

**Suffolk County Sanitary Code**  
**Article 14**  
**Body Art**  
**Establishment Regulations**

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## **Introduction**

### **Public Health and Consumer Expectations**

The Suffolk County Department of Health Services and the Body Art Industry share the responsibility of ensuring that approved Body Art Procedures are performed under strict sanitary and sterile conditions and that the procedures and techniques used do not become a factor in the transmission of any communicable disease and preclude the occurrence of infection or other complication(s).

Accordingly, the provisions of Article 14 provide a system of preventive measures and overlapping safeguards to:

1. Minimize the transmission and spread of communicable diseases.
2. Protect the health of the practicing Body Artist and their patrons.
3. Promote and require educational and training standards for the Body Artists and the establishment operators that focus on disease prevention and safety in the Body Art Establishment.
4. Ensure the installation and use of non-toxic, easily cleanable equipment.
5. Require the use of sterilized Body Art Instruments and routine verification that all on-site sterilizing equipment is operating properly.
6. Establish acceptable levels of general sanitary maintenance of the Body Art Establishment.
7. Promote fair dealings between the Body Art Industry and their patrons that includes disclosure of potential risks, providing medically based suggested aftercare procedures in writing, and the normal healing periods for the procedure to be performed.

### **Information to Assist the User**

Defined words and terms are capitalized [i.e. SINGLE USE, BODY ARTIST] in the text of Article 14 to alert the reader that there are specific meanings assigned to those words and/or terms and that the meaning of a provision is to be interpreted in the defined context. A concerted effort was made to capitalize all forms and combinations of the defined words and terms that were intended to carry the weight of the definition.

## ARTICLE 14

### BODY ART ESTABLISHMENT REGULATIONS

#### 760-1400 Purpose, Scope, Definitions

1. The purpose of this Article is to protect public health by establishing minimum standards for the regulation of BODY ART ESTABLISHMENTS to prevent communicable and non- communicable disease. This Article is not intended to regulate the lawful PRACTICE OF MEDICINE nor THE PRACTICE OF DENTISTRY.
2. This Article is applicable to all locations where BODY ART PROCEDURES are conducted in the County of Suffolk.
  - a. Each person who operates a BODY ART ESTABLISHMENT shall comply with those sections of this Article that pertain to his/her operation.
  - b. BODY ART PROCEDURES and BODY ARTISTS at temporary events shall comply with the requirements of this Article.
3. This Article shall not be construed to authorize any practice or procedure prohibited by Federal, State or local law or regulation.
4. This Article shall not be construed to alter or limit any existing power, authority or Duty of the Suffolk County COMMISSIONER of the DEPARTMENT of Health Services or the Suffolk County DEPARTMENT of Health Services.
5. In the event that the State of New York adopts legislation or promulgates regulations concerning the subject matter herein, the more stringent requirements shall apply.
6. As used in this Article, the following words and terms shall have the indicated meaning:
  - a. **ADEQUATE** shall mean sufficient to accomplish the purpose for which something is intended.
  - b. **ADULT** shall mean a person 18 years of age or older.
  - c. **AFTERCARE** means written instructions given to the client, specific to the BODY ART PROCEDURE(s) rendered, about caring for the BODY ART and its surrounding area(s). These instructions will include information about when to seek medical treatment, if necessary, and they must be consistent with the AFTERCARE Standards set forth in Appendix A.

**d. APPRENTICE** means an individual, who is no less than 18 years old, working under the direct, on-site supervision of a Suffolk County Certified BODY ARTIST(s) in a Suffolk County permitted BODY ART ESTABLISHMENT to learn the skills of the trade.

**e. APPRENTICESHIP** means a written agreement an APPRENTICE has with a Suffolk County Certified BODY ARTIST(s) to learn the skills of BODY ART PROCEDURES while working under the direct, on-site supervision of the aforementioned BODY ARTIST(s) in a Suffolk County permitted BODY ART ESTABLISHMENT.

**f. BIOMEDICAL WASTE shall** mean any solid or liquid waste that may present a threat of infection to humans, including non-liquid tissue, body parts, blood, blood products, and any body fluids from humans and other primates: laboratory and veterinary wastes that contain human disease-causing agents; and discarded SHARPS. The following also are included (a) used absorbent materials saturated with blood, blood products, body fluids or excretions or secretions contaminated with visible blood, as well as absorbent materials saturated with blood or blood products that have dried; and (b) nonabsorbent disposable devices that have been contaminated with blood and that have not been treated by an approved method.

**g. BODY ART or BODY ART PROCEDURE** shall mean the practice of applying body adornment to an individual using invasive methods such as BODY PIERCING, TATTOOING, COSMETIC TATTOOING, PERMANENT MAKE-UP, MICROPIGMENTATION, DERMOPIGMENTATION, BRANDING, and SCARIFICATION.

**h. BODY ART ESTABLISHMENT** shall mean any permanent or temporary place or premises where BODY ART PROCEDURES are performed with or without compensation.

**i. BODY ART SHOP OPERATOR** shall mean any person, persons, firm, estate, partnership, company, corporation, trustee, association or any other public or private entity that operates a BODY ART ESTABLISHMENT.

**j. BODY ARTIST** shall mean shall mean any person, no less than 18 years old, who performs BODY ART PROCEDURES as defined herein.

**k. BODY ARTIST CERTIFICATION** is the issuance, by the COMMISSIONER, of a written BODY ART INSTRUMENT authorizing the person named therein to engage in the practice of BODY ART PROCEDURES as defined herein.

**l. BODY ARTIST MENTOR** is a Suffolk Certified BODY ARTIST who has a history of no less than three years of practicing his/her profession in Suffolk County and who is willing to sponsor and mentor an APPRENTICE BODY ARTIST.

**m. BODY PIERCING** shall mean to puncture, penetrate or pass through any mucosal or non-mucosal part of the body with a sharp STERILIZED, SINGLE-USE needle, for the purpose of applying STERILIZED JEWELRY or other STERILIZED ornament made of JEWELRY quality materials to various parts of the body. This term does not include EAR PIERCING as herein defined.

**n. BRANDING** shall mean any method using heat, cold or chemical compound, or cauterizing to apply a scar to the body for the purpose of creating a permanent mark or design on the skin.

**o. COMMISSIONER** shall mean the COMMISSIONER of the Suffolk County DEPARTMENT of Health Services.

**p. COSMETIC TATTOOING** shall mean a form or type of TATTOO or TATTOOING for cosmetic purposes and may require specific educational and/or training requirements set forth in Standards established by the COMMISSIONER.

**q. DEPARTMENT** shall mean the Suffolk County DEPARTMENT of Health Services.

**r. DERMOPIGMENTATION** shall mean a form or type of TATTOO or TATTOOING for cosmetic purposes and may require specific educational and or training requirements set forth in Standards established by the COMMISSIONER.

**s. EAR PIERCING** means the puncturing of the lobe of the ear with a pre-STERILIZED, SINGLE-USE stud-and-clasp ear-piercing system following manufacturer's instructions. EAR PIERCING is subject to the provisions of this Article relating to personal hygiene, USE of SINGLE-USE STERILE EQUIPMENT and/or BODY ART INSTRUMENTS, JEWELRY, and AFTERCARE instructions, but is exempt from all other provisions.

**t. ESTABLISHMENT** shall mean the BODY ART ESTABLISHMENT.

**u. EQUIPMENT** shall mean all machinery, including fixtures, containers, vessels, tools, devices, implements, furniture, display and storage areas, sinks, fixtures and all other apparatus and appurtenances Used in connection with the operation of a BODY ART ESTABLISHMENT.

**v. HAND WASHING or WASHING OF THE HANDS** shall mean scrubbing his/ her hands and wrists thoroughly with warm, clean, fresh water and hand soap from a dispenser for a minimum of 30 seconds, rubbing in between the fingers and around the fingernails in particular, followed by subsequent, thorough rinsing with warm, running water and finally drying with clean, SINGLE-USE paper towels from an enclosed dispenser.

**w. HOT WATER** shall mean water that attains and maintains a temperature of 100 ° F (37.8 ° Celsius) minimum.

**x. IMPLANT** shall mean the insertion of an object or objects such as, but not limited to ball bearings, rods, spikes, beads, rings, jewels or JEWELRY under the surface of the skin so as to completely encapsulate the object under the surface of the skin *or* to form a pocket in the skin so as to partially expose the inserted object.

**y. BODY ART INSTRUMENTS USED FOR BODY ART** shall mean implements such as, but not limited to hand pieces, needles, needle bars, tubes, clamps, ring spreaders and receiving tubes that can come into contact with the client's body or may be exposed to body fluids during BODY ART PROCEDURES.

**z. INVASIVE or INVASIVE PROCEDURE** shall refer to entry into the body by incision, by insertion of a BODY ART INSTRUMENT into or through the skin or mucosa, or by any other means intended to puncture, break or compromise the skin or mucosa.

**aa. JEWELRY** shall mean any personal ornament that has been properly STERILIZED prior to USE and that is to be inserted into a newly pierced area. JEWELRY Used in BODY ART PROCEDURES shall be made only of the following materials: surgical-IMPLANT grade stainless steel; solid 14k or 18k white or yellow gold; niobium; titanium; platinum; or a dense, low-porosity surgical-grade plastic capable of being autoclave-STERILIZED without compromising the original characteristics of the plastic. All JEWELRY shall be free of nicks, scratches, or irregular surfaces.

