

## Body Art Program Fact Sheet: Legalities of Tattoo / Body Piercing Services

One of the Health Department's state mandated obligations is to regulate businesses that offer body art services, such as tattoos and body piercings. The state law which mandates such regulation is found in Ohio Revised Code 3730 .02 , which states, "No person shall do any of the following:

(A) Operate a business that offers tattooing or body piercing services unless a board of health has approved the business under section 3730.03 of the Revised Code;

(B) Perform a tattooing or body piercing procedure in a manner that does not meet the safety and sanitation standards established by this chapter and the rules adopted under section 3730.10 of the Revised Code;"

This chapter of the Revised Code further clarifies in the definitions section, 3730.01, which states, "As used in this chapter:

(C) "Business" means any entity that provides services for compensation. "

When something is written in the Revised Code, it means it is law and can only be changed through legislative action via a bill in the statehouse. Also, it means that there can be no local rule that is in conflict with the law.

For concerns regarding unregulated provision of body art services, the best way to promote change is to join a current effort within the legislative community at the state level to enact changes to the language of the law that we referenced in this document. There may be a variety of ways to make it easier to enforce the safe provision of these services regardless of the definition of such services as a business. If you would like to see such changes, contact your elected state representative.

It is important to be educated about the dangers of obtaining body art services from unregulated individuals. Current regulations adopted under this Revised Code law do not allow the health department to approve or permit body art services within a household setting, so individuals obtaining tattoos / body piercings in a household are more at risk. Also, if the provider is permitted and inspected, they should be able to show a certificate indicating that they hold a permit from the health department. Bloodborne pathogens such as Hepatitis B, C and HIV can be spread anytime the skin is punctured by a needle, which is what occurs during tattooing and body piercing. Regulations adopted under this Revised Code law outline the requirements for sterilization of equipment involved in this procedure, such as provision of sterilization integrators within each load of equipment ran through the sterilization machine to verify that proper pressures and temperatures were met during that process. In addition, regulations require that a weekly laboratory sample to analyzed as an additional backup to verify that the sterilization equipment is working properly. Such records must be kept by the permit holder for proof of compliance.