

ALABAMA DEPARTMENT OF PUBLIC HEALTH
ADMINISTRATIVE CODE

CHAPTER 420-3-23
BODY ART PRACTICE AND FACILITIES

420-3-23-.14 Temporary Facility License Or Operator Permit.

(1) Licenses and permits -

(a) Temporary body art facility licenses and, when required, operator permits, may be issued for body art services provided outside of the physical site of a fixed licensed facility for the purposes of product demonstration, industry trade shows or for educational reasons.

(b) Temporary licenses issued under the provisions of these rules may be suspended by the Department for failure of the holder to comply with the requirements of these rules.

(c) All facility licenses and operator permits and the disclosure notice must be readily visible to clients.

(2) Requirements - Temporary operator permits and/or facility licenses shall not be issued unless:

(a) The applicant furnishes proof of compliance with 420-3-23-.13(2) relating to operator's permits and/or

(b) The applicant is currently affiliated with a fixed location or permanent facility which, where applicable, is permitted by the appropriate State and/or local jurisdiction; and

(c) The temporary site complies with section (9) of this rule.

(3) Training - In lieu of attendance at a bloodborne pathogens training program approved by the Department within the past three (3) years as specified in 420-2-23-13(2)(c) above, the applicant may furnish proof of attendance at equivalent training which is acceptable to the Department.

(4) Time limit - Temporary body art facility licenses and/or operator permits expire after fourteen (14) days or the conclusion of the special event, whichever is less.

(5) Fee required - Temporary body art facility licenses shall not be issued unless the applicant has paid the fee set by law.

(6) Non-transferable - The temporary body art facility license or operator permit shall not be transferable from one place or person to another.

(7) License and permits posted - The temporary body art facility license and operator permit shall be posted in a prominent and conspicuous area where they may be readily seen by clients upon entering the facility.

(8) Temporary Operator Permit Requirements -

(a) A temporary permit may be issued by the Department for educational, trade show or product demonstration purposes only. The permit may not exceed fourteen (14) calendar days.

(b) A person who wishes to obtain a temporary demonstration permit must submit the request in writing for review by the Department, at least thirty (30) days prior to the event. The request shall specify:

1. The purpose for which the permit is requested;
2. The period of time during which the permit is needed (not to exceed fourteen (14) calendar days per event), without re-application;
3. The fulfillment of temporary operator requirements as specified in section (2) of this rule;
4. The location where the temporary demonstration will be conducted.

(9) Temporary Establishment Physical Facilities -

(a) The temporary demonstration project must be contained in a completely enclosed, non-mobile facility (that is, inside a permanent building).

(b) Except as otherwise provided in this rule, the temporary body art facility and operator shall comply with all of the requirements of these rules, including but not limited to:

1. Conveniently located handwashing facilities with liquid soap, paper towels and hot and cold water under adequate pressure shall be provided; along with sanitary drainage in accordance with local plumbing codes.
2. A minimum of eighty (80) square feet of floor space;
3. At least one hundred (100) foot candles of light at the level where the body art procedure is being performed.

4. Facilities to properly sterilize instruments with evidence of a spore test performed on sterilization equipment thirty (30) days or less prior to the date of the event, shall be provided; or only single use, prepackaged, sterilized equipment obtained from reputable suppliers or manufacturers shall be allowed;

5. Ability to properly clean and sanitize the area used for body art procedures.

The facility where the temporary demonstration is proposed shall be inspected by the Department and a license issued prior to any body art procedures being performed.

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Statutory Authority: Code of Ala. 1975, §22-17A-7.

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