

**RULES GOVERNING
TATTOOING
15A NCAC 18A .3200**

**NORTH CAROLINA
DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF PUBLIC HEALTH
ENVIRONMENTAL HEALTH SECTION**

**EFFECTIVE APRIL 1, 1995
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All Environmental Health Rules can be accessed at the following website

<https://ehs.ncpublichealth.com/rules.htm>

North Carolina General Statutes can be accessed at the following website

www.ncleg.net/gascripts/statutes/statutestoc.pl

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EHS 4014 – INSPECTION OF TATTOO ESTABLISHMENT

Part 11. Tattooing.

§ 130A-283. Tattooing regulated.

- (a) **Definition.** – As used in this Part, the term "tattooing" means the inserting of permanent markings or coloration, or the producing of scars, upon or under human skin through puncturing by use of a needle or any other method.
- (b) **Prohibited Practice.** – No person shall engage in tattooing without first obtaining a tattooing permit from the Department. Licensed physicians, as well as physician assistants and nurse practitioners working under the supervision of a licensed physician, who perform tattooing within the normal course of their professional practice are exempt from the requirements of this Part.
- (c) **Application.** – To obtain a tattooing permit, a person must apply to the Department. Upon receipt of the application, the Department, acting through the local health department, shall inspect the premises, instruments, utensils, equipment, and procedures of the applicant to determine whether the applicant meets the requirements for a tattooing permit set by the Commission. If the applicant meets these requirements, the Department shall issue a permit to the applicant. A permit is valid for one year and must be renewed annually by applying to the Department for a permit renewal.
- (d) **Violations.** – The Department may deny an application for a tattooing permit if an applicant does not meet the requirements set by the Commission for the permit. The Department may suspend, revoke, or refuse to renew a permit if it finds that tattooing is being performed in violation of this Part. In accordance with G.S. 130A-24(a), Chapter 150B of the General Statutes, the Administrative Procedure Act, governs appeals concerning the enforcement of this Part.
- (e) **Limitation.** – A permit issued pursuant to this Part does not authorize a person to remove a tattoo from the body of a human being. Compliance with this Part is not a bar to prosecution for a violation of G.S. 14-400. (1993 (Reg. Sess., 1994), c. 670, s. 1.)

SECTION .3200 - TATTOOING**15A NCAC 18A .3201 DEFINITIONS**

The following definitions shall apply throughout this Section:

- (1) "Blood and Body Fluid Precautions" means a method of infection control in which all human blood and body fluids are treated as if known to be infectious for human immunodeficiency virus (HIV), hepatitis B virus (HBV), and other infections that can be transmitted by contact with blood.
- (2) "Department" means the Department of Environment and Natural Resources. The term also means the authorized agent of the department.
- (3) "Sharps" means any objects that can penetrate the skin including, but not limited to, needles, razor blades, scalpels, and broken capillary tubes.
- (4) "Sterilize" means the approved microbicidal treatment by a process which provides enough accumulative heat or concentration of chemicals for a length of time sufficient to eliminate the microbial count, including pathogens.
- (5) "Tattooing" means tattooing as defined in G.S. 130A-283.
- (6) "Tattoo Artist" means any person who engages in tattooing.
- (7) "Tattoo Establishment" means any location where tattooing is engaged in or where the business of tattooing is conducted or any part thereof. For purposes of this Section, "Tattoo Parlor" falls within this definition.
- (8) "Tattooing Room" means a room in the tattoo establishment where tattooing is performed.

*History Note: Authority G.S. 130A-29;
Temporary Adoption Eff. January 1, 1995, for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;
Eff. April 1, 1995;
Amended Eff. November 1, 2002.*

