

CLARK COUNTY HEALTH DISTRICT
REGULATIONS
GOVERNING THE SANITATION OF
TATTOO and PERMANENT MAKEUP ESTABLISHMENTS

WHEREAS, the Clark County Health District has been established by the County of Clark and the cities of Las Vegas, North Las Vegas, Henderson, Boulder City and the City of Mesquite as the public Health Authority for those entities, pursuant to Nevada Revised Statutes 439.370, et. seq.; and

WHEREAS, the District Board of Health is vested with the jurisdiction over all public health matters in the Health District, and is authorized to adopt Regulations necessary to protect and promote the public health in the geographical area subject to its jurisdiction; and

WHEREAS, the District Board of Health finds that the sanitation of tattoo establishments does affect the public health, and that it is necessary to adopt Regulations governing the sanitation of tattoo establishments to prevent and control the spread of Hepatitis, or other communicable disease; and

WHEREAS, the District Board of Health believes that the following Regulations are well and fairly designed to protect the public health, it does therefore publish, promulgate and order compliance with the substantive and procedural requirements hereinafter set forth within Clark County, Nevada.

SECTION 1

1.1 DEFINITIONS: The following terms used in these Regulations shall be defined as follows:

1.2 APPROVED: Means acceptable to the Health Authority based on conformance with adopted regulations, good public health practices and recognized industry standards.

1.3 CAMOUFLAGE: Means a method of disguising or concealing permanently blotchy or irregularly pigmented skin, acne scarring or other permanent skin irregularities by the use of blending pigments into the skin.

1.4 CHIEF HEALTH OFFICER: Means the Chief Health Officer of the Clark County Health District or his designee.

1.5 CLARK COUNTY HEALTH DISTRICT: Means all of the geographical area in both the incorporated and unincorporated parts of Clark County, Nevada.

1.6 CROSS-CONTAMINATION: Means the transfer of harmful micro-organisms from dirty surfaces or equipment to previously sanitized or sterilized surfaces or equipment.

1.7 DISTRICT BOARD OF HEALTH: Means the "District Board of Health " of Clark County which is comprised of two representatives appointed from each of the six member entities plus one at-large representative elected by the Board under the authority of the Nevada Revised Statutes (NRS), Chapter 439.390, and organized pursuant to NRS 439.370.

1.8 GROSS INCOMPETENCE: Means a serious lack of ability or knowledge to perform one=s duty in a sanitary manner or failure to comply with these Regulations. It shall also mean any conduct which endangers the public=s health or safety.

1.9 HEALTH AUTHORITY: Means the officers and agents of the District Board of Health.

1.10 HEALTH PERMIT: Means written approval by the Clark County Health District to operate an establishment where tattooing or permanent makeup is performed, under the provisions of these Regulations set forth in Section 2, infra. Approval is given in accordance with these Regulation and is separate from any other licensing requirements that may exist within communities or political subdivisions comprising the Clark County Health District.

1.11 OPERATOR: Means a person issued a Health Card under the provisions of these

Regulations set forth in Section 3, infra to practice tattooing or permanent makeup.

1.12 PERSON: Means an individual, firm, partnership, association, corporation, or other legal entity.

1.13 REPIGMENTATION: Means recoloration of the skin which has lost natural color as a result of: (a) Burns, dermabrasion, chemical peels, removal of birthmarks, vitiligo or skin conditions which result in permanent loss of melanin from the skin; (b) Scars as a result of surgical procedures or trauma; and (c) Re-creation of an areola or nipple following mastectomy.

1.14 SANITIZE: Means effective bactericidal treatment to clean surfaces of equipment by a process that has been approved by the Health Authority for being effective in destroying microorganisms, including pathogens.

1.15 STERILIZATION: Means destruction of all forms of microbiotic life including bacterial and fungal spores.

1.16 SUBSTANTIAL HAZARD TO PUBLIC HEALTH: Means any violation of the provisions of these Regulations that can injure the health or safety of the residents or visitors of Clark County. The term includes, but is not limited to:

- 1.16.1 A lack of adequate sterilization equipment on the premises in strict compliance with Section 6 of these Regulations.
- 1.16.2 Improper disposal of biohazardous wastes.
- 1.16.3 Any sharp instrument, such as a needle or razor, that is not appropriately containerized IMMEDIATELY after use.
- 1.16.4 Re-use of any single-use equipment or pigments.
- 1.16.5 Lack of proper sterilization of needles, tubes or any part of the tattoo machine that comes in contact with the pigment.
- 1.16.6 A loss of electrical power or any other utility in the tattoo establishment that causes the failure of a system that is required for the operation of the tattoo establishment, such as for lighting, heating, cooling or sterilization.
- 1.16.7 A tattoo operator infected with a communicable disease that may be transmitted to a patron and/or persons not practicing strict standards of cleanliness and personal hygiene and Universal Precautions, which may result

in the potential transmission of illness.