**bb. MICROPIGMENTATION** shall mean a form or type of TATTOO or TATTOOING for cosmetic purposes and may require specific educational and/or training requirements as set forth in Standards established by the DEPARTMENT.

**cc. MINOR** shall mean any person under the age of eighteen (18) years.

**dd. MOBILE BODY ART ESTABLISHMENT** shall mean any BODY ART operation that readily moves from location to location and inside which approved BODY ART PROCEDURES are performed.

**ee. PERMANENT MAKE-UP** shall mean a form or type of TATTOO or TATTOOING for cosmetic purposes and may require specific educational and/or training requirements as set forth in Standards established by the COMMISSIONER.

**ff. PIERCING DEVICE** shall mean any device used for the piercing of the skin for the purpose of applying JEWELRY.

**gg. THE PRACTICE OF DENTISTRY** shall be defined as diagnosing, treating operating, or prescribing for any disease, pain, injury, deformity, or physical condition of the oral and maxillofacial area related to restoring and maintaining dental health. THE PRACTICE OF DENTISTRY includes the prescribing and fabrication of dental prostheses and appliances. THE PRACTICE OF DENTISTRY may include performing physical evaluations in conjunction with the provision of dental treatment as per New York State Education Law Article 133, § 6601.

**hh. THE PRACTICE OF MEDICINE** shall mean the practice of the profession of medicine as defined in diagnosing, treating, operating or prescribing for any human disease, pain, injury, deformity or physical condition as per New York State Education Law § 6521.

**ii. RECORDS** shall mean a written, drawn, printed, typed, digital, photographic or electronic logging or description of a drawing, file, or accounting of an event, procedure, or transaction relating to BODY ART PROCEDURES or the operation of any BODY ART ESTABLISHMENT.

**jj. SANITIZATION, SANITIZE or SANITIZING** shall mean effective bactericidal treatment of clean surfaces of EQUIPMENT by a process that has been approved by the DEPARTMENT as being effective in destroying microorganisms, including pathogens.

**kk. SCARIFICATION** shall mean the use of BODY ART PROCEDURES, intentional destruction of the skin, or any other technique that changes the contour, or level plane of the skin and results in a scar on the skin.

**ll. SHARPS** mean objects (sterile or contaminated) capable of puncturing, lacerating, or otherwise penetrating the skin or mucosa.

**mm. SHARPS CONTAINER** means a rigid, leak and puncture resistant container, designed primarily to contain SHARPS, clearly labeled with the phrase "biological hazard" and the international biological hazard symbol.

**nn. SINGLE-USE PRODUCTS or ITEMS** are those intended by the manufacturer for one-time, one-person use and disposal after use.

**oo. SKIN BRAIDING** shall mean the forming of strips of detached skin and the subsequent braiding, transplanting and/or overlapping of these skin strips to form a pattern or design and the subsequent reapplication of these skin strips to the recipient's procedure area for permanent healing and/or re-bonding to the body.

**pp. STERILIZE or STERILIZATION** shall mean the destruction of all living organisms around and in an object.

**qq. TATTOO or TATTOOING** shall mean to mark or color the skin by pricking non-toxic coloring matter such as ink, pigments or dyes into or under the skin or mucosa with the aid of needles or any other similar BODY ART INSTRUMENT(s) used to puncture the skin. TATTOOING results in the permanent coloration and/or scarring of the skin or mucosa. This includes, but is not limited to, DERMOPIGMENTATION, MICROPIGMENTATION, PERMANENT MAKEUP, and COSMETIC TATTOOING.

**rr. TATTOO ARTIST** shall mean any person who actually performs the work of TATTOOING and may require additional training and/or educational requirements set forth in Standards established by the COMMISSIONER.

**ss. TEMPORARY BODY ART ESTABLISHMENT or EVENT** means any place or premises operating at a fixed location where a properly permitted operator and properly certified BODY ARTIST(s) perform BODY ART PROCEDURES at a fixed location in conjunction with a single event or celebration of no more than 14 consecutive days duration. Such permit is not renewable.

**tt. TRANSIENT BODY ARTIST** as Used in this Article shall mean any person who performs BODY ART PROCEDURES on a temporary basis of not more than fourteen (14) consecutive days duration, usually at a special event or show.

**uu. ULTRASONIC CLEANER or CLEANING DEVICE**, for the purposes of this Article, shall mean a device that applies intense, high-frequency sound to a liquid to produce a chemical and/or physical reaction which is designed to enhance detergency, degreasing, strip away oxides, films and oil coatings, disrupt biological cells, emulsify particulates and ultimately clean surfaces of BODY ART INSTRUMENTS USED FOR BODY ART, JEWELRY and EQUIPMENT.

**vv. UNIVERSAL PRECAUTIONS** shall mean a set of guidelines and controls that have been published by the Centers for Disease Control and Prevention (CDC) as "Guidelines for Prevention of Transmission of Human Immunodeficiency Virus and Hepatitis B Virus to Health-care and Public Safety Workers" in "Morbidity and Mortality Weekly Report (*MMWR*), June 23, 1989, Vol. 38, No. 5-6, and as "Recommendations for Preventing Transmission of Human Immunodeficiency Virus and Hepatitis B to Patients During Exposure-prone INVASIVE PROCEDURES" in *MMWR*, July 12, 1991, Vol. 40, No. RR-8. or such other guidelines and controls established by the COMMISSIONER. This method of infection control requires the employer and the employees to assume that all human blood and specified human body fluids are infectious for HIV, HBV, and other blood pathogens. Precautions include HAND WASHING, gloving, personal protective EQUIPMENT, injury prevention, and proper handling and disposal of needles, other sharp BODY ART INSTRUMENTS, and products contaminated with blood and body fluids. <sup>1</sup>

#### **760-1401 Powers of the COMMISSIONER; Enforcement**

1. The COMMISSIONER or her/his duly authorized representative shall have the power to:
  - a. Enter upon any premises for the purpose of making investigations and inspections in respect to the provisions of the New York State Sanitary Code, New York State Public Health Law, this Article, and the requirements of the DEPARTMENT.

b. Require any owner of a BODY ART ESTABLISHMENT or BODY ARTIST in possession of BODY ART EQUIPMENT, BODY ART INSTRUMENTS, or RECORDS to make such EQUIPMENT, BODY ART INSTRUMENTS, or RECORDS, and himself/herself available for inspection at a reasonable time and for as long as it takes to complete the inspection.

c. Seal, embargo, or prohibit the USE of any BODY ART INSTRUMENTS, and EQUIPMENT which does not meet the requirements of the New York State Sanitary Code (when available), this Code, and the requirements of the DEPARTMENT and to take any appropriate enforcement action as deemed necessary and appropriate in accordance with Suffolk County Sanitary Code Article 2, including, but not limited to administrative hearings and the imposition of fines.

d. Notwithstanding the other provisions of this Article, if the COMMISSIONER or any duly authorized representative finds any unsanitary or other conditions in the operation of a BODY ART ESTABLISHMENT, which constitute a danger to public health and it appears prejudicial to the public interest to delay action pending a hearing, the COMMISSIONER may serve an order upon the permit holder or person in charge citing such condition and specifying the corrective action to be taken and a time period of less than fifteen (15) days within such action shall be taken; and such order may state that the permit is immediately suspended and all BODY ART PROCEDURES are to be discontinued forthwith and the BODY ART ESTABLISHMENT is to be closed. Any person to whom such an order is issued shall comply immediately therewith but; as promptly as possible thereafter and within fifteen (15) days; the COMMISSIONER shall provide such person an opportunity to be heard.

e. In any case in which the COMMISSIONER shall have taken closure action pursuant to the provisions of this section, the COMMISSIONER or any duly authorized representative shall conspicuously post a suitable notice or placard at all entrances of the BODY ART ESTABLISHMENT stating the existence of such order and his authority therefore. No person shall interfere with or obstruct the COMMISSIONER or any duly authorized representative from posting such notice or placard, nor shall any person conceal, mutilate, or remove any such notice or placard except by permission of the COMMISSIONER or any duly authorized representative.

In the event that any such notice or placard is concealed, mutilated or removed it shall be the duty of the permit holder or person in charge of such BODY ART ESTABLISHMENT to immediately notify the COMMISSIONER of such fact.

### **760-1402 Prohibitions**

1. The following procedures and practices are specifically prohibited in BODY ART ESTABLISHMENTS under this article:

a. No BODY ART PROCEDURE that meets the criteria for THE PRACTICE OF MEDICINE, including surgery, or THE PRACTICE OF DENTISTRY shall be conducted in a BODY ART ESTABLISHMENT or performed by any BODY ARTIST.

b. A BODY ART PROCEDURE that, in the judgment of the representative of the COMMISSIONER, may meet the criteria for THE PRACTICE OF MEDICINE or THE PRACTICE OF DENTISTRY shall be submitted to the proper regulatory authority for review.

c. No INVASIVE PROCEDURE prohibited by law shall be conducted in a BODY ART ESTABLISHMENT or by any BODY ARTIST.

d. BRANDING or SCARIFYING of a MINOR is prohibited in a BODY ART ESTABLISHMENT, and, in addition, it is prohibited for a BODY ARTIST to BRAND or SCARIFY a MINOR.

### **760-1403 BODY ARTIST CERTIFICATION**

1. No person except a duly licensed Health Professional (NYS Ed Law) shall perform BODY ART PROCEDURES or act as a BODY ARTIST unless such person has a BODY ARTIST CERTIFICATE issued by the COMMISSIONER.