15A NCAC 18A .3202 PERMITTING

- (a) Every person engaged in the practice of tattooing shall register with their local health department on or before January 1, 1995, by providing their name, the address of the location at which they engage in tattooing, and their hours of operation.
- (b) No person shall engage in tattooing on or after June 1, 1995, without first obtaining a tattooing permit issued by the department. Persons permitted to engage in tattooing in counties with local rules shall obtain a tattooing permit from the department on or after June 1, 1995. Nothing herein shall preclude counties with local rules from permitting tattoo artists prior to June 1, 1995, at which time all tattoo artists shall be permitted by the department.
- (c) No tattooing permit shall be issued to a person until an inspection by the department verifies compliance with this Section.
- (d) Tattooing permits shall be issued in the name of the individual tattoo artist, shall list the address of the tattoo establishment where the artist will practice, and shall not be transferable to another person or place of practice.
- (e) A valid tattooing permit shall be posted in the premises of the tattoo establishment in a conspicuous place where it may be easily observed by the public upon entering the establishment.
- (f) Application for a tattooing permit shall be submitted to the local health department. The application shall include at least the following information:
 - (1) Name of tattoo artist;
 - (2) Mailing address of tattoo artist;
 - (3) Name of tattoo establishment;
 - (4) Street address of tattoo establishment;
 - (5) Anticipated date of commencing operation; and
 - (6) Signature of tattoo artist.
- (g) Any additional information requested by the department to verify compliance with this Section shall be submitted with the permit application. An initial application for issuance of a tattooing permit shall be submitted no less than 30 days before anticipated commencement of tattooing by the artist within the

jurisdiction of the local health department issuing the permit. Application for renewal of an existing tattooing permit shall be submitted to the local health department at least 30 days prior to the expiration date of the existing permit.

(h) Any permit application fee established by the local board of health shall be paid upon submission of the application.

History Note: Filed as a Temporary Adoption Eff. January 1, 1995, for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;
Authority G.S. 130A-29;
Eff. April 1, 1995.

15A NCAC 18A .3203 WATER SUPPLY

(a) The water supply serving a tattoo establishment shall be an approved potable water supply. Public water supplies that meet the requirements of 15A NCAC 18C shall be approved.

(b) When a public water supply is not available and a private water supply is used, the water supply for a tattoo establishment shall be located, constructed, maintained, and operated in accordance with the Rules Governing the Protection of Private Water Supplies, 15A NCAC 18A .1700.

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15A NCAC 18A .3204 SEWAGE DISPOSAL

Sewage shall be disposed of in accordance with 15A NCAC 18A .1900 or 15A NCAC 2H .0200.

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15A NCAC 18A .3205 SOLID WASTE MANAGEMENT AND DISPOSAL

Solid waste management and disposal for tattoo establishments shall be in accordance with 15A NCAC 13B.

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Authority G.S. 130A-29;
Eff. April 1, 1995.

15A NCAC 18A .3206 RECORDS, HEALTH REQUIREMENTS FOR PATRONS

(a) Retrievable records for each patron shall be kept by the tattoo artist. The patron shall be required to record or verify their name, address, phone number, date of birth, and provide their signature.

(b) Records shall be kept for a minimum of two years and shall be made available to the department on demand.

(c) No person with visible jaundice (yellowing of the eyes or skin) shall be tattooed.

(d) No tattooing shall be done on skin surface that has a rash, pimples, boils, infections, or manifests any evidence of being reddened or inflamed.

History Note: Filed as a Temporary Adoption Eff. January 1, 1995, for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;
Authority G.S. 130A-29;
Eff. April 1, 1995.

15A NCAC 18A .3207 CONSTRUCTION

(a) Each tattoo establishment shall have at least one tattooing room. This room shall be separate and apart from all other areas in the establishment, and access to this room shall be restricted. Patrons shall be tattooed only in the tattooing room, and there shall be a separate work station for each patron within the tattooing room. Furniture and furnishings within the tattooing room shall be constructed to be easily cleanable, maintained in good repair, and kept clean.

(b) At least one lavatory with mixing faucets supplied with hot and cold running water under pressure shall be provided for every five artists for hand washing and utensil washing. Lavatories shall be accessible to the tattooing room such that tattoo artists can wash their hands and return to the tattoo room without having to touch anything with their hands. Access to these lavatories shall be restricted to the tattoo artists. Each lavatory shall be easily cleanable, in good repair, and kept free of storage.

(c) Poisons, including germicidal solutions, used in the tattoo establishment shall be stored in covered containers with labels identifying the contents.

(d) The tattooing room shall be maintained clean and in good repair. The floor of the tattooing room shall be of impervious material and shall be maintained in clean condition at all times.

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Eff. April 1, 1995.