- 1.16.8 Sewage or liquid waste is not disposed of in an approved and sanitary manner, or the sewage or liquid waste contaminates or may contaminate any tattoo equipment or tattooing area, or an area frequented by patrons or operators.
- 1.16.9 Toilets and facilities for washing hands are not provided, properly installed, designed, accessible or convenient.
- 1.16.10 The supply of potable water is not approved or does not meet the applicable requirements for sampling and public notification set forth under the Safe Drinking Water Act and any regulations adopted pursuant thereto, and an operator does not use bottled water from an approved source.
- 1.16.11 A defect or condition exists in the system supplying potable water that may result in the contamination of the water.
- 1.16.12 The presence of any toxic items that are labeled, stored or used improperly.
- 1.16.13 The presence of insects, rodents and other vermin that constitutes a significant threat to the health or safety of patrons or operators, as determined by the Health Authority.

1.17 TATTOO: Means an indelible mark, figure or decorative design, fixed upon the body of a live human being by insertion of dyes or pigments into or under the skin.

1.18 TATTOOING: Means any method of placing a pigment or dye into or under the skin by the use of needles or any other instruments designed to puncture the skin.

- 1.18.1 Cosmetic Tattooing: Includes eyeliner, eyebrows, lip liner, full lip color, repigmentation or camouflage.
- 1.18.2 Figurative or Decorative Tattooing: Includes outlining or shading and the use of different sizes and configurations of needles to tattoo a design on a client.

1.19 TATTOO ESTABLISHMENT: Means a place of business, whether operated for profit or not, upon the premises of which tattoos are done, offered, sold or given whether advertising as a Atattoo parlor@, Atattoo salon@, Apermanent makeup@, Acosmetic tattooing@, Abody jewelry@ or

other description.

1.20 UNIVERSAL PRECAUTIONS: Means a set of guidelines and controls published by the Centers for Disease Control (CDC) outlining certain practices which health workers should employ in order to prevent parenteral, mucous-membrane and nonintact skin exposure to bloodborne pathogens. The method of infection control requires the employer and employee to assume that all human blood and specified human body fluids are infectious for human immunodeficiency virus (HIV), Hepatitis B virus (HBV) and other bloodborne pathogens. Precautions include hand washing, gloving, personal protective equipment, injury prevention, proper handling and disposal of needles and other sharp instruments and blood and body fluid contaminated products (Appendix A).

1.21 NUMBER, TENSE AND GENDER: Means words used in the singular may also include the plural and vice versa; verbs used in the present tense do not preclude the past and future tenses; use of the masculine gender may also include the neuter or feminine, as the context so indicates.

SECTION 2

2.1 HEALTH PERMITS: It shall be unlawful for any person to own or operate a tattoo establishment in Clark County, Nevada, without having first obtained a Health Permit from the Health Authority in accordance with the procedures hereinafter set forth.

2.2 A physician, or a person working under the direct supervision of a physician, performing tattoo procedures in the physician=s office or clinic, is exempt from these Regulations.

2.3 Any person desiring to operate a tattoo establishment shall make application for a Health Permit to the Health Authority upon forms approved by the Health Authority containing the following information:

2.3.1 Name of applicant;

2.3.2 Residence of applicant;

2.3.3 If a partnership, the names and resident addresses of each of the partners, whether general or limited, designating which;

2.3.4 If a corporation, the names and resident addresses of all of its officers, directors, shareholders, and the name of its resident agent for the purpose of service;

2.3.5 The location of the proposed establishment, and a floor plan and specification of the establishment as it is proposed to be operated;

2.3.6 The proposed hours of operation;

2.3.7 The names of all employees and their exact duties;

2.3.8 A complete description of all tattoo services to be provided;

2.3.9 An exact inventory of all tattoo equipment to be utilized, including names of manufacturers;

2.3.10 Names and addresses of all suppliers of tattoo equipment and supplies.

2.4 A dry heat sterilizer or autoclave, registered and listed with the Federal Food and Drug Administration, spore tested within thirty (30) days of the Health Permit Application, must be at the

establishment prior to the Health Permit being issued.

2.5 If the Health Authority determines, after investigation, that the proposed tattoo establishment can feasibly be operated in accordance with the provisions of these Regulations, a Health Permit may be issued to the applicant.