2. An applicant's past history of non-compliance and/or the applicant's criminal record will be a consideration in evaluating whether the DEPARTMENT will issue a BODY ARTIST CERTIFICATE. Previous convictions for criminal offenses shall be considered in accordance with NY Corrections Law Article 23-A.

3. An applicant must be an ADULT to receive a BODY ARTIST CERTIFICATE of any kind.

4. No holder of any BODY ART ESTABLISHMENT permit issued under Section 1403 of this Article shall allow a BODY ARTIST to practice in such shop unless such BODY ARTIST is a holder of a valid BODY ARTIST CERTIFICATE as issued under subdivision (1) of this section. In the case of an owner-operated ESTABLISHMENT, the owner must be so certified.
5. Any person desiring to engage in BODY ART PROCEDURES or act as a BODY ARTIST shall submit an application for a BODY ARTIST CERTIFICATE to the COMMISSIONER along with two (2) passport identification pictures, on a form prescribed by the DEPARTMENT.
6. Each applicant shall be required to demonstrate by successfully passing the DEPARTMENT'S written examination and during subsequent inspections by a representative of the DEPARTMENT, demonstrating knowledge of UNIVERSAL PRECAUTIONS, proper in-shop procedures, the requirements of this Article and aseptic BODY ART PROCEDURES designed to prevent infection(s) and the spread of communicable disease. Furthermore, to qualify for a BODY ARTIST CERTIFICATE of any type, the applicant may be required to successfully complete whatever course(s), training and/or educational programs the DEPARTMENT has deemed relevant and necessary to the safe application of BODY ART PROCEDURES and to protect the public health. These courses, when required, are to be set forth in Standards established by the COMMISSIONER.
7. The COMMISSIONER may certify a BODY ARTIST, by reciprocal agreement with an outside agency or institution, if the BODY ARTIST has successfully completed a course in infectious disease control approved by the DEPARTMENT and, by examination of the individual's RECORDS and/or history of experience, training and education, has demonstrated acceptable knowledge of the requirements of this Article to perform BODY ART PROCEDURES.
8. The BODY ARTIST CERTIFICATE shall not be transferable from one person to another. The DEPARTMENT'S original copy of the BODY ARTIST'S CERTIFICATE shall be prominently displayed to the public, at the BODY ARTIST'S workstation, in every ESTABLISHMENT where the BODY ARTIST practices.
9. A BODY ARTIST CERTIFICATE shall expire three (3) years from date of its issuance.
10. A BODY ARTIST CERTIFICATE or BODY ARTIST APPRENTICE CERTIFICATE, or TRANSIENT BODY ARTIST CERTIFICATE may be revoked or suspended by the COMMISSIONER, after notice and an opportunity for a hearing, for failure of the CERTIFICATE holder to comply with the requirements of this Article or with any lawful notice or order issued pursuant thereto or failure to comply with any Federal, State or local law code or regulation.

## 11. APPRENTICESHIP Procedure

a. An APPRENTICE shall start an APPRENTICESHIP only after a Suffolk-certified BODY ARTIST MENTOR registers the APPRENTICE with the DEPARTMENT on forms provided by the DEPARTMENT. The following information is required for this registration:

1-The name and address of the permitted BODY ART ESTABLISHMENT(s) where the APPRENTICE will be training, working and learning the skills of the trade.

2-The full name, address, social security number, and date of birth of the APPRENTICE to affirm the applicant is at least 18 years old.

3-The name of the Suffolk-certified BODY ARTIST MENTOR supervising the APPRENTICESHIP. If there are multiple artists, then all involved artists must be identified,

4-The starting date and anticipated completion date of the APPRENTICESHIP.

b. At least one of the aforementioned BODY ARTIST MENTORS must be present inside the ESTABLISHMENT, within view of the APPRENTICE directly supervising the APPRENTICE when the APPRENTICE is conducting BODY ART PROCEDURES.

c. The APPRENTICE must obtain a Suffolk County BODY ARTIST CERTIFICATE prior to actually performing any BODY ART PROCEDURES. This CERTIFICATE will be clearly identified with the word "APPRENTICE". This CERTIFICATE must be displayed prominently at whatever workstation the APPRENTICE is working at and this CERTIFICATE is issued subject to the provisions of Section 760-1403 of this Article.

d. An APPRENTICE must complete a minimum of 1,000 hours of training under the direct supervision of the BODY ARTIST MENTOR(s) listed in the aforementioned application prior to being eligible for a full BODY ARTIST CERTIFICATE.

e. The APPRENTICE must maintain an accurate log during the APPRENTICESHIP period and this log is to include the following information:

1-the name of the APPRENTICE.

2-the date and the total number of hours working under supervision on that particular date.

3-a general description of the BODY ART PROCEDURES observed, performed, or outlined on the particular date listed.

4-the printed name and signature of the supervising BODY ARTIST for the date listed.

5-the name and address of the ESTABLISHMENT where the work was performed.

f. If the APPRENTICESHIP procedures are not followed as outlined above, a BODY ARTIST CERTIFICATE will not be issued to the APPRENTICE.

g. An APPRENTICE shall follow all the requirements imposed upon a BODY ARTIST by this Article.

12. A TRANSIENT BODY ARTIST must comply with all provisions of this Article as pertains to performing approved BODY ART PROCEDURES.

a. A TRANSIENT BODY ARTIST shall apply for a reciprocal BODY ARTIST CERTIFICATE in accordance with Section 760-1403.5 of this Article. Such reciprocal CERTIFICATE will be issued for a period of time to be determined by the DEPARTMENT and not to exceed three (3) years.

13. At the time of this Article's adoption, all TATTOO/BODY PIERCING CERTIFICATES already issued by the DEPARTMENT, will remain valid until their assigned expiration dates. Renewal of these pre-existing CERTIFICATES will be done in accordance with this Article without the requirement of APPRENTICESHIP. However, such renewing BODY ARTIST(s) shall fulfill any specific educational and/or training requirements set forth in Standards established by the COMMISSIONER.

### **760-1404 BODY ART ESTABLISHMENT Permit**

1. It shall be unlawful for any person to operate a BODY ART ESTABLISHMENT, Temporary BODY ART EVENT or MOBILE BODY ART ESTABLISHMENT who does not have a valid permit issued under the provisions of this Article. Only a person who complies with the requirements of this Article shall be entitled to receive and retain such a permit.

2. It shall be unlawful for any person(s) to perform BODY ART PROCEDURES at a Temporary BODY ART Event unless that event possesses a valid TEMPORARY BODY ART ESTABLISHMENT Permit.

3. The COMMISSIONER may at her/his discretion issue a TEMPORARY BODY ART ESTABLISHMENT permit for a special event not to exceed fourteen (14) days. The permit holder for the TEMPORARY BODY ART ESTABLISHMENT and the Certified BODY ARTIST(s) associated with the event must comply with all requirements of this Article.

a. Any person desiring to operate a BODY ART ESTABLISHMENT shall make written application for a permit on forms provided by the DEPARTMENT. Such application shall include the applicant's full name, post office address and home telephone number, as well as the business name, post office address, and telephone number. If the permit applicant is a corporation, partnership or group other than a corporation, additional information must be provided as outlined in Article 3 of the Suffolk County Sanitary Code, Sections 760-300.3, .4, and .5. If the application is for a temporary BODY ART event, it shall also include the inclusive dates of the proposed operation.

b. An applicant's criminal record and/or past history of non-compliance will be a consideration in evaluating the applicant's eligibility for a BODY ART ESTABLISHMENT permit. Previous convictions for criminal offences shall be considered in accordance with NY Corrections Law Article 23-A.

4. Permits shall not be transferable from one person to another person or from one place to another place.

5. A valid permit shall be prominently displayed to the public in every BODY ART ESTABLISHMENT, TEMPORARY BODY ART ESTABLISHMENT and MOBILE BODY ART ESTABLISHMENT.

6. If an individual, an applicant must be an ADULT to receive a BODY ART ESTABLISHMENT permit. If a corporation, partnership, or other group, at least one officer, principal or partner must be an ADULT to receive a permit.

7. BODY ART ESTABLISHMENT permits may be revoked or suspended by the COMMISSIONER, after notice and an opportunity for a hearing, for failure of the permit holder to comply with the requirements of this Article, or with any lawful notice or order issued pursuant thereto. For serious or persistent violations of any of the requirements of this Article, or for interference with the DEPARTMENT'S representative in the performance of his/her duties, after notice and an opportunity for a hearing has been provided by the COMMISSIONER, the permit may be revoked or suspended.

8. The hearings provided for in this section shall be conducted by the COMMISSIONER at a time and place designated by her/him. Except as otherwise provided for in this section, all notices of hearing served pursuant to the provisions of this Article shall be in writing and contain a statement setting forth the grounds therefore and be served at least fifteen (15) days prior to the date of the hearing. Based upon the record of such hearing, the COMMISSIONER may sustain, modify, or rescind any official notice or order considered in the hearing. A written report of the hearing decision shall be furnished to the permit holder by the COMMISSIONER.

9. Service of notices of hearing or orders shall be made by personal service or by registered or certified mail. Where service, whether by personal service or by registered or certified mail, is made upon an infant, incompetent, partnership, corporation, governmental subdivision, board or COMMISSIONER, it shall be made upon the person or persons designated to receive personal service by Article 3 of the New York Civil Practice Law and Rules.