15A NCAC 18A .3208 OPERATION AND MAINTENANCE

(a) Antiseptic soap and a germicidal solution shall be available to each tattoo artist. Individual hand scrub brushes and fingernail files or orange sticks for each tattoo artist shall also be available. Before tattooing the first patron of the day, each tattoo artist shall scrub his hands and forearms with an antiseptic soap and warm water for five minutes using a clean individual hand brush and an individual file or orange stick for his fingernails; and he shall repeat this process for two to three minutes before tattooing each subsequent patron that day. An individual disposable towel shall be used for drying the tattoo artist's hands and arms after rinsing. Each tattoo artist shall wear clean disposable latex surgical gloves and a clean or disposable gown or coat or a clean or disposable lap cloth while engaged in tattooing. Gloves must be changed between patrons and disposed of after each use. There shall be no use of tobacco or other smoking materials in the tattooing room, and there shall be no eating of food or drinking of beverages in the tattooing room by the tattoo artist.

(b) Tattooing instruments and other equipment shall be cared for as follows:

- (1) All clean and ready-to-use instruments, dyes, carbons, and stencils shall be kept in a closed container, case, or storage cabinet while not in use. The storage cabinet shall be maintained in a sanitary manner at all times. Sterile instruments shall be kept in sterile packages or containers;
- (2) Only disposable needles shall be used in the tattooing process, and a new needle or set of needles shall be used on each patron;
- (3) Autoclaving shall be used for sterilization of the needle bar tube and needle bar of the tattoo machine before use on each patron. The needle bar tube of the tattooing machine shall be cleaned after each use and before being sterilized for use with the next patron;
- (4) The needles and instruments required to be sterile shall be handled with aseptic technique during the tattooing procedure so they are not contaminated before use; and
- (5) The effectiveness of the autoclave in killing bacterial endospores shall be tested once each month by using an endospore-impregnated strip. Results of this test shall be recorded for review annually by the department.

(c) All sharps, including the needles after removal from the needle bar, shall be stored and disposed of in containers that are rigid, puncture-resistant, and leak-proof when in an upright position.

(d) Blood and body fluid precautions shall be practiced by the tattoo artist when the potential for contact with blood and body fluids exists in any procedure.

History Note: Filed as a Temporary Adoption Eff. January 1, 1995, for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;

*Authority G.S. 130A-29;
Eff. April 1, 1995.*

15A NCAC 18A .3209 TATTOOING PROCEDURES

- (a) Sterilized or new disposable razors shall be used for each patron when it is necessary to shave the area to be tattooed.
- (b) The site of the tattoo shall be cleaned with a germicidal solution, which shall be applied in a circular, centrifugal manner before the design is placed on the skin. If the area to be tattooed is shaved, this cleaning shall be performed after shaving the area. Any other sterile, individual towels or gauze that are used in preparing the site to be tattooed shall be properly disposed of after use on each patron.
- (c) The use of styptic pencils, alum blocks, or other solid styptics to control bleeding is prohibited unless a separate, disposable styptic is used for each patron.
- (d) If a stencil is used, only clean disposable stencils for transferring the design to the skin shall be used, and no stencil may be used on more than one patron.
- (e) Single-service individual containers of dye or ink shall be used for each patron and the container shall be discarded immediately after completing work on a patron. Any dye or ink in which the needles were dipped shall be treated likewise so as not to be used on another person.
- (f) After completing the tattoo, the tattooed area shall be cleaned with a clean facial tissue or paper towel, and an antibacterial ointment may be applied. The area shall then be covered with a sterile dressing.

*History Note: Filed as a Temporary Adoption Eff. January 1, 1995, for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;
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Eff. April 1, 1995.*

15A NCAC 18A .3210 INSECT, RODENT AND VECTOR CONTROL

The premises shall be kept clean and free of vermin at all times. There shall be no fly or mosquito breeding places or rodent harborage on the premises. Non-human animals shall not be allowed in the tattooing room. Litter under the control of the tattoo artist or operator shall not be permitted to accumulate on the premises.

*History Note: Filed as a Temporary Adoption Eff. January 1, 1995, for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;
Authority G.S. 130A-29;
Eff. April 1, 1995.*

15A NCAC 18A .3211 PROCEDURE WHEN INFECTION SUSPECTED

All infections resulting from the practice of tattooing which become known to the tattoo artist shall be reported to the local health department by the tattoo artist within 48 hours.

*History Note: Filed as a Temporary Adoption Eff. January 1, 1995, for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;
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Eff. April 1, 1995.*

15A NCAC 18A .3212 PERMIT REVOCATION

The Department may suspend or revoke permits in accordance with G.S. 130A-23.