2.6 All Health Permits shall be renewed semi-annually. Their issuance is conditioned upon strict compliance with these Regulations, and Health Permits may be revoked or suspended for violation of these Regulations in accordance with the procedures set forth in Section 9, *infra*.

2.7 Health Permits shall be non-transferable.

2.8 Health Permit holders are required to comply with the State of Nevada Occupational Safety and Health Standards for General Industry (29 CFR Part 1910.1030) regarding occupational exposure to bloodborne pathogens.

2.8.1 Documentation of Hepatitis B immunizations of all operators working at the Tattoo/Permanent Makeup establishment must be maintained and available for review by the Health Authority (see Appendix C for a sample documentation form for use by the Tattoo/Permanent Makeup Establishment).

2.8.2 Health Permit holders are responsible for ensuring that operators working at their establishments initiate the Hepatitis B vaccination series within thirty (30) days of starting work unless, (a) the operator has previously received the complete Hepatitis B vaccination series and can provide documentation to the Health Authority, (b) antibody testing has revealed that the operator is immune or (c) the vaccine is contraindicated for medical reasons.

2.9 Health Permit holders are responsible for ensuring that individuals working in the facility have a current Clark County Tattoo or Permanent Makeup Operator Health Card and comply with all applicable health, safety, sanitation and sterilization Regulations of the Clark County Health District and other state agencies.

2.9.1 Health Permit holders are responsible for notifying the Clark County Health District, verbally or in writing, when a tattoo or permanent makeup operator starts or stops working at his facility.

2.9.2 Health Permit holders are responsible for ensuring that at least one (1) person is trained in CPR and First Aid, as evidenced by current certification, and is available at the establishment during hours of operation.

2.10 Health Permits shall be prominently displayed in the tattoo establishment and shall not be altered or defaced in any manner.

2.11 The Health Permit holder must also post, in public view within the premises, next to the Health Permit, a disclosure statement approved by the Health Authority which advises of the risks and possible consequences of tattoo procedures. (See Appendix B)

2.12 Copies of these Regulations must also be prominently displayed in any Health Permitted establishment.

2.13 Scarification, branding, the implantation of jewelry under the skin, or any other form of unregulated invasive body modification, is prohibited in tattoo or permanent makeup establishments.

SECTION 3

3.1 OPERATORS: It shall be unlawful for any person to act as a tattoo or permanent makeup operator, or for any person to employ another person as a tattoo or permanent makeup operator, unless such person has been issued a Health Card by the Clark County Health District. The Health Permit holder of an establishment must only hire operators who have passed the Clark County Health District=s sanitation exam and been issued a Health Card.

NOTE: It is the position of the Clark County Health District that Human Immunodeficiency Virus (HIV) is the cause of Acquired Immunodeficiency Syndrome (AIDS) and related immuno-deficiency conditions. This virus, as well as Hepatitis B Virus (HBV), may be transmitted by sharp instruments contaminated by blood or other body fluids, if proper precautions are not followed. As the carriers of these viruses may have no symptoms, the most prudent course to follow is to treat body fluids from all persons with the same high standards of caution and to rigorously follow Universal Precautions as defined in these Regulations. Because HIV, HBV and other bloodborne pathogens are not spread by casual means and because of the inadequacies of current serum testing for these diseases, there is no reason for the Health Authority to require blood tests prior to obtaining a Health Card. Universal Precautions are ample to prevent transmission of HIV, HBV and other bloodborne pathogens in a Health Permitted tattoo or permanent makeup establishment.

3.2 Application for a tattoo or permanent makeup operator Health Card shall be made to the Health Authority on forms approved by the Health Authority, which contain at least the following information:

- 3.2.1 Name;
- 3.2.2 Age;
- 3.2.3 Sex;
- 3.2.4 Social Security Number;
- 3.2.5 Residence;
- 3.2.6 Place where he will be working as an operator;
- 3.2.7 Medical history of all communicable diseases;
- 3.2.8 Current state of health and physical disabilities;

3.2.9 Training and/or experience.

3.3 Operator Health Cards may be issued by the Health Authority, after satisfaction of the following requirements:

3.3.1 Applicant is free of communicable diseases that may be transmitted to a patron;

3.3.2 Applicant is a minimum of eighteen (18) years of age;

3.3.3 Applicant has no physical disability or infirmity which could interfere with his acting as a tattoo operator;

3.3.4 Applicant has a minimum of six (6) months= experience or training as a tattoo or permanent makeup operator in a duly-licensed establishment in Nevada, or another state or country.

