

Tattoo and Body Piercings - Section E (<http://www.in.gov/isdh/20201.htm>)

Model Policy Template for Tattoo and/or Body Piercing Facilities:

The following template is provided to help guide the development and review of facility policies that will meet the requirements of 410 IAC 1-5, Sanitary Operations of Tattoo Parlors (includes requirements for the sanitary operation of body piercing facilities)

Citations from the law are written in *italics*. Bulleted points without any "fill-in-the-blanks" are policies that all facilities must observe. When reviewing a facility policy, the operator should signify that the policies and practices are observed by placing his/her initials on the line immediately after the bulleted points. Information that the facility *must* provide is to be placed in the blanks.

Disclaimer: The attached material is offered as an optional resource and should be used by the operator as a starting point in the preparation of written policies. Review of applicable law and/or consultation with the operator's legal counsel on specific matters of concern is recommended. The material addresses only the requirements of 410 IAC 1-5.

Name of Facility: _____

Address: _____

Policies were prepared by: _____

Preparer's Relationship to the Facility: _____

Date: _____

This policy must be reviewed annually. Document review dates and changes made to the policy in the spaces provided. Do not indicate the month and day of the review until the review has been completed.

Year	Month and day of review	Changes Made to Policy	Name of reviewer

Sec. 24. An individual or entity that is an operator shall comply with the following training responsibilities:

(1) Ensure that the training described in the Indiana occupational safety and health administration's bloodborne pathogens standard (as found in 29 CFR 1910.1030) is provided to all tattoo artists and body piercers, anyone employed by the facility or anyone acting on behalf of the facility, who has a reasonably anticipated risk for skin, eye, mucous membrane, or parenteral contact with blood or OPIM.

(2) Ensure that training on the handling of infectious waste is provided to all tattoo artists and body piercers, or anyone employed by the facility or anyone acting on behalf of the facility who has a reasonably anticipated risk for skin, eye, mucous membrane, or parenteral contact with blood or OPIM.

(3) Ensure that a record of training described in subdivision (1) is maintained, as required under the Indiana occupational safety and health administration's bloodborne pathogens standard (as found in 29 CFR 1910.1030) of an individual's participation in the training that is provided. The record shall be made available to the department for inspection upon request.

(4) Ensure that a record of training described in subdivision (2) is maintained.

- ____ Bloodborne Pathogen training and training on handling infectious waste in this facility is provided yearly. A list of individuals at the facility that may have contact with blood or other potentially infectious materials, the date that the individual began working at the facility, the date and location (i.e. Red Cross) of their training, and the date the individual quit working at the facility is included in this written policy.
- ____ Training records are kept at the facility for ____ years.

410 IAC 1-5-25 Operator responsibilities

Sec. 25. (a) The operator shall ensure that tattoo artists, body piercers, or anyone employed by the facility or anyone acting on behalf of the facility who has a reasonably anticipated risk for skin, eye, mucous membrane, or parenteral contact with blood have and use personal protective equipment and expendables needed to implement the precautions required by this rule and the Indiana occupational safety and health administration's bloodborne pathogens standard (as found in 29 CFR 1910.1030).

(b) The operator shall require tattoo artists and body piercers, anyone employed by the facility, or anyone acting on behalf of the facility who has a reasonably anticipated risk for skin, eye, mucous membrane, or parenteral contact with blood to provide evidence of compliance with the universal precautions education requirements contained in section 27 of this rule.

(c) The operator shall display a description of compliance with the requirements contained in subsection (d).

(d) The operator shall display written materials prepared or approved by the department explaining universal precautions and patrons' rights under this rule. These materials shall include information on how to report violations of universal precautions and shall include information regarding the department's duties to investigate.

- List the personal protective equipment and expendables needed for tattooing and/or piercing (i.e. razors, gauze, soap, towels) that each tattoo artist or body piercer in the facility has available. The operator of the facility does not need to provide the supplies but must be sure that the supplies are available. Personal protective equipment and expendables available for **tattoo artists** are listed below:

- Personal protective equipment and expendables available for **body piercers** are listed below:

410 IAC 1-5-26

Operator *written* policies

Sec. 26. The operator shall develop a written policy in compliance with this rule and the requirements of the Indiana occupational safety and health administration's bloodborne pathogen standard (as found in 29 CFR 1910.1030) that:

(1) requires the use of universal precautions when performing tattooing or body piercing and any activity or duty that includes any reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or OPIM;

(2) requires disinfection or sterilization of contaminated reusable items;

(3) includes the safe handling of infectious waste; and

(4) provides sanctions, including discipline and dismissal, if warranted, for failure to use universal precautions or handle infectious waste safely, or both.