10. The BODY ART ESTABLISHMENT permit shall expire one (1) year from date of issuance.

### **760-1405 Plan Review; Construction or Pre-operational Inspection**

#### **1. Floor Plan**

a. When a BODY ART ESTABLISHMENT or MOBILE BODY ART ESTABLISHMENT is hereafter constructed or remodeled, or when an existing structure or mobile unit is converted for use as a BODY ART ESTABLISHMENT or MOBILE BODY ART ESTABLISHMENT, properly prepared plans and specifications for such construction, remodeling or alteration showing the layout; including work area, sinks, counters and storage areas, fixtures, toilet facilities and waiting area, drawn in 1/4 inch scale, shall be submitted to the DEPARTMENT for review and approval before construction is started. The source of an approved, potable water supply and the method of sewage/liquid waste disposal must be detailed.

b. All construction, remodeling, or alterations shall be done in accordance with approved plans.

c. Plans and specifications shall be accompanied by an application on a form provided by the DEPARTMENT along with the appropriate application fee.

2. When a BODY ART ESTABLISHMENT or MOBILE BODY ART ESTABLISHMENT is hereafter constructed or remodeled, or when an existing structure is converted for use as a BODY ART ESTABLISHMENT, a final construction or pre-operational inspection shall be requested by the owner or operator and conducted by the DEPARTMENT prior to the opening of the shop to determine compliance with previously approved plans and all applicable requirements of this Article.

**760-1406 Inspection of BODY ART ESTABLISHMENTS, Access, Inspection of RECORDS. Issuance of Notices; Service of Notices**

1. The COMMISSIONER or any duly authorized representative may inspect each BODY ART ESTABLISHMENT located within his jurisdiction and may make as many additional inspections and reinspections as are necessary for the enforcement of this Article.

2. The COMMISSIONER or any duly authorized representative, after proper identification, shall be permitted to enter, at any reasonable time, any BODY ART ESTABLISHMENT within its jurisdiction for the purpose of making inspections to determine compliance with this Article. He/she shall be permitted to examine whatever RECORDS exist to obtain pertinent information pertaining to persons receiving BODY ART PROCEDURES, and pertaining to STERILIZATION of EQUIPMENT and/or INSTRUMENTS. There shall be a person familiar with these RECORDS in the shop during the hours of operation.

3. Whenever the COMMISSIONER or any duly authorized representative makes an inspection of a BODY ART ESTABLISHMENT, the DEPARTMENT'S findings shall be recorded on an inspection report form provided for this purpose, and a copy of such inspection report form shall be furnished to the permit holder or person in charge.

4. Whenever the COMMISSIONER or any duly authorized representative makes an inspection of a BODY ART ESTABLISHMENT and discovers that any of the requirements of this Article have been violated, the COMMISSIONER or any duly authorized representative shall notify the permit holder or person in charge of such violations by delivering to him/her a copy of the inspection report or other written notice. In such notification, the COMMISSIONER or any duly authorized representative shall:

- a. Set forth specific violations found.
- b. Establish a specific and reasonable period of time for the correction of the violations that have been found.

5. Notices provided for under this section shall be deemed to have been properly served when the original of the inspection report or other notice has been delivered personally to the permit holder or person in charge, or such notice has been sent by registered or certified mail, return receipt requested to the last known address of the permit holder. A copy of such notice shall be filed with the RECORDS of the DEPARTMENT.

6. The most recent record of inspection by a representative of the DEPARTMENT shall be retained on the premises until the next inspection and this report shall be available for review by any person upon request. A notice provided by the DEPARTMENT indicating the availability of this most recent report must be prominently displayed to the public alongside the ESTABLISHMENT'S permit. This notice is provided in Appendix F of this Article.

### **760-1407 Examination, Embargo, and Condemnation**

1. The COMMISSIONER or any duly authorized representative may take, without payment, any item or any substance, used in connection with BODY ART PROCEDURE(s), for the purpose of examination in connection with an investigation or inspection of the ESTABLISHMENT.

2. The COMMISSIONER or any duly authorized representative may, upon written notice to the owner or person in charge; place an embargo on any item, substance or thing, that is determined or that he/she has probable cause to believe is associated with the cause of an illness or infection, does not meet the requirements of the New York State Public Health Law, the New York State Sanitary Code, the Suffolk County Sanitary Code, or otherwise constitutes a danger or poses a potential threat to the public health.

3. It shall be unlawful for any person to remove or alter an embargo order, notice or tag placed on any item, substance or thing by the DEPARTMENT. Such item, substance or thing shall not be altered, disposed of, or destroyed without permission of the DEPARTMENT, except by order of a court of competent jurisdiction.

4. The permit holder, or person in charge, shall have the opportunity to a hearing within fifteen (15) calendar days after the date of order of embargo. On the basis of evidence produced at such hearing, the COMMISSIONER may vacate the hold order, or may, by written order, direct the permit holder, or person in charge of the item, substance or thing, which was placed under the hold order, to bring it into compliance with the provisions of this Article, or to destroy such item, substance or thing.

## **760-1408 Suspect Infections; Procedures**

1. When the COMMISSIONER or any duly authorized representative has reasonable cause to suspect the possibility of disease transmission from any BODY ART ESTABLISHMENT employee or procedure, the COMMISSIONER or any duly authorized representative shall secure a medical history of the suspected employee, or make such other investigation as may be indicated, and take appropriate action. The COMMISSIONER may require any or all of the following measures:

- a. The immediate exclusion of the employee from all BODY ART ESTABLISHMENTS;
- b. The immediate closure of the ESTABLISHMENT concerned until, in the opinion of the DEPARTMENT, no further danger of disease transmission exists;
- c. Restriction of the employee's services to areas of the ESTABLISHMENT where there would be no danger of transmitting disease; and
- d. ADEQUATE medical and laboratory examinations of the employee, of other employees, and of his, or their body discharges, consistent with the applicable laws.

2. When a BODY ARTIST, operator of the BODY ART ESTABLISHMENT, or any other employee of the BODY ART ESTABLISHMENT is made aware that a customer/patron suspects that his/her BODY ART PROCEDURE might be infected, it is the obligation of the personnel affiliated with the ESTABLISHMENT to direct that customer or patron to seek medical attention. Documentation of this report is to be written onto the customer's record.

3. A BODY ARTIST who is under the influence of alcohol or taking medication or drugs that could impair the artist's ability to safely perform BODY ART PROCEDURES in any way, shall not conduct any BODY ART PROCEDURES on any clients or patrons.

## **760-1409 Personnel, Health, and Disease Control**

1. No person who is known to be infected with any communicable disease shall engage in the practice of BODY ART PROCEDURES. The skin of the exposed areas of the BODY ARTIST such as the arms, hands, face, neck, and legs shall be free of rash or infection. No BODY ARTIST affected with visible boils, infected wounds, open sores, abrasions, weeping dermatological lesions on exposed areas of the body, or acute respiratory infection shall work in any area of the BODY ART ESTABLISHMENT in any capacity in which there is a likelihood that that person could contaminate BODY ART EQUIPMENT, BODY ART INSTRUMENTS, supplies, or working surfaces with body substances or pathogenic organisms.

a. The operator, manager or person in charge of the BODY ART ESTABLISHMENT shall not employ any person to engage in the practice of BODY ART PROCEDURES who is suspected of being a carrier of such disease or any person who refuses a physical examination and/or medical laboratory test when so directed by the DEPARTMENT.

b. If the operator, manager or person in charge of the BODY ART ESTABLISHMENT suspects that an employee has contracted such disease or has become a carrier of such disease the operator shall immediately notify the COMMISSIONER.

c. BODY ARTISTS shall document prophylaxis against Hepatitis B Virus (HBV). Such documentation against HBV shall be a certification of completed vaccination or laboratory evidence of immunity.

d. A BODY ARTIST may file a CERTIFICATE of vaccination declination for Hepatitis B virus; the declination for vaccination shall be filed on a form provided by the DEPARTMENT.

e. As soon as a BODY ARTIST has knowledge that he/she has a communicable disease, he/she must immediately inform the operator or person in charge of the BODY ART ESTABLISHMENT of this fact.

2. The following requirements shall be applicable to all employees engaged in the practice of BODY ART PROCEDURES:

a. During all BODY ART PROCEDURES, the BODY ARTIST must wear clean outer garments, observe a high degree of personal cleanliness, conform to hygienic practices, and employ the practice of UNIVERSAL PRECAUTIONS as defined herein. While engaged in doing a BODY ART PROCEDURE where the BODY ARTIST'S forearm(s) may come into contact with the BODY ART PROCEDURE, the BODY ARTIST'S forearm(s) must be suitably protected with an effective SINGLE USE barrier product.

b. The BODY ARTIST shall perform proper HAND WASHING in an acceptable HAND WASHING facility before starting work and as often thereafter as may be necessary. Both of the BODY ARTIST'S hands shall be covered with disposable, SINGLE USE, examination gloves approved by the DEPARTMENT when a BODY ART PROCEDURE is being performed. These gloves must be changed if they have visible holes, rips, tears, or other compromises, touch any other person, or touch any object or thing that might be a source of contamination prior to or during a BODY ART PROCEDURE. New gloves must be donned for each new customer.

c. The BODY ARTIST shall keep fingernails clean and neatly trimmed.

d. The BODY ARTIST shall not wear cosmetics or jewelry that is deemed to interfere with personal hygiene and grooming practices put forth in this Article or that would interfere with effective HAND WASHING or the performance of any BODY ART PROCEDURES as defined herein.

e. The use of tobacco in any form or any other substance used in the form of a cigarette or pipe for smoking purposes while engaged in BODY ART PROCEDURES is prohibited. The use of tobacco will be prohibited within the BODY ART ESTABLISHMENT in conformance with New York State Public Health Law, Article 13 E, Sections 1399-o and 1399-p.

f. The consumption of food and drink by employees shall be restricted to designated areas acceptable to the COMMISSIONER. There shall be no consumption of food or drink in the workstation areas of the BODY ART ESTABLISHMENT.