3.3.5 Applicant has obtained a score of at least eighty (80) percent on an examination of basic sanitation knowledge, pertaining to tattooing, which will be administered by the Health Authority.

3.3.6 Applicant has written verification from the Health Permitted tattoo or permanent makeup establishment where he will be operating.

3.3.7 Applicant has completed the required American Red Cross course in Preventing Disease Transmission (PDT) or has documentation of equivalent training with the past two (2) years.

3.4 Before any Health Card may be issued, the applicant must be tested for Tuberculosis (T.B.) by skin test or chest x-ray and immunized against Hepatitis A.

3.5 Before any Health Card may be issued or renewed, the applicant must possess current certification by the American Red Cross in Preventing Disease Transmission (PDT) or provide documentation of equivalent training within the past two (2) years, as approved by the Health Authority.

3.6 Health Cards must be renewed on a bi-annual (every 24 months) basis. Operators must not perform tattoo procedures if their Health Card is expired and will be required to repeat the application process (including retaking the basic sanitation examination) if found to be in violation of this Regulation.

3.7 A current Health Card must be in the operator=s possession at all times while engaged in the practice of tattooing or permanent makeup.

3.8 The operator must begin the Hepatitis B vaccination series within thirty (30) days of being issued a Health Card unless, (a) he has previously received the complete Hepatitis B vaccination series and can provide documentation to the Health Authority, (b) antibody testing has revealed that the operator is immune or (c) the vaccine is contraindicated for medical reasons.

3.9 Issuance of an operator=s Health Card shall be conditioned upon full compliance with these Regulations.

3.9.1 Thirty (30) day temporary Health Cards will be issued to applicants who have not completed the American Red Cross training in Preventing Disease Transmission (PDT) or equivalent training. Operators who do not provide documentation of completing this training within thirty (30) days must cease any operations until the required Preventing Disease Transmission (PDT) training has been completed.

3.9.2 Temporary Health Cards will be issued for applicants who have not completed the six (6) month training requirement in Section 3.3.4. The operator=s Health Card will be issued after documentation of the required six (6) month experience has been received.

3.9.2.1 Operators issued a temporary Health Card must complete the required Preventing Disease Transmission (PDT) training (Section 3.5) and begin the Hepatitis B vaccination series (Section 3.8) withing thirty (30) days of being issued a temporary Health Card or cease any operations until these requirements are met.

3.10 The operator must be free from all communicable disease while administering tattoos.

3.11 The operator must not smoke while administering a tattoo.

3.12 Prior to and immediately following administering a tattoo, the operator must thoroughly wash his hands and nails in hot running water and liquid soap, rinse them in clear warm water and then dry his hands with a paper towel.

3.13 During tattoo procedures, the operator shall wear surgical gloves. These gloves shall be discarded after each procedure and when damaged, soiled, or when interruptions occur in the procedure to prevent cross-contamination.

3.14 The operator, while on duty, must utilize or wear effective hair restraints if he has hair over the ears; must have clean fingernails; must wear clean outer garments and shall, in general, pay particular attention to his personal hygiene.

3.15 The operator must demonstrate a high level of competence. Gross incompetence may be cause for suspension of an operator=s Health Card or nonrenewal of an operator=s Health Card.

3.16 Operators are prohibited from providing tattoo services outside of a Health Permitted tattoo establishment. Health Cards are not transferable from person to person.

SECTION 4

4.1 PATRONS: No person shall perform any tattoo procedure upon a person under the age of eighteen (18) years without the written consent and proper identification of a parent, custodial parent or guardian, or under the direct supervision of a physician. Any procedure performed on a minor must be done in the presence of a parent or guardian. Nothing in this section is intended to require an operator to perform any tattoo procedure on a person under eighteen (18) years of age with parental or guardian consent.

4.1.1 Age of ALL patrons must be verified via picture identification and documented prior to the procedure being performed.

4.1.2 Picture identification of ALL patrons twenty-one (21) years of age or younger must be photocopied and kept with the patron=s paperwork.

4.2 Before administering a tattoo, the patron must be advised that the tattoo should be considered permanent; that it can only be removed with a surgical procedure; and that any effective removal may leave permanent scarring and disfigurement. A written cautionary notice to that effect, in a form approved by the Health Authority, must be furnished to, and receipted by, the patron.

4.3 Tattoos may not be administered to any person under the influence of drugs or alcohol. The operator and establishment are charged with the responsibility of making reasonable observations and inquiries to assure themselves that the patron is in fact sober, and not under the influence of intoxicating substances.