- ___ This facility requires the use of universal precautions.
- ___ This facility requires disinfection or sterilization of contaminated reusable items.
- ___ This facility requires the safe handling of infectious waste.
- Sanctions when persons who have contact with blood and/or other potentially infectious materials but do not follow the requirements of this law are as follows:

410 IAC 1-5-27

Tattoo artist and body piercer minimum training and certification requirements

Sec. 27. (a) All tattoo artists, body piercers, anyone employed by the facility, and anyone acting on behalf of the facility, who has a reasonably anticipated risk for skin, eye, mucous membrane, or parenteral contact with blood or OPIM shall complete the training program that is required under the requirements of the Indiana occupational safety and health administration's bloodborne pathogen standard (as found in 29 CFR 1910.1030). The programs under this section shall be as follows:

(1) A bloodborne pathogen training session provided by the operator meeting the requirements under the Indiana occupational safety and health administration's bloodborne pathogens standard (as found in 29 CFR 1910.1030).

(2) Any bloodborne pathogen continuing education program provided by a health care agency.

(b) All tattoo artists, body piercers, anyone employed by the facility, and anyone acting on behalf of the facility, who has a reasonably anticipated risk for skin, eye, mucous membrane, or parenteral contact with blood or OPIM must be trained in the facility's policies on the handling of infectious waste.

- Tattoo artists and body piercers have received training regarding bloodborne pathogens and handling of infectious waste. See below.

<p align="center">Bloodborne Pathogen Training Record for (Name of Facility) _____ for the Year _____</p>
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(6) Location of the tattoo or body piercing on the patron's body.

(7) The name of the tattoo artist or body piercer who performed the work

(8) Jewelry or other decoration used.

- Training records are kept for ___ years in the following location at the facility:
_____.
- ___The record meets the requirements of the law.

410 IAC 1-5-29

Illness.

Sec. 29. Tattoo artists or body piercers who are experiencing symptoms of acute disease that include, but are not limited to:

(1) diarrhea;

(2) vomiting;

(3) fever;

(4) rash;

(5) productive cough;

(6) jaundice; or

(7) draining (or open) skin infections, boils, impetigo, or scabies;

shall refrain from providing tattoos or body piercing.

- ___Tattoo artists or body piercers who are **acutely** ill with any of the illnesses listed in the law are not allowed to work.

410 IAC 1-5-30

Handwashing

Sec. 30. (a) Handwashing facilities shall be readily accessible where tattooing or body piercing, or both, is provided.

(b) Hands shall be washed with soap and running water immediately before putting on gloves and after removal of gloves or other personal protective equipment.

(c) Only single-use towels shall be used.

- ___ Handwashing sinks are accessible and the tattoo artist or body piercer can reach the sink without contaminating any object.
- ___ Hands are washed with soap and running water immediately before putting on gloves and after taking gloves or other personal protective equipment off.
- ___ Only single use towels are used.

410 IAC 1-5-31

Personal protective equipment

Sec. 31. Appropriate personal protective equipment shall be worn as follows:

(1) A clean protective clothing layer shall be worn whenever there is a reasonably anticipated risk of contamination of clothing by blood or OPIM.

(2) Masks in combination with eye protection devices, such as goggles or glasses with solid side shield, or chin length face shield, shall be worn whenever splashes, spray, splatter, or droplets of blood or OPIM may be generated and eye, nose, or mouth contamination can be reasonably anticipated.

(3) Disposable gloves, such as surgical or examination type, shall be worn during the tattooing or body piercing process. Gloves shall be changed and properly disposed of each time there is an interruption in the application of the tattoo or body piercing, when the gloves become torn or punctured, or whenever the ability to function as a barrier is compromised. Disposable gloves shall not be reused.

(4) Gloves shall be worn when decontaminating environmental surfaces and equipment.

- Clean protective clothing is worn performing the following tasks: _____

- ___ Disposable gloves are surgical or examination type and are worn during tattooing or body piercing. They are always changed whenever there is an interruption in the tattoo or body piercing process and when torn.
- ___ Disposable gloves are not reused.
- ___ Gloves are worn when decontaminating surfaces.
- List any other personal protective equipment used in the facility for tattooing: _____

- List any other personal protective equipment used in the facility for piercing: _____

410 IAC 1-5-32

Tattooing equipment

Sec. 32. (a) Only single-use razors shall be used to shave the area to be tattooed.

(b) All stencils shall be properly disposed of after a single use.

(c) If the design is drawn directly onto the skin, it shall be applied with a single-use article only.

- Razors, stencils, and articles, such as pens used to place designs on the skin, are single use. List how the facility disposes of these items:

410 IAC 1-5-33

Needles

Sec. 33. (a) Needles shall be individually packaged and sterilized prior to use.

(b) Needles shall be single-use only.

(c) Needles shall be discarded in sharps containers immediately after use.