## **760-1410 Work Room**

1. Each BODY ART ESTABLISHMENT shall have its workroom(s) physically separate and apart from waiting and all other areas. The workroom shall not be used as a corridor for access to other rooms. Only patrons or customers actually receiving BODY ART PROCEDURES and staff are allowed in said workroom.
2. Unnecessary traffic through a workroom is prohibited.
3. Each workstation in the workroom shall be equipped with HAND WASHING sink for the exclusive use of the BODY ARTIST for washing his/her hands and preparing customers who are receiving BODY ART PROCEDURES. Each such sink shall be equipped with hot and cold running water dispensed through a mixing faucet with wrist action, automatic, or foot controls, hand cleaning liquid or powdered soap in suitable labeled dispensers, a United States Food and Drug Administration (FDA) approved antimicrobial solution, individual hand brushes and fingernail files for each BODY ARTIST, and approved SINGLE-USE sanitary towels from an enclosed dispenser. An employee HAND WASHING sign provided by the DEPARTMENT is to be posted at each workstation hand sink.
4. Individual workstations in the workroom shall be provided with counter areas and storage cabinetry for BODY ART INSTRUMENTS, dyes, ointments, bandages, etc., that are of sanitary design, maintained in good repair, and protected from potential sources of contamination.
5. Work chairs, benches or tables shall be provided for each BODY ARTIST. Surfaces of the chairs, benches or tables shall be constructed of material that is smooth, non-absorbent, and easily cleanable.
6. The surfaces of furniture, EQUIPMENT and fixtures that come in contact with the body part receiving the BODY ART PROCEDURE or that may be directly or indirectly exposed to contamination from blood, blood products, and other body fluids during the course of a BODY ART PROCEDURE must be covered or draped with an appropriate SINGLE-USE, non-absorbent sanitary or sterile barrier material.
7. Easily cleanable, covered receptacles shall be provided for waste paper, BIOMEDICAL WASTE and other refuse at each individual workstation. These receptacles must have a hands-free mechanism to open and close the lid while the BODY ARTIST is engaged in BODY ART PROCEDURES.
8. BODY ARTISTS may not set up temporary facilities at fairs, festivals or expositions unless a TEMPORARY BODY ART ESTABLISHMENT permit is obtained from the COMMISSIONER.

9. In all new, remodeled, expanded or renovated BODY ART ESTABLISHMENTS, TEMPORARY BODY ART ESTABLISHMENTS and MOBILE BODY ART ESTABLISHMENTS, BODY ARTIST'S work station in the ESTABLISHMENT shall have a procedure area with at least 45 square feet of floor space. BODY ART ESTABLISHMENTS in existence at the time of the adoption of this Article are exempt from this requirement until remodeled, expanded or renovated.

10. All BODY ART ESTABLISHMENTS, TEMPORARY BODY ART ESTABLISHMENTS and MOBILE BODY ART ESTABLISHMENTS shall provide at least one procedure area that is capable of being completely screened from public view for clients requesting privacy.

11. The work station areas shall be supplied with an ADEQUATE supply of SINGLE- USE barrier materials for the purpose of covering or draping EQUIPMENT, hardware, spray bottles or any other surfaces that might come into contact with the gloved hands of the BODY ARTIST so as to prevent potential contamination from one person to another.

12. All containers in the BODY ART ESTABLISHMENT are to be labeled as to their contents.

13. Poisonous compounds, toxic compounds, and cleaning agents must be clearly labeled and stored and used in a manner that will not pose a threat to safe compounds, BODY ART INSTRUMENTS and EQUIPMENT used for BODY ART PROCEDURES or occupants of the BODY ART ESTABLISHMENT.

## **760-1411 Operation Standards; RECORDS**

### **1. RECORDS**

a. The holder of a BODY ART ESTABLISHMENT permit shall maintain proper RECORDS of BODY ART PROCEDURES that have been administered and/or JEWELRY that has been installed shall for each patron.

b. A record of each patron shall be prepared prior to any BODY ART PROCEDURE being performed. In the case where multiple visits are necessary to complete the BODY ART PROCEDURE, the original or first RECORD may be subsequently noted with the date of the visit and the progress of the procedure appropriately described until its completion.

The patron's RECORD shall include the patron's name and signature, address, age, if applicable, manner of verification of identity and age, the date of the procedure, the design of the TATTOO, its location on the patron's body, the type of JEWELRY applied, location of the piercing on the patron's body, or similar information for other types of approved BODY ART and the name of the BODY ARTIST who performed the work. The patron RECORD may also be used as a consent form for the application of a BODY ART PROCEDURE. This RECORD must include the "Consent for BODY ART PROCEDURES" in Appendix D of this Article. Prior to any piercing procedure, the BODY ARTIST must also provide the patron with a copy of "Healing Periods for BODY PIERCINGS" in Appendix E of this Article.

c. The RECORDS shall be entered in ink, on paper, which is kept in an organized file, notebook or folder that is kept solely for this purpose. These RECORDS shall be available during the course of an inspection for examination by the COMMISSIONER'S representative and shall be preserved for at least two (2) years from the date of the most recent BODY ART PROCEDURE recorded in the ESTABLISHMENT.

d. Before performing the BODY ART PROCEDURE, there shall be a discussion with the patron on the risks of the procedure and the possible health complications, which shall be noted in the record.

e. Consent

- (1) MINORS are prohibited from being TATTOOED, NY Penal Law 260.21. No one can give consent for the application of a TATTOO to a MINOR, NY Penal Law 260.21.
- (2) Pursuant to Suffolk County Local Law 4-1997, BODY PIERCING of a MINOR is prohibited. However, the prohibition of BODY PIERCING may be waived as prescribed by Suffolk County Local Law 4-1997.
- (3) Prior to the performance of any BODY ART PROCEDURE, the patron must sign the consent form provided in Appendix D of this Article.
- (4) For any MINOR receiving a BODY PIERCING, a parent or legal guardian must also sign the consent form in Appendix D of this Article.

f. No BODY ART PROCEDURES shall be performed upon a person who appears incoherent, or appears to be under the influence of drugs or alcohol.

## 2. TATTOOING Procedures.

a. There shall be printed AFTERCARE instructions, as approved by the DEPARTMENT and consistent with Appendix A of this Article, given to each patron or customer on the care of the skin to prevent infection and proper, safe healing after TATTOOING. The printed material shall include information for the patron to consult a personal physician immediately who, in turn, may immediately notify the Suffolk County DEPARTMENT of Health Services, or advise the patient to do so, should an infection become evident.

b. A copy of such printed AFTERCARE instructions shall be posted in a conspicuous place in the workroom, clearly visible to the person being TATTOOED.

c. When necessary to shave the area to be TATTOOED, only SINGLE-USE, disposable safety razors shall be used.

d. Before placing the design on the patron's skin, the BODY ARTIST shall treat the area with a United States Food & Drug Administration (FDA) approved or hospital grade antimicrobial solution, which shall be applied with a new, SINGLE USE cotton, paper product or gauze. Only petroleum jelly (petrolatum) or ointments shall be applied to the area to be TATTOOED and only from SINGLE-USE, collapsible metal or plastic tubes. The application may be spread by the use of a new, SINGLE USE tongue depressor, gauze, gloves or other suitable applicator; but not directly with the fingers.

e. The use of SINGLE- USE tissue and hectograph pencils or SINGLE USE duplicator stencil masters shall be required for applying a TATTOO outline to the skin. Multi-use stencils are prohibited. If drawn free hand, non-toxic markers or other devices as approved by the DEPARTMENT shall be used.

f. Any skin or mucosa to receive a BODY ART PROCEDURE shall be free of rash or any visible infection.

### 3. Coloring Agents or Pigments

- a. In preparing non-toxic coloring agents or pigments to be used by a Body Artist, only non-toxic, material(s) designed for use in TATTOOING shall be used. SINGLE-USE or individual portions of coloring agents or pigments in new, clean, SINGLE-USE containers must be used for each patron.
- b. After TATTOOING, the remaining unused dye or pigment in the SINGLE-USE or individual containers must be discarded.
- c. All inks, dyes, pigments, needles, BODY ART INSTRUMENTS and EQUIPMENT for performing BODY ART PROCEDURES shall be specifically manufactured for that purpose and shall be used according to the manufacturer's instructions. When available, the inks, dyes and pigments for BODY ART PROCEDURES must comply with applicable United States Food and Drug Administration (FDA) regulations. The mixing of approved inks, coloring agents or pigments and/or their dilution with sterile water or alcohol using sanitary procedures is acceptable if in conformance with applicable United States Food & Drug Administration (FDA) regulations when available.
- d. Patrons shall be provided printed warning of the potential physical reactions from the use of certain dyes (when available) in a form acceptable to the DEPARTMENT.

