ALABAMA DEPARTMENT OF PUBLIC HEALTH
ADMINISTRATIVE CODE

CHAPTER 420-3-23
BODY ART PRACTICE AND FACILITIES

420-3-23-.03 Body Art Operator Requirements And Professional Standards.

(1) **Licensed facility required** – Except as otherwise allowed in these rules, all body art procedures shall be performed in a body art facility which has a current, valid license issued by the Department.

(2) **Consent age** -

(a) No person shall perform any body art procedure upon a minor unless the person obtains the prior, written, informed consent of the parent or legal guardian of the minor, as shown in Appendix B, Consent for Minor.

(b) The parent or legal guardian of the minor shall execute the written informed consent required in this rule in the presence of the individual performing the body art procedure on the minor, or in the presence of an employee or agent of that individual. A photocopy of the parent or legal guardian's government issued photo identification shall be obtained prior to the commencing of any body art procedure and shall be retained by the facility as permanent record.

(c) Nothing in this section is intended to require an operator to perform any body art procedure on a minor with parental or guardian consent.

(3) **Clients under the influence**- A person shall not perform any body art procedure upon another individual if, in the opinion of the operator, the other individual, or the consenting parent or guardian, is under the influence of intoxicating liquor or a controlled substance.

(4) **Gloves** -

(a) The operator shall wear clean, intact, single-use gloves when performing body art procedures. If a client is known to have a latex allergy, then latex-free, single-use disposable gloves are to be used.

(b) Under no circumstances shall a single pair of gloves be used on more than one person. Gloves shall be changed if they become contaminated by contact with any non-clean surfaces or objects or contact with a third person. The gloves shall be

discarded at a minimum after the completion of each procedure on an individual client and hands washed prior to donning the next set of gloves.

(c) The use of single-use gloves does not preclude or substitute for hand washing procedures as part of a good personal hygiene program.

(d) If, while performing a body art procedure the operator's glove is pierced, torn or otherwise contaminated, the contaminated glove shall be immediately discarded and the hands washed thoroughly (see section (5)(b) of this rule) before a new pair of gloves is applied. Any item or instrument used for body art, which is contaminated during the procedure, shall be discarded and replaced immediately with a new disposable or sterilized item or a new sterilized instrument before the procedure resumes.

(5) **Hygienic practices** –

(a) The operator or technician shall maintain a high degree of personal cleanliness, conform to hygienic practices, and wear clean clothes when performing body art procedures.

(b) Before performing body art procedures, the operator or technician must thoroughly wash their hands in hot running water with liquid soap, then rinse hands and dry with disposable paper towels. This shall be done as often as necessary to remove contaminants. Disposable liquid soap dispensers shall not be refilled.

(c) Eating, drinking, or tobacco use in any form by anyone is prohibited in the work area where body art is performed.

(6) **Operator information required**- The following information shall be kept on file on the premises of a body art facility and available for inspection by the Department:

(a) Full name and exact duties of each body art operator/ technician;

(b) Date of birth of each body art operator/ technician;

(c) Gender of each body art operator/technician;

(d) Home address of each body art operator/ technician;

(e) Identification photos of each body art operator/ technician;

(f) Social security number of each body art operator/ technician. Except that, refusal by the employee to give the

social security number will not result in denial of any right, privilege or benefit.

(7) **Procedures information required** - A complete listing of all body art procedures performed shall be kept on file on the premises of a body art facility and available for inspection by the Department.

(8) **Inventory information required** - An inventory of all instruments and body jewelry, all sharps, and all inks used for any and all body art procedures, including names of manufacturers and serial or lot numbers, if applicable, shall be kept on file on the premises of a body art facility and available for inspection by the Department. Invoices or orders shall satisfy this requirement.

(9) **Biohazard waste and sharps disposal** –

(a) Biohazard waste, as defined in these rules, shall be disposed in accordance with all applicable local, state, and federal laws, rules, and ordinances, to include, at a minimum, 29 CFR Part 1910.1030, Occupational Exposure to Bloodborne Pathogens.

(b) Waste which does not release liquid blood or body fluids when compressed or does not release dried blood or body fluids when handled may be placed in a covered receptacle and disposed through normal, approved disposal methods. Storage of such waste on-site shall not exceed the period specified by the Department or more than a maximum of 30 days, as specified in 29 CFR Part 1910.1030 whichever is less.

(c) Sharps ready for disposal shall be disposed of in approved biohazard sharps containers.

(10) **Skin condition of clients and operators** –

(a) Any skin or mucosa surface to receive a body art procedure shall be free of rash or any visible infection.

(b) The skin of the operator shall be free of rash or infection. No person or operator affected with boils, infected wounds, open sores, abrasions, or weeping dermatological lesions shall work in any area of a body art facility in any capacity in which there is a likelihood that they could contaminate body art equipment, supplies or working surfaces with body substances or pathogenic organisms.

(11) **Hepatitis B vaccination** - Proof shall be provided upon request of the Department that all operators and technicians have either completed or were offered and declined, in writing, the hepatitis B vaccination series. This offering should be included as a pre-employment requirement. Documentation of immunity, based

on a blood test of the operator, in written form and from an approved laboratory, may be used for this requirement of proof. This proof must be provided to the Department prior to the issuance of a body art operator permit.

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