4.4 The patron must not bring food or drink into a tattooing area, and must not smoke during the tattoo procedure.

4.5 The skin surface to be tattooed must be free of rash, pimples, infection or scar tissue. The patron must be in apparent good health, and the skin to be tattooed generally in a healthy condition to all appearances.

4.6 The patron must be asked before the tattoo procedure whether he has had a history of jaundice or Hepatitis within twelve (12) months preceding that date. If the answer is in the affirmative, the tattoo procedure must not be performed.

4.7 The operator may decline to perform a procedure on any would-be patron whom the operator suspects to have a communicable disease.

4.8 The tattoo establishment must keep a permanent record of all patrons tattooed, stating the name, age, address, date of tattoo, operator=s name, place where tattooed and a description of the

design of the tattoo.

- 4.8.1 Such records shall be made available to the Health Authority upon request.
- 4.8.2 Such records shall be maintained in an orderly manner, filed by month and year, to facilitate retrieval of records.

- 4.8.3 Such records shall be retained for a minimum of two (2) years.

SECTION 5

5.1 TATTOO PROCEDURES: The skin and the surrounding area where the tattoo is to be placed shall first be washed with a germicidal soap, cleansed with 70% isopropyl alcohol and then shaved with a disposable blade where appropriate. Following shaving, the skin must be gently scrubbed with a bactericidal soap solution using a single-use paper product which shall be disposed of after use.

5.2 Substances applied to the client's skin to transfer designs from a stencil or paper shall be dispensed from containers in a manner to prevent contamination of the unused portion. Use of a spray bottle to apply liquid to the skin is acceptable. All creams and other semi-solid substances shall be removed from containers with a clean, sanitized spatula. Spatulas made of a washable, non-absorbent material may be sanitized and used again. Spatulas made of wood shall be discarded after use. Single-use tubes or containers shall be discarded following the tattoo procedure.

5.3 Individual portions of dyes or pigments in clean single-use containers shall be used for each client. Any remaining unused dye or pigment shall be discarded immediately following service.

5.4 Single-use items shall not be reused for any reason. Tattoo needles are not reusable under any circumstances. After use, all needles, razors and other sharps shall be immediately disposed of in red Sharps containers, appropriately labeled with the international biohazard symbol.

5.5 The body area surrounding the skin to be tattooed shall be draped with a single-use disposable paper product or clean linen.

5.5.1 Clean linens shall be used for each patron; a common towel is prohibited.

5.5.2 Clean linens, tissues or single-use paper products shall be stored in a clean, enclosed storage area until needed for immediate use.

5.5.3 Used linens shall be stored in a closed or covered container until laundered.

5.5.4 Soiled linens may be laundered in a washing machine with laundry detergent and chlorine bleach or by a regular commercial laundry service.

5.6 Contaminated waste which may release liquid blood or body fluids when

compressed or may release dried blood or body fluids when handled must be contained in an appropriate Ared@ bag and labeled with the international biohazard symbol. It must then be disposed of by a waste hauler authorized to dispose of biohazardous waste. Contaminated waste which does not release liquid blood or body fluids when handled may be contained in a covered receptacle and disposed of through normal, approved disposal methods.

5.7 Tattoo operators shall maintain a sanitary environment during all procedures to prevent cross-contamination.

5.8 In the event of blood flow, styptic pencils or alum solids shall not be used to check the flow of blood.

5.9 Both verbal and written instructions concerning proper care of the tattooed skin shall be provided to each patron following each procedure. Instructions shall specify care following service, possible side effects and activity restrictions. The content of such instructions shall be approved by the Health Authority.

5.10 Any infection resulting from the tattoo procedure, which becomes known to the operator or the establishment, shall be immediately reported, in writing, to the Health Authority.

SECTION 6

6.1 **STERILIZATION OF EQUIPMENT:** All tattoo cubicles/rooms and articles used on a patron must be sanitized before use by a disinfectant solution and the method used shall be approved by the Health Authority.

6.2 The instruments used in administering the tattoo shall be cleaned thoroughly after each use by scrubbing with a germicidal soap solution and hot water.

6.3 After cleaning, all instruments used in the tattoo procedure shall be packaged individually in paper peel-packs, heat-sealed plastic, or other packaging approved by the Health Authority, then sterilized. All packs must be marked with the date of sterilization, and a sterilizer indicator or internal temperature indicator must be used. Equipment packed in peel-packs or heat-sealed plastic will be considered sterile for a maximum of six (6) months.