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Authority G.S. 130A-23; 130A-29;
Eff. April 1, 1995.*

Score: _____ N/A

Health Department _____

Date of Insp/Chg _____

Current Facility ID _____ 6 1

Status Code: _____

Old Facility ID _____

Inspection of Tattoo Establishment

Water Supply: <input checked="" type="checkbox"/> Community	<input checked="" type="checkbox"/> Non-Transient Non-Community	Water sample taken today? <input type="checkbox"/> Yes <input type="checkbox"/> No
<input checked="" type="checkbox"/> Transient Non-Community	<input checked="" type="checkbox"/> Non-Public Water Supply	<input checked="" type="checkbox"/> Inspection
		<input type="checkbox"/> Re-Inspection
		<input type="checkbox"/> Status Change
Wastewater System: <input checked="" type="checkbox"/> Community	<input checked="" type="checkbox"/> On-Site System	<input checked="" type="checkbox"/> Visit

Name of Establishment: _____ **Name of Tattoo Artist:** _____

Location Address: _____ **Mailing Addr.:** _____

City: _____ **State:** NC **Zip:** _____ **City:** _____ **State:** _____ **Zip:** _____

- RECORDS: (.3206; .3208)**
- Records maintained for each patron include name, address, phone number, date of birth, and signature _____
 - Monthly records of bacterial endospore destruction tests maintained for each autoclave _____

- TATTOO ROOM: (.3205; .3207; .3208; .3210)**
- Separate and apart from areas used for other purposes _____
 - Separate work stations for each artist _____
 - Room clean and good repair _____
 - Furniture easily cleanable, kept clean _____
 - Instruments, dyes, carbons, stencils kept in clean closed containers, case or storage cabinet _____
 - Sterile instruments packaged in sterile containers _____
 - Rigid solid waste container with plastic liner _____
 - No animals or use of tobacco in tattoo room _____
 - No eating or drinking by artists in tattoo room _____

- LAVATORY: (.3203; .3204; .3207; .3208)**
- Accessible to tattoo room _____
 - Use restricted to tattoo artists _____
 - Clean and good repair, kept free of storage _____
 - Hot and cold water under pressure, mixing faucet _____
 - Antiseptic soap and germicidal solution provided _____
 - Individual scrub brushes and fingernail files or orange sticks provided for each artist _____
 - Individual disposable hand towels provided _____
 - Approved water supply and sewage disposal _____

- TATTOOING PROCEDURES: (.3208; .3209)**
- Hands washed thoroughly before each patron _____
 - Clean disposable latex gloves worn _____
 - Clean gown or lap cloth used _____
 - Sterile instruments handled by aseptic technique _____
 - Ink dispensed into disposable ink caps _____
 - Skin examined and only healthy skin tattooed _____
 - New disposable or sterile razor used _____
 - Germicidal solution applied to skin _____
 - Only new sterile needles used _____
 - Tattoo cleaned and sterile dressing applied _____

- PRECAUTIONS: (.3207; .3208; .3209)**
- Blood and body fluid precautions taken _____
 - Protective coverings & lap cloths removed & disposed of or laundered _____
 - Contaminated Equipment cleaned and disinfected _____
 - Contaminated instruments properly stored, cleaned, and autoclaved _____
 - Needles removed and placed in sharps container _____

- MISCELLANEOUS: (.3205; .3207; .3210)**
- Poisons in covered, labeled containers _____
 - Premises free of vermin, flies, or mosquito breeding places _____
 - Outdoor solid waste in watertight containers with tight lids, properly secured _____
 - Litter and solid waste not allowed to accumulate _____

Inspection by: _____ EHS I.D.# _____ Report Received by: _____

Purpose: General Statute 130A-283 requires the Commission for Health Services to adopt rules governing tattooing. 15A NCAC 18A .3200 specifies the requirements for tattoo artists. This form is developed to be used in making inspections of tattoo establishments. **Preparation:** Local environmental health specialists shall complete the form every time they conduct an inspection. Based on observations and information provided by the tattoo artist, place a check mark beside each item to indicate compliance with the applicable rules. Prepare an original and one copy for: 1. Original to be left with tattoo artist. 2. Copy for the local health department. Specific deficiencies are underlined. If additional explanation is needed, use another sheet. **Disposition:** Please refer to Records Retention and Disposition Schedule 8.B.6 for County/District Health Departments which is published by the North Carolina Division of Archives and History. Additional forms may be ordered from: Environmental Health Section, 1630 Mail Service Center, Raleigh, NC 27699-1630, (Courier 52-01-00)



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