### 4. STERILIZING and Care of TATTOO Needles and EQUIPMENT

- a. Only new, SINGLE USE, STERILIZED needles shall be used by a TATTOO ARTIST for each new patron. An ADEQUATE number of STERILIZED needles shall be on hand to supply peak demands.
- b. STERILIZATION shall be accomplished by holding needles in an acceptable steam autoclave for no less than 20 minutes at no less than 15 pounds pressure at a temperature of no less than 250 degrees Fahrenheit or 121 degrees Celsius or other methods as approved by the DEPARTMENT.
- c. All sets of needles shall be placed in chemically treated sealed bags that indicate, by color change, STERILIZATION has occurred.
- d. No rusty, defective or faulty needles shall be used for TATTOOING.

- e. Unused, STERILIZED needles shall remain in sealed STERILIZED bags until needed and stored in such a manner as to prevent contamination.
- f. Upon conclusion of the use of a set of TATTOO needles on a patron by a BODY ARTIST, and if the needle stems are going to be reused, the used needle & stem unit is to be first STERILIZED, then the needles shall be removed from the needle stem and placed immediately into an acceptable SHARPS container for storage until final disposal from the premises.
- g. All needle tubes are to be of the shallow open-end type and must be STERILIZED in accordance with approved methods prior to use. STERILIZED needle tubes shall be stored in such a manner as to prevent contamination.

#### 5. AFTERCARE of TATTOO.

- a. The completed TATTOO shall be washed with a piece of STERILE, SINGLE USE gauze, paper product or cotton saturated with an FDA approved or hospital grade antimicrobial solution. It shall be allowed to air dry.
- b. After drying, anti-bacterial ointment shall be applied from a SINGLE-USE collapsible metal or plastic tube and the entire area covered with a piece of sterile, non-stick tissue, bandage or gauze and fastened to the site with a low-tack tape. AFTERCARE instructions provided to the client must be consistent with those outlined in Appendix A of this document.

#### 6. BODY PIERCING, SCARIFICATION and BRANDING Procedures

- a. Printed AFTERCARE instructions, as approved by the DEPARTMENT and consistent with Appendix A of this Article, shall be given to each patron or customer informing the patron of the increased risk of an invasive infection resulting from a BODY PIERCING. Such printed instructions shall also include information for the patron on the care of the body opening caused by BODY PIERCING, SCARIFICATION or BRANDING as a precaution to prevent infection and to consult a private physician immediately who, in turn, may immediately notify the Suffolk County DEPARTMENT of Health Services or advise the patient to do so should an infection become evident. Information should also be provided with reference to the security or snugness of certain JEWELRY to prevent accidental ingestion or lodging in body cavities.

- b. A copy of such printed AFTERCARE instructions shall be posted in a conspicuous place in the workroom, clearly visible to the person being pierced. A copy of "Healing Periods for BODY PIERCING", Appendix E of this Article, must be posted at each BODY PIERCING station.
  - c. When necessary to shave the area to be pierced, only a new, SINGLE-USE and disposable safety razors shall be used.
  - d. EAR PIERCING guns and SINGLE USE, STERILIZED ear-piercing studs are to be used for piercing ear lobes only. This PIERCING DEVICE may not be used to pierce any other part of the body.
  - e. For all BODY PIERCING, a SINGLE-USE, STERILIZED piercing needle of the same or larger gauge as the JEWELRY shall be used.
  - f. Skin shall be marked with a non-toxic marker prior to applying a suitable antiseptic. The area being pierced must be free of sores and lesions.
  - g. When applied, JEWELRY should be pushed through the skin following the needle, in the same direction as the piercing.
  - h. Persons and establishments that do EAR PIERCING only are exempt from provisions of the Article, except those provisions dealing with personal hygiene (760-1409), use of SINGLE- USE, STERILIZED INSTRUMENTS (760-1411.6 & .7), AFTERCARE instructions (760-1411.6) and JEWELRY (760-1400.6.aa). The device used to apply the ear-piercing stud(s) is exempt from STERILAZATION between uses.
  - i. If the BODY ART PROCEDURE area requires covering, it must be done with sterile, non-stick gauze, non-stick bandage or non-stick tissue and fastened to the body with an appropriate, adhesive first-aid type bandaging tape.
7. STERILIZATION of Piercing JEWELRY and Needles; JEWELRY Requirements
- a. An individually bagged STERILIZED SINGLE-USE needle and bagged STERILIZED JEWELRY shall be used for each piercing.
  - b. STERILIZATION shall be accomplished by holding in an acceptable steam autoclave for no less than 20 minutes at no less than 15 pounds pressure at a temperature of no less than 250 degrees Fahrenheit or 121 degrees Celsius or by any other method approved by the DEPARTMENT.

- c. All sets of needles and JEWELRY shall be placed in chemically-treated, sealed bags that indicate, by color change, STERILIZATION has occurred.
  - d. Unused, STERILIZED needles and JEWELRY shall remain in sealed, STERILIZED bags until needed and stored in such a manner as to prevent contamination.
  - e. Corroded, defective or faulty needles and JEWELRY shall not be used for BODY PIERCING.
  - f. Upon completion of the piercing, used needles shall be placed immediately into an acceptable SHARPS CONTAINER for storage until final disposal from the premises.
  - g. Packages of SINGLE-USE, factory-STERILIZED needles, JEWELRY, tubes, clamps and other BODY ART BODY ART INSTRUMENTS must indicate the process by which STERILIZATION was accomplished, have an indicator that clearly demonstrates successful STERILIZATION and, if there is an expiration date on the package, the contents must not be kept in the BODY ART ESTABLISHMENT past such date.
  - h. JEWELRY to be used for a BODY ART PROCEDURE must consist only of those materials listed in the definition of JEWELRY herein.
8. Care of Multi-use BODY ART INSTRUMENTS for BODY ART and Related EQUIPMENT.

- a. All other multi-use EQUIPMENT and BODY ART INSTRUMENTS used in connection with the a BODY ART PROCEDURE shall be so designed and of such material as to be durable, non-toxic, corrosion resistant, smooth and easily cleanable. Such EQUIPMENT and BODY ART INSTRUMENTS shall be stored clean and in a protected manner and when necessary be STERILIZED prior to use.
- b. The following process shall be performed after each use of a multi-use BODY ART INSTRUMENT used for BODY ART:
  - (1) The BODY ART INSTRUMENT shall be cleaned by scrubbing with an appropriate soap or disinfectant solution and warm water, or by procedures that follow the manufacturer's cleaning instructions to remove blood and tissue residue.

- (2) The BODY ART INSTRUMENT shall be placed in an ULTRASONIC CLEANER, which shall be operated in accordance with the manufacturer's instructions. A copy of these instructions shall be kept by the BODY ARTIST(S) in the area of the ULTRASONIC CLEANER for review by the DEPARTMENT'S representatives and the BODY ARTISTS.
- (3) The BODY ART INSTRUMENT(S) shall be packed individually in a SINGLE USE pouch, envelope or other container designed for STERILIZING INSTRUMENTS. Such packages must contain either a STERILIZER indicator or an internal temperature indicator. The INSTRUMENT(S) shall then be STERILIZED.
- (4) All multi-use and SINGLE-USE BODY ART INSTRUMENTS, needles, JEWELRY autoclaved on-premise must have the date of STERILIZATION and the initials of the person doing the STERILIZATION. Any such STERILIZED item not used within 365 days of the processing date is to be opened and its contents re-STERILIZED.
- c. STERILIZERS shall be used, cleaned and maintained according to the manufacturer's instructions. A copy of the procedures recommended by the manufacturer for the operation of the STERILIZATION unit shall be available for inspection by the DEPARTMENT.
- d. A written RECORD showing the history of the use of the STERILIZER in the most recent 36 months shall be kept on the premises. This RECORD will include the type of BODY ART INSTRUMENTS STERILIZED, the date of the process, duration of time for the STERILIZATION process, the maximum temperature and pressure attained during the process and the name of the person performing the process.
- e. The BODY ART ESTABLISHMENT shall demonstrate by quarterly spore destruction tests that the STERILIZER used is capable of attaining STERILIZATION. The tests shall be verified through an independent laboratory approved by the DEPARTMENT. These test RECORDS shall be retained in the BODY ART ESTABLISHMENT for a period of 3 years. The BODY ART ESTABLISHMENT'S permit shall not be issued nor renewed until the DEPARTMENT receives such documentation of the STERILIZER'S ability to destroy spores.
- f. The ULTRASONIC CLEANER (S) and the STERILIZER unit(s) shall not be located or operated in BODY ART PROCEDURE areas or areas frequented by the public.

g. Prior to use, all BODY ART INSTRUMENTS used for BODY ART PROCEDURES and JEWELRY to be used in approved BODY ART PROCEDURES are to be STERILE and SINGLE-USE. Those BODY ART INSTRUMENTS that are designed for multiple uses must be STERILIZED in accordance with Sections 760-1410.4b and 760-1410.7b described herein. These sterile BODY ART INSTRUMENTS and JEWELRY are to be stored in a safe, sanitary, manner and protected from accidental contamination until such time as they are to be used for the BODY ART PROCEDURE. All JEWELRY and BODY ART INSTRUMENTS used for BODY ART PROCEDURES that are packaged and STERILIZED in the ESTABLISHMENT must be clearly marked with the date of STERILIZATION and the initials of the person monitoring the process. If the package containing the BODY ART INSTRUMENT has been breached, the expiration date has passed, the "indicator" has not changed to verify a successful STERILIZATION process, or the package is otherwise visibly compromised or contaminated, the BODY ART INSTRUMENT or JEWELRY must be repackaged and re-STERILIZED.