6.4 All instruments used in the tattoo procedure must be sterilized by one of the following methods:

6.4.1 Autoclave (steam or chemical) sterilizer registered and listed with the Federal Food and Drug Administration, used, cleaned, and maintained according to the manufacturer=s instructions; or

6.4.2 Dry heat unit, registered and listed with the Federal Food and Drug Administration, used, cleaned and maintained according to manufacturer=s instructions; or

6.4.3 Single-use, prepackaged, sterilized equipment obtained from reputable suppliers or manufacturers. Such packages must contain a temperature strip or sterilizer indicator listed with the Federal Food and Drug Administration. Single-use items shall not be reused for any reason.

6.5 All sterilizing devices must be tested on a regular basis, as specified below, for functionality and thorough sterilization by use of the following means:

6.5.1 Chemical indicators (color change), to ensure sufficient temperature and proper functioning of equipment during the sterilization cycle, are required on all packaged instruments during each sterilization; and

6.5.2 Biological monitoring system (commercial preparation of spores) to ensure all microorganisms have been destroyed and sterilization has been achieved. Each

holder of a Health Permit to operate a tattoo establishment shall demonstrate that his sterilizer is capable of attaining proper heat and pressure through an annual spore destruction test. This test shall be verified through an independent laboratory. The Health Permit shall not be issued or renewed until documentation of the sterilizer's ability to destroy spores is received by the Health Authority.

6.6 All equipment used in the tattoo procedure must remain stored in sterile packages until just prior to performing a procedure. When equipment is assembled, the operator shall wear gloves and use great care to ensure that equipment is not contaminated.

6.7 All dyes and pigments used in tattoo procedures must be obtained from a reputable manufacturer, specifically for use in tattooing and used without adulteration of the original formula.

SECTION 7

7.1 **REQUIREMENTS FOR PREMISES:** There shall be a minimum of one hundred (100) square feet of floor space for each operator in the tattoo establishment. Each operator shall have a separate cubicle that can be screened from the public to provide privacy and/or a private tattoo cubicle available.

7.2 The establishment shall be well ventilated and provided with an artificial light source equivalent to at least twenty (20) foot candles. At least fifty (50) foot candles shall be provided at the level where the tattoo is being performed.

7.3 All walls, floors, ceilings and tattoo operating surfaces of the tattooing area shall be made of a smooth, nonabsorbent and nonporous material that is easily cleanable and can be maintained in a sanitary manner at all times.

7.4 Handsinks with hot and cold running water, liquid soap and disposable paper towels, in dispensers, shall be located in each tattoo cubicle.

7.5 Adequate toilet facilities will be provided in accordance with the specifications of the Uniform Plumbing Code. Hand washing sinks with hot and cold running water, liquid soap and disposable paper towels in dispensers must be located in rooms with toilets or toilet vestibules.

7.6 Adequate covered receptacles shall be provided in each cubicle for disposal of debris and trash. Receptacles in the cubicles shall be emptied daily, lidded, cleanable and kept clean.

7.7 A sealable, rigid (puncture-proof) red Sharps container, appropriately labeled with the international biohazard symbol, that is strong enough to protect the operator, patrons and others from accidental cuts or puncture wounds must be provided for disposal of sharp objects that come in contact with blood and/or body fluids.

7.8 A dry heat sterilizer or autoclave, registered and listed with the Federal Food and Drug Administration, must be at the establishment at all times. Sterilizers must be kept clean, in good working order and operated in a clean area.

7.9 No animals, of any kind, shall be allowed on premises except animals used by disabled individuals for assistance and fish in aquariums.

7.10 In general, the entire premises of the tattoo establishment must be kept clean and in good condition at all times, and during operating hours, the Health Authority shall be permitted access for inspection.

SECTION 8

8.1 ENFORCEMENT: A representative of the Health Authority shall give a proper identification of himself before entering a tattoo establishment to make an inspection, pursuant to NRS 447.200. Such an inspection must be made at least twice a year and more often, if necessary, to ensure compliance with these Regulations.

8.2 As stated in NRS 199.300, it is unlawful for any person to interfere with the Health Authority in the performance of its duties.

8.3 The original of the inspection report must be furnished to the Health Permit holder or operator of the tattoo establishment.

8.4 If, after investigation, the Health Authority should find that a Health Permittee or operator is in violation of these Regulations, he may, in the alternative:

8.4.1 Advise the Health Permittee or operator, in writing, of his findings and instruct him to take specific steps to correct such violations within a reasonable period of time, not to exceed thirty (30) days;

OR

8.4.2 If the Health Authority has reasonable cause to suspect that a communicable disease is being transmitted, or may be transmitted by an operator, or use of unapproved or malfunctioning equipment, which constitutes a substantial hazard to public health, the Health Authority, upon written notice to the owner or operator, may do any or all of the following:

8.4.2.1 Issue an order excluding any or all operators from the Health Permitted tattoo establishment who are responsible, or reasonably appear responsible, for the transmission of a communicable disease until the Health Authority determines there is no further risk to public health.

