces with an appropriate EPA registered disinfectant at the beginning of each work day, after completion of each and every Body Tattoo/Body Piercing, and at the end of each work day.
  - (b) Remove and replace protective coverings such as plastic wrap and aluminum foil after each Body Tattoo/Body Piercing procedure.
  - (c) Inspect and decontaminate, on a daily basis, reusable receptacles such as bins, pails, and cans that have the likelihood of becoming contaminated. When contamination is visible, clean and decontaminate receptacles immediately.

## **XXIII. Disposal of Waste.**

- (1) Needles or other sharp instruments used during Body Tattoo/Body Piercing procedures shall be placed immediately after use in puncture resistant, closed containers with a biohazard label.
- (2) Used needles shall not be purposely bent or broken, or otherwise manipulated by hand.

- (3) Filled sharps containers shall be considered regulated waste and shall be sent to a facility where they are either incinerated, rendered non-hazardous, or deposited in a landfill approved to accept biomedical waste in compliance with Georgia Department of Natural Resources – Environmental Protection Division – Solid Waste Management – Chapter 391-3-4.15.
- (4) Regulated waste, which may release liquid blood or body fluids when compressed or may release dried blood or body fluids when handled, must be placed in a sealed bag. It must then be disposed of in compliance with Georgia Department of Natural Resources – Environmental Protection Division – Solid Waste Management – Chapter 391-3-4.15.
- (5) Waste potentially contaminated with small amounts of blood or other infectious body fluids (e.g., gauze, wipes, disposable lap cloths), which does not meet the definition of regulated waste, shall be double-bagged in sealed, impervious bags to prevent leakage of the contained items. These bags shall be of sufficient strength to prevent breakage or leakage and shall not contain any sharps. The waste bags shall be containerized and disposed of in an approved sanitary landfill.
- (6) Disposable waste shall be handled, stored, and disposed of to minimize direct exposure of personnel to waste materials.
- (7) Garbage and refuse shall be disposed of at such frequency to prevent the development of odor and the attraction of insects, rodents, or vermin. Solid waste shall not be stored outdoors unless in a secured and lidded dumpster, and in compliance with county/city solid waste ordinances.

**XXIV. Inspections.**

- (1) The establishment and its records shall be available for review and examination by properly identified representatives of the County Health Department.
- (2) A copy of the inspection report shall be posted within fifteen feet (15') of the front or primary public door and between five feet (5') and seven feet (7') from the floor and in an area where it can be read at a distance of one foot (1').
- (3) Body Tattoo/Body Piercing establishments shall be inspected at least twice each calendar year.
- (4) Environmental Health Specialists shall complete an Occupational Safety and Health Administration (OSHA) approved Blood Borne Pathogens/Universal Precautions course, and pass a Departmental exam.
- (5) Inspection results - Reporting and Scoring.
  - (a) Inspection results for Body Tattoo/Body Piercing establishments shall be recorded on standard departmental forms.
  - (b) The scoring system shall include a weighted point value for each requirement in which critical items are assigned values of five (5) points, with minor violations having assigned values of either one (1) or two (2) points.
  - (c) The rating score of the facilities shall be the total of the weighted point values for all violations subtracted from one hundred (100).
- (6) Violation Correction.
  - (a) Correction of critical and minor violations shall be within five (5) and ten (10) calendar days, respectively.
  - (b) Upon declaration of an imminent health hazard which cannot be immediately corrected, the local Environmental Health Specialist shall issue an order requiring the facility to immediately cease operations until authorized to reopen.

