

3701-9-04 Safety and sanitation standards.

The operator of a body art establishment shall ensure that the business complies with the following:

- (A) The premises shall have an area of at least one hundred square feet. The floor space for each individual performing body art services shall have an area of at least thirty six square feet. These areas shall be adequately spaced, or separated from each other by fixed partitions . Complete privacy shall be available upon a patron's request.
- (B) The entire procedure room and all equipment shall be maintained in a clean, sanitary condition and in good repair.
- (C) A minimum of at least twenty foot-candles of artificial light at a distance of thirty inches above the floor shall be provided throughout the establishment. A minimum of forty foot-candles of light shall be provided at the level where the body art is being performed. Spotlighting may be used to achieve this required degree of illumination.
- (D) All floors directly under equipment used for body art shall have an impervious, smooth, and washable surface.
- (E) All tables and other equipment shall be constructed of easily cleanable material, with a smooth finish.
- (F) Restroom facilities shall be made available to the body artists and patrons and shall be located within the establishment. The restroom shall be accessible at all times the body art establishment is open for operation. The restroom shall be equipped with a toilet, toilet paper installed in a holder, hand washing sink supplied with hot and cold running water, liquid or granulated soap and single-use towels or mechanical hand dryer. Equipment and supplies used for body art procedures or disinfection and sterilization procedures shall not be stored or utilized within the restroom.
- (G) A hand washing sink, with hot and cold running water, liquid or granular soap, and single-use towels or mechanical hand dryer shall be located separate from the restroom and in close proximity of each body artist performing a procedure.
- (H) There shall be no overhead or otherwise exposed sewerage lines so as to create a potential hazard to the sanitary environment of the business.
- (I) Sufficient and appropriate receptacles shall be provided for the disposal of used gloves, dressings, and other trash. Each receptacle shall have a lid and be kept closed at all times while not in use.
- (J) Animals shall not be permitted in the body art establishment. This requirement does not apply to patrol dogs accompanying security or police officers, guide dogs, or other support animals accompanying disabled persons.
- (K) Unless medically necessary, no food or drink shall be consumed, contact lenses be handled, cosmetics be applied, personal grooming performed, personal vaporizing (including electronic cigarettes) devices be handled, or other similar activities be

conducted in rooms used specifically for body art or sterilization procedures.

- (L) All water supplies, waste water disposal systems, solid waste disposal, and infectious waste disposal shall meet requirements of the Ohio environmental protection agency, the Ohio department of health or the local health department, as appropriate.
- (M) Persons performing body art services have received appropriate training, as evidenced by:
 - (1) Training to include the following:
 - (a) Records of completion of courses or seminars in body art offered by authorities recognized by the board of health as qualified to provide such instruction; or
 - (b) Written statements of attestation by individuals offering body art apprenticeships that the person has received sufficient training of adequate duration to completely perform body art services; or
 - (c) Other documentation acceptable to the board of health.
 - (2) Demonstrated knowledge of the principles of sterilization.
 - (3) Records of completion, courses or seminars provided by licensed physicians, registered nurses, organizations such as the American Red Cross, accredited learning institutions, appropriate governmental entities, real-time online providers or other authorities recognized by the board of health as being qualified to provide training in the following:
 - (a) First aid; and
 - (b) Standard precautions for preventing transmission of bloodborne and other infectious diseases.
- (N) Within one year of the effective date of this rule, the operator of an existing and approved body art establishment shall submit, to the board of health for approval, a written infection prevention and control plan prepared in accordance with paragraph (B) (8) of rule 3701-9-02 of the Administrative Code. The plan shall be kept up to date and resubmitted to the board of health as necessary.
- (O) Body artists shall not perform body art services if:
 - (1) They are impaired by any drugs or alcohol;
 - (2) They knowingly have, in a communicable stage, an infectious or contagious disease, parasitic infestation, exudative lesions or weeping dermatitis. They shall avoid contact with patrons and equipment until the condition is healed. Any cuts, sores or abrasions shall be adequately covered with a bandage.
- (P) In accordance with section 3730.06 of the Revised Code, no person shall perform a body art procedure, or ear piercing procedure with an ear piercing gun on an individual who is under eighteen years of age, unless consent has been given by the individual's parent, guardian, or custodian in accordance with the following:
 - (1) A parent, guardian, or custodian of the individual under eighteen years of age

signs a document provided by the business that explains the manner in which the procedure will be performed, the specific part of the body upon which the procedure will be performed, and the methods for proper care of the affected body part following the procedure; and