8.4.2.2 Issue an order to immediately suspend the Health Permit of the licensed establishment until the Health Authority determines there is no further risk to public health. Such an order shall state the cause for the action.

SECTION 9

9.1 SUSPENSION OR REVOCATION OF HEALTH PERMITS AND OPERATOR HEALTH CARDS: Health Permits and operator Health Cards issued under the provisions of these Regulations may be suspended temporarily by the Health Authority for failure of the holder to comply with the requirements of these Regulations.

9.2 Whenever a Health Permit holder or operator has failed to comply with any notice issued under the provisions of these Regulations, he must be notified in writing that the Health Permit or operator=s Health Card is, upon service of this notice, immediately suspended. The notice must also contain a statement informing the Health Permit holder or operator that an opportunity for a hearing will be provided if a written request for a hearing is filed by him with the Health Authority.

9.3 Any person whose Health Permit or operator=s Health Card has been suspended may, at any time, make application for reinstatement of the Health Permit or Health Card. Within ten (10) days following receipt of a written request, including a statement signed by the applicant that in his opinion the conditions causing the suspension have been corrected, the Health Authority shall reinspect the tattoo establishment or evaluate documentation provided by an operator. If the applicant is complying with the Regulations, the Health Permit or operator=s Health Card will be reinstated.

9.4 For serious or repeated violations of any of the requirements of this chapter or for interference with the Health Authority in the performance of his duties, the Health Permit or Health Card may be permanently revoked after an opportunity for a hearing has been provided by the Health Authority. Before taking such an action, the Health Authority shall notify the Health Permit holder or operator, in writing, stating the reasons for which the Health Permit or Health Card is subject to revocation and advising the Health Permit holder or operator of the requirements for filing a request for a hearing. A Health Permit or Health Card may be suspended for cause pending its revocation or a hearing relative thereto.

9.5 The Health Authority may permanently revoke a Health Permit after five (5) days following service of the notice unless a request for a hearing is filed with the Health Authority by the Health Permit holder within five (5) days.

9.6 The hearings provided for in this section must be conducted by the Health Authority at a time and place designated by him. Based upon the record of the hearing, the Health Authority shall make a finding and may sustain, modify or rescind any official notice or order considered in the hearing. A written report of the hearing decision must be furnished to the Health Permit holder or operator by the Health Authority.

9.7 Licensing authorities shall be notified by the Health Authority of the revocation of any Health Permit.

9.8 Health Permits that have been temporarily suspended by the Health Authority under the provisions of these Regulations will be subject to a reinstatement fee.

SECTION 10

10.1 TEMPORARY DEMONSTRATION HEALTH PERMIT REQUIREMENTS: A Temporary Demonstration Health Permit may be issued by the Health Authority for educational or convention purposes only. The Health Permit may not exceed seven (7) calendar days. Tattoo and permanent makeup services provided under such a Health Permit shall be at no charge to the clients. A notice, approved by the Health Authority, must be posted at the location where the Temporary Demonstration Health Permit will be used notifying clients that the services provided shall be at no charge.

10.2 A person who wishes to obtain a Temporary Demonstration Health Permit must submit the request in writing for review by the Health Authority, at least thirty (30) days prior to the event. The request should specify:

- 10.2.1 The purpose for which the Health Permit is requested.
- 10.2.2 The period of time during which the Health Permit is needed [not to exceed seven (7) calendar days].
- 10.2.3 Current Health Card or certification to practice or teach tattooing in Clark County or another state or country and present satisfactory evidence of that fact to the Health Authority.
- 10.2.4 The location where the Temporary Demonstration Health Permit will be used.

10.3 The applicant=s demonstration procedures must be contained in a completely enclosed, non-mobile facility (e.g., inside a permanent building).

10.4 Compliance with all the requirements of these Regulations, including but not limited to:

10.4.1 Conveniently located handwashing facilities, as approved by the Health Authority, with liquid soap, paper towels and hot and cold water under adequate pressure and drained in accordance with local plumbing codes shall be provided. Disinfecting single use hand wipes, approved by the Health Authority, in addition to the handwashing requirements of this section, must be available in each booth/cubicle

10.4.2 One hundred (100) square feet of floor space.

10.4.3 At least fifty (50) foot candles of light at the level where the tattoo/permanent makeup is being performed.

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

10.4.5 Ability to properly clean and sanitize the area used for tattooing/permanent makeup.

10.5 The facility where the Temporary Demonstration Health Permit is needed must be inspected by the Health Authority and a Health Permit issued prior to any tattoo procedures being performed.