## **XXV. Enforcement and Penalties**

- (1) Enforcement of these Rules and Regulations shall be in accordance with O.C.G.A. 31-5, Article 1. The Health Department shall have the power and authority to suspend or revoke permits for failure to comply with the provisions of this Chapter.
- (2) Each County Board of Health shall have primary responsibility for the enforcement of these Rules and Regulations within its jurisdiction and may include adoption of code by the governing bodies of counties and municipalities for the purpose of enforcement.
- (3) The Health Department/County Board of Health is empowered to institute appropriate proceedings in a court of competent jurisdiction for the purpose of enjoining violation of any applicable provision of Title 31 of the Official Code of Georgia Annotated, or of the Rules and Regulations.
- (4) No Body Tattoo/Body Piercing establishment shall operate without a permit. Failure or refusal to file an application for a permit shall constitute a violation of Chapter 40 of Title 31 of the Official Code of Georgia Annotated. Any person who fails or refuses to file including, but not limited to, an order to cease and desist operating a Body Tattoo/Body Piercing establishment shall be subject to an injunction or other penalties from a court of jurisdiction.
- (5) When an application for a permit is denied or the permit previously granted is to be suspended or revoked, the applicant or holder thereof shall be afforded notice and hearing as provided in O.C.G.A. 31-5, Article 1.
- (6) If an application is denied or a permit is suspended or revoked, the applicant or holder of the permit must be notified in writing, specifically stating any and all reasons why the action was taken.
- (7) The purpose of these procedures is to state the minimum actions to be taken to fulfill the obligation of the Health Department in assuring compliance with the regulations when the continued operation of a Body Tattoo/Body Piercing establishment presents a substantial and imminent health hazard to the public or when a Body Tattoo/Body Piercing establishment is in flagrant or continuing violation of this Chapter.
- (8) Suspension is effective upon service of a written notice thereof, and Body Tattoo/Body Piercing procedures must cease immediately.
- (9) The notice must state the basis for the suspension and advise the permit holder of the right to a preliminary hearing with the Health Department, upon request, within 72 business hours.
- (10) If requested, the preliminary hearing will be held by an experienced supervisory level employee of the Health Department not directly involved in the suspension.
- (11) The rules of evidence will not apply, but both the Health Department and the permit holder may present witnesses, records and argument.
- (12) The hearing official will be authorized immediately to rescind or modify the suspension or to continue the suspension with or without conditions.
- (13) If the suspension is not rescinded, the permit holder will have the right to request an evidentiary hearing. If a hearing is not requested, upon correction of all violations, the owner may request an inspection to reinstate the permit.
- (14) Notice of Hearing. For the purpose of this Chapter a notice of hearing is properly served when delivered in person or by registered or certified mail.
- (15) Conditions Warranting Action. The Health Department may summarily suspend a permit to operate a Body Tattoo/Body Piercing establishment if it determines through inspection, or



examination of employees, records, or other means as specified in this Chapter, that an imminent health hazard exists.

- (16) Resumption of Operations. If operations of a Body Tattoo/Body Piercing establishment are discontinued due to the existence of an imminent health hazard or otherwise according to law, the permit holder shall obtain approval from the Health Department before resuming operations.

#### **XXVI. Severability.**

If any provision or subpart thereof contained in this Body Tattoo/Body Piercing Regulation is found to be invalid, unconstitutional, or in conflict with O.C.G.A. or a court of competent jurisdiction, the validity of all remaining provisions or subpart thereof shall not be so affected but shall remain in full force and effect.

#### **Appendix I**

Universal Precautions means a set of guidelines and controls, published by the Centers for Disease Control and Prevention (CDC), as "Guidelines for Prevention of Transmission of Human Immune-deficiency Virus (HIV) and Hepatitis B Virus (HBV) to Health-Care and Public-Safety Workers" in Morbidity and Mortality Weekly Report (MMWR), June 23, 1989, Vol.38 No. S-6, and as "Recommendations for Preventing Transmission of Human Immune Deficiency Virus and Hepatitis B Virus to Patients During Exposure-Prone Invasive Procedures" in MMWR, July 12, 1991, Vol.40, No.RR-8. This method of infection control requires the employer and the employee to assume that all human blood and specified human body fluids are infectious for HIV, HBV, HCV, and other blood pathogens. Precautions include hand washing; gloving; personal protective equipment; injury prevention; and proper handling and disposal of needles, other sharp instruments, and blood and body fluid-contaminated products.

#### **Effective Date:**

These Rules and Regulations shall become effective on June 17, 2011.

Adopted by the County Board of Health on May 18, 2011.

Notice of public hearing published on March 27<sup>th</sup>, March 30<sup>th</sup>, and April 3<sup>rd</sup>, 2011.

Public Hearing was held on May 3, 2011.

Signed: \_\_\_\_\_  
**Chairman of the Board**

Signed: \_\_\_\_\_  
**Secretary of the Board**

**References:**

*Ordinance of the DeKalb County, Georgia Board of Health to Regulate the Body Craft Industry, 2005*

*Ordinance of the North Georgia Health District, 1-2, Georgia Board of Health to Regulate the Body Craft Industry, 2009*

*Rules of Tennessee Department of Health, Bureau of Health Services, Chapter 1200-23-6, Body Piercing, circa 2002*

*Rules and Regulations for Body Art; Cobb County Board of Health, August 19, 2010*

*Jewelry Standards, The Association of Professional Piercers ([www.safepiercing.org/standards](http://www.safepiercing.org/standards)), April 20, 2007*

*CDC, Guideline for Hand Hygiene in Health-Care Settings, October 25, 2002*

*Advisory Council for Electrologists, Permanent Color Technicians and Tattoo Artists; Oregon Administrative Rules, Chapter 331, Divisions 505-590, April 1, 2010.*

*Rules and Regulations of Body Art Studios and Tattoo/Body Piercing Artist; Northwest Georgia Public Health District 1-1, March 22, 2010*