#### **760-1412 General, Facilities and EQUIPMENT**

1. Floors, Walls and Ceilings - All floors, walls and ceilings in BODY ART ESTABLISHMENTS, including doors, windows, skylights and similar closures and attached EQUIPMENT such as light fixtures, vent covers, wall mounted fans and decorative materials, shall be kept clean and in good repair. Studs, joints and rafters, and metal framework shall not be left exposed in the workstation area. If left exposed in other parts of the ESTABLISHMENT, they shall be finished as to provide an easily cleanable surface.
2. The floor surfaces in the workstation area and toilet rooms shall be made of smooth, nonabsorbent materials, and constructed so as to be easily cleanable. The floor of the BODY ART ESTABLISHMENT shall be of impervious material. The workstation and toilet room floor(s) shall be wet-mopped with an approved SANITIZER daily.
3. All walls in the workstation area and walls in toilet rooms shall be easily cleanable, light colored and shall have a nonabsorbent washable surface(s).
  - a. Concrete blocks or other masonry used in wall construction shall be finished, covered and/or sealed so as to provide an easily cleanable surface.
4. All EQUIPMENT shall be installed in conformance with federal, state and local plumbing, electrical, fire, and building regulations.

5. All BODY ART ESTABLISHMENTS shall be completely separated by solid partitions or walls extending from floor to ceiling, from any room used for human habitation, any food ESTABLISHMENT or room where food is prepared, any hair salon, spa, health club facilities or any other operation or activity that could cause potential contamination of the BODY ART INSTRUMENTS, supplies or EQUIPMENT for BODY ART PROCEDURES, artist work areas and work surfaces.

### **760-1413 Lighting and Ventilation**

Areas in which BODY ART PROCEDURES are performed shall be provided with ADEQUATE lighting and ventilation. The BODY ART ESTABLISHMENT shall have artificial light sources that provide at least 20-foot candles at 3 feet above the floor level and at least 100-foot candles at the level where the BODY ART PROCEDURE is performed and where BODY ART INSTRUMENTS and SHARPS are handled.

### **760-1414 Toilet Facilities**

1. Each BODY ART ESTABLISHMENT shall be provided with ADEQUATE, conveniently located and properly installed toilet facilities for its employees and patrons and must be accessible at all times of operation.
2. Toilet fixtures shall be of sanitary design, easily cleanable and installed in accordance with all applicable state and local laws and regulations.
3. Toilet rooms shall be completely enclosed and shall have tight fitting, self-closing doors. Toilet facilities shall not open directly into the workstation area.
4. In the absence of an operable window, the toilet room shall be provided with ADEQUATE mechanical ventilation vented to the exterior through a wall or ceiling in accordance with applicable state and local laws and regulations and the Board of Fire Underwriters.
5. Toilet facilities, including the toilet room and fixtures, shall be kept clean, sanitary, in good repair and free from objectionable odors.
  - a. An ADEQUATE supply of toilet tissue shall be provided at each toilet at all times.
  - b. Easily cleanable, covered receptacles shall be provided for waste paper and other refuse.

- c. Employees HAND WASHING signs shall be posted in each toilet room area.
6. ADEQUATE and convenient HAND WASHING facilities shall be provided in toilet rooms. These facilities must be equipped with hot and cold running water, dispensed with a mixing faucet, hand cleansing liquid or powdered soap in suitable labeled dispensers SINGLE-USE towels in an enclosed dispenser.

### **760-1415 Garbage, BIOMEDICAL WASTE & Refuse**

1. The BODY ART ESTABLISHMENT operator(s) shall provide for the ADEQUATE, proper and safe disposal of all types of waste products. A properly licensed, commercial waste disposal company shall be used for the safe disposal of all types of waste products.
2. Commercially acceptable SHARPS CONTAINER (S) shall be provided for the safe disposal of all needles and other similar BODY ART INSTRUMENTS used for BODY ART PROCEDURES. This SHARPS CONTAINER shall never be filled past its overflow rim and must be kept properly covered until safely disposed of in conformance with 6 NYCRR Part 364.9.
3. Storage of BIOMEDICAL WASTE onsite shall not exceed the period specified by the DEPARTMENT, or more than 30 days.
4. BIOMEDICAL WASTE that may release liquid blood or body fluids when compressed, or that may release dried blood or body fluids when handled shall be placed in an approved "red" bag marked with the international biohazard symbol and disposed of by a BIOMEDICAL WASTE transporter. BIOMEDICAL WASTE must be stored and disposed of in a manner approved by the DEPARTMENT, which shall mean in conformance with 6NYCRR Part 364.9.

### **760-1416 Premises, Exterior**

The building and EQUIPMENT used in the BODY ART ESTABLISHMENT operation shall be maintained in a state of good repair at all times, and be free of rodent and insect infestation. The BODY ART ESTABLISHMENT'S premises shall be kept clean, neat and free of litter and rubbish.

### **760-1417 Water Supply**

The water supply shall be ADEQUATE, of a safe and sanitary quality, from an approved source, and shall meet the requirements of the New York State Sanitary Code (10 NYCRR Part 5) and the Administrative Rules and Regulations of the New York State DEPARTMENT of Health (10 NYCRR Part 72).

**760-1418 Sewage**

All sewage, including liquid wastes, shall be disposed of in a public sewer or, in the absence thereof, in a manner satisfactory to the DEPARTMENT.

**760-1419 Miscellaneous**

1. Only articles considered necessary to the routine operation and maintenance of the BODY ART ESTABLISHMENT shall be permitted in the BODY ART ESTABLISHMENT.
2. No live bird, turtle, snake, dog, cat or other animal shall be permitted in any area used for the conduct of BODY ART PROCEDURES or in the immediate, open adjacent areas, including the main waiting area and the public access to the toilet room except as follows:
  - a. Patrol dogs accompanying police or security officers in offices, sales, display and storage areas.
  - b. Service animals that are controlled by the disabled employee or person so as to not constitute a safety hazard only in areas that are not used for BODY ART PROCEDURES.
3. Effective measures shall be taken to protect against the entrance into the BODY ART ESTABLISHMENT and the breeding, potential harborage or presence on the premises of insects and rodents.
  - a. Anyone using insecticides and rodenticide must be certified by the New York State DEPARTMENT of Environmental Conservation.
  - b. Insecticides or rodenticides shall not be used in a manner that may cause a potential hazard to the occupants of the ESTABLISHMENT or the contamination of dyes, inks, pigments, BODY ART INSTRUMENTS, EQUIPMENT, JEWELRY, SINGLE-USE ITEMS or any other items used in connection with BODY ART PROCEDURES.
  - c. Whenever pesticides are applied in a BODY ART ESTABLISHMENT, the ESTABLISHMENT owner or one of the ESTABLISHMENT'S certified BODY ARTISTS must be present for the duration of the application(s) and/or treatment(s).

4. DEPARTMENT-approved First Aid instructions for fainting, unconsciousness and bleeding are to be prominently posted to the employees in the work area(s) and include the emergency phone number to call for emergency medical assistance. An ANSI first aid kit shall be provided in the ESTABLISHMENT and all employees are to be familiar with its location. A clean pillow or small cushion and a clean blanket must be readily available to support first aid for fainting or unconsciousness. See Appendix C of this Article.

5. The BODY ART ESTABLISHMENT must have ADEQUATE storage closets, lockers, drawers or cabinets for employees to store their personal items & clothing. Personal belongings and non-BODY ART related items are not to be commingled with any EQUIPMENT, BODY ART INSTRUMENTS or supplies that are directly related to performing BODY ART PROCEDURES.

### **760-1420 Variances**

1. The COMMISSIONER may grant a variance(s) by modifying or waiving the requirements of this Article, except those related to permits and inspections, if in the opinion of the DEPARTMENT a health hazard or nuisance will not result from the variance(s). If a variance is granted, the DEPARTMENT shall retain the information specified in Section 760-1420.2 in its RECORDS for the BODY ART ESTABLISHMENT.

2. Before a variance from a requirement of this Article is approved by the DEPARTMENT, the applicant must submit the following to the DEPARTMENT for review:

- a. A statement of the proposed variance of the Code requirement citing the relevant Code section number(s).
- b. An analysis of the rationale for how the potential public health hazards addressed by the relevant Code sections will be alternatively addressed by the proposal.

3. Variances are specific to the condition addressed and apply only to the stated condition. Variances are not transferable.

4. Violation(s) of the approved procedures governing the variance(s) is grounds for DEPARTMENT revocation of the variance(s).