10.6 Temporary Demonstration Health Permits issued under the provisions of these Regulations may be suspended by the Health Authority for failure of the holder to comply with the requirements of these Regulations.

SECTION 11

11.1 HEALTH CARD AND HEALTH PERMIT FEES: The Health Authority shall publish a fee schedule and charge fees for the plan review, initial inspection, routine inspection, permit reinstatement inspection, change of ownership, operator exams, and other duties required by law or Regulation per NRS 439.360.

SECTION 12

12.1 EFFECTIVE DATE: These Regulations shall take effect immediately upon their approval by the Nevada State Board of Health and following their recordation at the Clark County Recorder=s Office.

12.2 SEVERABILITY: In the event any particular clause or section of these Regulations should be declared invalid or unconstitutional by any court of competent jurisdiction, the remaining portions shall remain in full force and effect. Toward that end, the provisions of these Regulations are declared to be severable.

APPENDIX A UNIVERSAL PRECAUTIONS

The ***UNIVERSAL PRECAUTIONS***, published by the Centers for Disease Control (CDC), are a set of guidelines which health workers (including PSWs) should employ *consistently with all patients/clients*, in order to prevent parenteral, mucous membrane, and nonintact skin exposure to bloodborne pathogens.

The following Universal Precautions have been abstracted for their specific relevance to PSWs.

1. Needlestick injuries

Take care to prevent injuries when using needles, scalpels, and other sharp instruments or devices: a) when handling sharp instruments after procedures; b) when cleaning used instruments; c) when disposing of used needles.

Do not recap used needles by hand; do not bend, break, or otherwise manipulate used needles by hand.

Place used needles and other sharp items in puncture-resistant containers for disposal. Locate these containers as close to the use area as is practical.

2. Gloves and other protective barriers

Use protective barriers to prevent exposure to blood, body fluids containing visible blood, and other fluids to which Universal Precautions apply. The types of protective barriers used should be appropriate for the procedures being performed and the type of exposure anticipated.

3. Hand washing

Immediately and thoroughly wash hands and other skin surfaces that are contaminated with blood, body fluids containing visible blood, or other body fluids to which Universal Precautions apply.

4. Health problems

Health Care Workers who have weeping dermatitis or draining lesions should refrain from all direct patient/client care and from handling patient-care equipment until the condition has cleared.

5. Pregnancy

Pregnant health care workers are not known to be at greater risk of contracting HIV infection than non-pregnant health care workers. However, they should be especially familiar with, and strictly adhere to, precautions to minimize this risk.

Excerpted from, ACDC. Update: Universal Precautions for prevention of transmission of human immunodeficiency virus, hepatitis B virus, and other bloodborne pathogens in health-care settings.®

Morbidity and Mortality Weekly Report, June 24, 1988; 37(24):377-78.

APPENDIX B
HEPATITIS B IMMUNIZATION RECORD

Name of Facility

Street Address/City/State/Zip

Permit Number of Facility

Name of Operator		
Hire Date _____	Date of Birth _____	S/S # _____
Hepatitis B Immunization Record:		
Date- 1 st shot _____	Shot given by _____	Facility _____
Date- 2 nd shot _____	Shot given by _____	Facility _____
Date- 3 rd shot _____	Shot given by _____	Facility _____

This Hepatitis B documentation must be kept on file at the Establishment and a copy given to the Tattoo or Permanent Makeup Operator or Body Piercing Technician.

PUBLIC NOTICE

TATTOOING DISCLOSURE STATEMENT

, **THE CLARK COUNTY HEALTH DISTRICT DOES NOT
ENDORSE OR RECOMMEND TATTOOING IN ANY FORM.**

, **HEALTH DISTRICT PERMITS SIGNIFY SANITATION OF
EQUIPMENT AND PROCEDURES ONLY.**

As with any invasive procedure, Tattooing may involve possible health risks. Tattooing could result in:

§ Pain, bleeding, swelling, infection, scarring of the tattooing area and nerve damage.

The Tattooing Technician should:

§ Properly cleanse the tattooing site before tattooing

§ Use sterilized equipment

§ Use Sterile Tattooing Techniques, and

§ Inform the Client of proper aftercare of the tattooing area.

Comments and/or complaints - Contact the Clark County Health District, Environmental Health Division, (702) 383-1251 or send written comments to: Post Office Box 3902, Las Vegas, NV 89127