(d) Contaminated needles shall not be bent or broken or otherwise manipulated by hand.

- ___ Needles are only used on one patron and discarded immediately into a "sharps" container.
- The needles used on all patrons are sterile and packaged in (list type of packaging)

- ___ Contaminated needles are never bent, broken, or manipulated by hand.
- List any other practices that your facility has concerning needles:

410 IAC 1-5-34

Reusable equipment

Sec. 34. (a) Heating procedures capable of sterilization must be used when heat stable, nondisposable equipment is sterilized.

(b) Equipment that is to be sterilized shall be put in single-use packaging.

(c) Records must be maintained to document the following:

(1) Duration of sterilization technique.

(2) Determination of effective sterility, such as use of a biological indicator, is performed monthly.

(3) Equipment is maintained as recommended by the owner's manual, and proof is available that the owner's manual recommendations are reviewed monthly.

(d) Reusable contaminated equipment shall not be stored or processed in a manner that requires any person to reach by hand into the containers where these sharp items have been placed.

(e) Reusable contaminated equipment shall be:

(1) placed in puncture-resistant containers;

(2) labeled with the biohazard symbol;

(3) leakproof on both sides and bottom; and

(4) stored in a manner that does not require reaching by hand into the container where the equipment is stored until cleaning prior to sterilization.

(f) Reusable contaminated equipment shall be effectively cleaned prior to sterilization or disinfection.

(g) Any reusable contaminated equipment that comes into direct contact, or is likely to come into direct contact, with an instrument that penetrates the skin other than a piercing gun shall be effectively cleaned and sterilized prior to use.

(h) All sterilized equipment shall not be removed from wrappers or sterilizer packaging until immediately prior to use.

(i) Any reusable equipment that comes into contact with mucus [sic., mucous] membranes shall be effectively cleaned and sterilized prior to use.

(j) Piercing guns shall be cleaned and undergo, at a minimum, high level disinfection after each use and whenever visibly contaminated.

(k) All reusable equipment that has contact with intact skin shall undergo, at a minimum, intermediate level disinfection.

(l) All other equipment used during the tattooing or body piercing procedure shall be single use, including corks.

(m) All body piercers and tattoo artists shall comply with all other equipment manufacturer's recommendations.

- This facility uses _____ to sterilize equipment. The equipment cleaning sterilization procedure used at this facility is as follows:

- _____ Single use packaging is used for equipment being sterilized and the equipment is not taken out of the packaging until immediately prior to use
- _____ All manufacturers' recommendations are followed.
- _____ List each step used in sterilizing equipment (includes cleaning before sterilizing):

Step 1: _____

Step 2: _____

Step 3: _____

Step 4: _____

Step 5: _____

Step 6: _____

Step 7: _____

Step 8: _____

Step 9: _____

Step 10: _____

- List any other policies relating to reusable equipment (procedure for high-level and intermediate level disinfection, if applicable):

410 IAC 1-5-35

Dyes or pigments, or other objects placed under the skin

Sec. 35. (a) All dyes or pigments used in tattooing shall be from professional suppliers specifically providing dyes or pigments for the tattooing of human skin.

(b) In preparing dyes or pigments to be used by tattoo artists, only nontoxic, sterile materials shall be used. Single-use or individual portions of dyes or pigments in clean, single-use containers shall be used for each patron.

(c) After tattooing, the remaining unused dye or pigment in single-use or individual containers shall be discarded along with the container.

(d) Any object placed under the skin shall be sterile.

- Dyes or pigments at this facility are purchased from the following:

 - _____ Single use containers are used for dyes and unused dyes or pigments are discarded use.
 - Any object (such as sand) placed under the skin must be sterile. List items placed under the skin in this facility: _____
- _____
- _____

410 IAC 1-5-36

Work environment

Sec. 36. (a) No tattooing or body piercing shall be conducted in any room used as living quarters or in any room that opens directly into living or sleeping quarters.

(b) Live animals shall be excluded from areas where tattooing or body piercing is being conducted. This exclusion does not apply to the following:

(1) Patrol dogs accompanying security or police officers.

(2) Guide dogs accompanying the following:

(A) Blind persons.

(B) Partially blind persons.

(C) Physically disabled persons.

(D) Guide dog trainers.

(E) Persons with impaired hearing.

(c) Eating, drinking, smoking, applying cosmetics, or handling contact lenses shall not be allowed in work areas where there is a likelihood of exposure to blood or OPIM.

(d) Food and drink shall not be kept in areas where there is a reasonably anticipated risk of exposure to blood or OPIM.

(e) All equipment and environmental surfaces shall be cleaned and disinfected after contact with blood or OPIM.

(f) Environmental surfaces and equipment not requiring sterilization that have been contaminated by blood shall be cleaned and disinfected.