- (2) A parent, guardian, or custodian of an individual under eighteen years of age appears in person at the business at the time the procedure is performed.
 - (3) No body art procedure shall be performed on the nipple, areola or genital area of any individual under the age of eighteen.
- (Q) Prior to performing the procedure, the body artist shall inquire of a patron if they have conditions which could affect the healing process. Body art procedures shall not be performed on patrons that indicate the presence of such a condition without documentation from a licensed physician indicating acceptance of the patient for appropriate care following the procedure.
- (R) Body art procedures shall be performed only on a healthy skin surface.
- (S) Persons performing body art procedures shall observe standard precautions for preventing transmission of bloodborne and other infectious diseases in accordance with the following:
- (1) Sterile instruments and aseptic techniques shall be used at all times during a procedure;
 - (2) Hand washing shall be performed before and after each procedure. Fingernails shall be kept short and clean;
 - (3) Clean, previously unused gloves shall be worn throughout the entire procedure, including setup and tear down. If the gloves are pierced, or torn, or if they become otherwise contaminated or compromised, hand washing shall be performed and a new pair shall be put on immediately. If the body artist leaves the area during the procedure, gloves shall be removed before leaving, hand washing shall be performed and a new pair of gloves shall be put on when returning. Under no circumstances shall a single pair of gloves be used on more than one patron;
 - (4) Only sterilized, single use, disposable needles shall be used on a patron. All used needles and associated needle bars shall be properly disposed of immediately after the procedure;
 - (5) If shaving is necessary, single use disposable razors shall be used. Used razors shall be properly disposed of in an appropriate sharps container;
 - (6) All marking instruments shall be single use or be manufactured to sterilize by design;
 - (7) All products used to address the flow of blood or to absorb blood shall be single use and disposed of properly. No individual performing a body art procedure shall use styptic pencils, alum blocks or other solid styptics to address the flow of blood;
 - (8) After any body art service and prior to the next, all procedure areas shall be cleaned and disinfected with an approved disinfectant;

- (9) All soaps, inks, dyes, pigments, ointments, and other products shall be dispensed and applied using an aseptic technique and in a manner to prevent contamination of the original container and its contents. Applicators shall be single use and disposed of properly;
- (10) Any equipment intended for use that is not single use shall be disinfected and sterilized between patrons. Equipment that cannot be sterilized shall be disinfected between use; and
- (11) All body artists shall follow appropriate hand washing techniques and wear gloves when involved in cleaning, disinfecting and sterilization procedures.
- (T) Each patron shall be provided with verbal and written aftercare guidelines following any body art procedure.
- (U) Body artists shall work with the board of health when a complaint of obvious infection is directly related to the body art procedure.
- (V) The disposal of waste items including, but not limited to needles, razors and other supplies capable of causing lacerations or puncture wounds, generated through the provision of any body art procedure shall be disposed in accordance with chapter 3745-27 of the Administrative Code.
- (W) A record of each body art procedure shall be maintained for at least two years. The record shall include, but not be limited to, the following:
 - (1) The patron's name;
 - (2) The patron's address;
 - (3) The date of the service;
 - (4) Colors and manufacturer of all inks, dyes, or pigments used;
 - (5) Jewelry used, including size, material composition, and manufacturer; and
 - (6) Placement of the procedure.

In the event of the closing of the business, all records shall be made available to the board of health.

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