(g) All work surfaces shall be:

(1) nonabsorbent;

(2) easily cleanable;

(3) smooth; and

(4) free of:

(A) breaks;

(B) open seams;

(C) cracks;

(D) chips;

(E) pits; and

(F) similar imperfections.

(h) Disinfectant solutions shall be:

(1) a hospital grade, tuberculocidal Environmental Protection Agency (EPA) registered disinfectant; or

(2) sodium hypochlorite, five-tenths percent (0.5%) concentration, by volume (common household bleach in ten percent (10%) concentration in water); the solution shall be dated and shall not be used if it is more than twenty-four (24) hours old.

- ___ Tattooing or body piercing is not performed in living quarters or in areas that open up to living areas.
- ___ The only live animals that can come into the facility are patrol dogs and guide dogs.
- ___ Eating, drinking, smoking, applying cosmetics, or handling contact lenses is not allowed in the work area

- ___ Work surfaces are non-absorbent, easily cleaned, smooth and free of breaks, open seams, cracks, pits, and similar imperfections.
- Environmental surfaces in the work area and equipment contaminated with blood must be cleaned and disinfected. The disinfectant used in this facility is as follows:

Infectious waste containment

Sec. 37. (a) Contaminated disposable needles or instruments shall be:

(1) stored in:

(A) leak-resistant; and

(B) puncture-resistant;

containers;

(2) tightly sealed to prevent expulsion;

(3) labeled with the biohazard symbol; and

(4) effectively treated in accordance with this rule prior to being stored in an unsecured area and sent for final disposal.

(b) Infectious wastes that are not contaminated sharps or objects that could potentially become contaminated sharps shall be placed in containers that meet the following requirements:

(1) Impervious to moisture.

(2) Sufficient strength and thickness to prevent expulsion.

(3) Secured to prevent leakage expulsion.

(4) Labeled with the biohazard symbol.

(5) Effectively treated in accordance with this rule prior to being placed in an unsecured area and sent for final disposal.

(c) If infectious waste is stored prior to final disposal, all persons subject to this rule shall store infectious waste in a secure area that:

(1) is locked or otherwise secured to eliminate access by or exposure to the general public;

(2) affords protection from adverse environmental conditions and vermin; and

(3) has a prominently displayed biohazard symbol.

(d) Infectious waste shall be stored in a manner that preserves the integrity of the container and is not conducive to rapid microbial growth and putrefaction.

(e) Disinfect reusable containers for infectious waste each time that they are emptied unless the surfaces of the reusable containers have been protected from contamination by disposable liners, bags, or other devices that are removed with the infectious waste.

- List infectious waste items that are placed in leak-resistant, puncture-resistant containers immediately after use: _____

- List other infectious waste items (i.e. gauze soaked with blood) and state disposal method for those items:

- After infectious waste containers are appropriately filled, the containers are stored in the following location in the facility: _____

- The storage area meets these requirements: the area is secure (either locked or has no public access), protected from adverse environmental conditions, and displays the biohazard symbol.
- If reusable containers are used (i.e. plastic liners used in the container), list how they are disinfected if contaminated with blood:

410 IAC 1-5-38

Treatment and transport of infectious waste

Sec. 38. (a) All operators shall ensure that infectious waste is either treated on-site in accordance with this rule or transported off-site for treatment in accordance with this rule.

(b) A treatment is effective if it reduces the pathogenic qualities of infectious waste for safe handling, is designed for the specific waste involved, and is carried out in a manner consistent with this rule. Effective treatment may include:

(1) incineration in an incinerator designed to accommodate infectious waste;

(2) steam sterilization;

(3) chemical disinfection under circumstances where safe handling of the waste is assured;

(4) thermal inactivation;

(5) irradiation; or

(6) discharge in a sanitary sewer or septic system that is properly installed and operating in accordance with state and local laws.

(c) All persons subject to this rule shall:

(1) transport infectious waste in a manner that reasonably protects waste haulers and the public from contracting a dangerous communicable disease; and

(2) effectively treat infectious waste in accordance with this rule before it is compacted.

(d) The operator shall ensure that infectious waste, effectively treated or not is transported off-site in compliance with 410 IAC 1-3.

- ___ This facility does not compact untreated infectious waste.
- If infectious waste is treated in the facility, state the method of treatment:

- If transported off-site for treatment, state treatment facility:

- ___ When infectious waste is treated, either at the facility or somewhere other than the facility (usually a commercial vendor), a form is generated that has the following information: name, address, and telephone number of the tattoo/body piercing facility and the treatment facility if the infectious waste is being sent to a treatment facility, a brief description of the infectious waste (i.e. used tattoo needles), the method of effective treatment, and the signature of a responsible person at the tattoo/body piercing facility.