5. Variance(s) will expire when the permit to operate is suspended, terminated, expired, or revoked.

### **760-1421 Postings/Notifications Required by Law**

1. It is the responsibility of the BODY ART ESTABLISHMENT'S permit holder to ensure that postings or notifications to the public that are required by NY State Public Health Law, Statute, this Article and/or other pertinent regulations are present in the BODY ART ESTABLISHMENT as specified in law, statute or regulation. Many of the posting requirements are listed in Appendix B of this Article.
  2. The BODY ART Disclosure Statement and Notice of Inspection, Appendix F of this Article, must be posted conspicuously alongside the BODY ART ESTABLISHMENT permit.
-

**Suffolk County Sanitary Code**  
**Article 14**  
**Body Art Establishment Regulations**  
**October 31, 2007**  
**Appendix A**

**Suggested Aftercare Guidelines For Body Art Procedures**

Page 1 of 4

**Body Piercing, General Aftercare**

- a. First, wash your hands with soap and water and dry with clean paper towels.  
No cloth towels!
- b. Soak area with sterile saline solution or a liquid anti-microbial cleanser 2-3 times daily. It may be easier to apply using saturated sterile gauze.
- c. Dry the piercing area with sterile gauze. Do not use cloth towels!
- d. You may shower daily, use soap and rinse thoroughly.
- e. During healing one might experience some bleeding, localized swelling, tenderness, bruising, discoloration, itching, secretion of a whitish-yellow fluid (not pus) that will form some crust around the jewelry as the piercing heals.
- f. A piercing heals from the outside inward and thus may appear healed before healing is complete. ***Be patient!***
- g. Maintain clean, comfortable bedding and clothing.
- h. Avoid the following:
  - Undue trauma or playing with the piercing.
  - The use of alcohol, hydrogen peroxide, Betadine, Hibiclens or ointments.
  - Over-cleaning
  - Oral contact, rough play, contact with other people's body fluids.
  - Stress, recreational drug use, excessive caffeine, nicotine and alcohol.
  - Submerging the piercing in bodies of water such as lakes, pools, hot tubs, Jacuzzis, marine water, etc.
  - All beauty and personal care products such as cosmetics, lotions, sprays, etc. on or around the piercing.

## APPENDIX A - continued

Page 2 of 4

### Body Piercing-General Aftercare-continued

- Do not pick at the crusted matter at the piercing site, this is dried lymph fluid secreted by your body to cleanse the piercing.
- The crusting should come off during your routine soaking & cleansing period only.

***If one suspects, in any way, that the piercing might be infected, immediately seek medical attention.***

### Body Piercings; Additional, Specific Aftercare for Particular Areas

#### a. The Navel

1. A hard, vented eye patch (sold at pharmacies) can be applied under tight clothing or secured using a length of ace bandage around the body (to avoid irritation). This can protect the navel area from restrictive clothing, excess irritation, friction, and impact during physical activities such as contact sports.
2. Do not routinely use this to cover the piercing and do not use it for extended periods of time. Its use should not inhibit adhering to your normal soaking & cleaning routine .

#### b. Ear, Ear Cartilage and Facial

1. Use a fresh, clean side of the pillow covering every night.
2. Maintain cleanliness of telephones, headphones/earphones, eyeglasses, helmets, hats and anything else that contacts the pierced areas.
3. Use caution when styling your hair and advise your stylist of a new or healing piercing.

#### c. Nipple

Use of a tight or snug, clean cotton shirt or sports bra may provide additional protection and make the piercing more comfortable, especially for sleeping or reclining.

## APPENDIX A - continued

### Page 3 of 4

#### d. Genital

1. Comfort and hygiene are vital. Initially, abstinence is strongly recommended.
2. Be patient & pursue sexual activity only if you feel ready and comfortable.
3. During healing, all sexual activities must be gentle.
4. Prior to sexual activity and to reduce trauma and increase comfort, soak piercing in warm saline solution or plain water to remove any crusty matter.
5. Use clean, disposable barriers such as condoms, dental dams, and Tegaderm to avoid contact with sex toys and partner's bodily fluids, even in long-term relationships.
6. Use a new container of water-based lubricant; do not use saliva as a lubricant.
7. After sex, perform an additional soak or cleansing with clean saline solution or water.
8. Some piercings can bleed freely for the first few days.
9. After cleansing a piercing near to or including the urethra area with a mild soap, be sure to urinate.

#### e. Oral

1. Use an antibacterial, alcohol free mouth rinse or sterile saline solution for 30 to 60 seconds after eating and at bedtime while your piercing heals.
2. Gently use a new soft-bristled toothbrush after the piercing to avoid irritating or traumatizing the procedure area and/or introducing bacteria into your mouth.
3. For *exterior* surfaces of cheek and lip piercings, follow the entire General Aftercare Instructions in Section 1 of this Appendix.
4. Eat slowly taking small bites of food placed directly onto the molars. Avoid eating spicy, salty, acidic, or hot temperature foods or beverages for several days.
5. For tongue piercings, try to keep the tongue level in the mouth while chewing and swallowing. For cheek and lip piercings, avoid opening the mouth too wide as this can result in the backing of the jewelry catching on the teeth.

## Appendix A - continued

Page 4 of 4

### Tattoo Aftercare

- a. First, wash your hands thoroughly with mild soap and water and dry your hands with clean paper towels. No cloth towels!
- b. The dressing may be removed after approximately 4 hours.
- c. Using warm water, a mild soap and gentle technique carefully cleanse the tattoo area, do not scrub.
- d. Using a sterile gauze or dressing, gently pat the area dry. Do not rub. Do not use a cloth towel.
- e. After a few days, gently and lightly apply a sanitary, gentle, mild skin lotion to the tattoo, do not leave excess lotion on the skin. Do not use any lotions or oily applications or petroleum jelly on the tattoo.
- f. Do not scratch or pick at the tattoo during the healing period, allow scab material to fall off naturally (usually in 4-7 days).
- g. If there is any reason to suspect an infection of the tattoo or its surrounding area, immediately seek medical attention!
- h. Avoid soaking the tattoo in pools, spas, Jacuzzis, hot tubs, beach water, baths, etc.
- i. Avoid direct sunlight, after healing use sunscreen on the tattoo if sun exposure is expected.

### Branding and Scarification Aftercare

- a. First, wash your hands thoroughly with soap and water and then dry them with clean paper towels. No cloth towels!
- b. Using a mild antibacterial soap gently and thoroughly cleanse the procedure area twice daily, morning and evening. Use a very gentle circular motion with a sterile gauze or dressing when cleaning. Do not scrub the area!
- c. Let the area air dry or use sterile gauze or dressings to gently blot dry. Don't rub! Do not use cloth towels, paper towels or tissues!
- d. During the initial healing phase, if you wish to cover the scar or branding, use a non-stick sterile gauze or dressing. If the naturally secreted lymph fluids cause the bandage to adhere, use clean water or sterile saline solution to soak the bandage and soften the adhered matter to prevent pulling the scab off and damaging the scar or branding.
- e. Do not pick at the scarred or branded area or adhered matter on same procedures.

***If you suspect the procedure area or the branding or scar itself is infected, immediately seek medical attention!***

**Suffolk County Sanitary Code**  
**Article 14**  
**Body Art Establishment Regulations**  
**October 31, 2007**  
**Appendix B**

**Required Notices for Posting**

- 1- Establishment Permit
- 2- Body Artist Certificate(s)
- 3- No Smoking Sign at entranceway
- 4- Employee Hand Washing signs at all hand sinks
- 5- Appendix A, Aftercare Instructions for Body Art Procedures performed on site and posted at all work-stations.
- 6- Appendix C, First Aid Procedures for Fainting, Unconsciousness & Bleeding posted prominently in the workspace.
- 7- Appendix E, Healing Periods for Body Piercings posted at the piercing station(s).
- 8- Appendix F; Body Art Disclosure Statement & Notice of Inspection

**Suffolk County Sanitary Code**  
**Article 14**  
**Body Art Establishment Regulations**  
**October 31, 2007**  
**Appendix C**

**First Aid for Fainting, Unconsciousness and Bleeding**

**A. If the person feels faint:**

1. ***Most Patients*** – Seat the patient with head between the knees if there is no injury or heart condition. You can often prevent a patient from fainting by placing him/her in a seated position and lowering the head to a level between the knees **or**, have the person calmly lie down, face up and slightly elevate the feet. Do not do this for people with fractures, neck, spinal or severe head injuries.
2. ***Patients with breathing or heart problems*** – Have the patient lie down with the feet slightly elevated, give emotional support and Call 911 for emergency medical assistance.

**B. For patients who have fainted, unconsciousness:**

1. **Position the person on his or her back.** Make sure the legs are elevated above the heart level.
2. **Watch the airway carefully.** People who lose consciousness may vomit.
3. **Check for breathing.** Position your ear over the person's mouth to listen for breathing sounds. If breathing has stopped, the problem is more serious than a fainting spell. Initiate cardiopulmonary resuscitation (CPR). Get emergency medical care. Call 911.
4. **Help restore blood flow.** If the person is breathing, restore blood flow to the brain by raising the person's legs above the level of the head. Loosen belts, collars or other constrictive clothing. If the person loses consciousness, Call 911.

**C. Bleeding:**

1. Apply direct pressure to the area using a sterile material to contact the skin area. Elevating the bleeding area above the body, if possible, may help reduce the bleeding.
2. If the bleeding is not readily controlled, immediately call for emergency medical assistance.

**\*\*\* For Emergency Medical Assistance – Dial 911 \*\*\***

# COUNTY OF SUFFOLK



**STEVE LEVY**  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

**JAMES L. TOMARKEN, MD**  
MSW, MPH, MBA, FRCPC, FACP  
Commissioner

## Suffolk County Sanitary Code Article 14 Body Art Establishment Regulations Appendix D

### CONSENT FOR BODY ART PROCEDURES

**THE SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES DOES NOT ENDORSE OR RECOMMEND BODY ART PROCEDURES IN ANY FORM. This includes but not limited to Tattooing, Body Piercing, Branding, Scarification, Cosmetic Tattooing, Permanent Makeup, Micropigmentation and Dermopigmentation.**

Date: \_\_\_\_\_

I, \_\_\_\_\_, consent to the following body art  
(Print Name of Customer)  
procedure: \_\_\_\_\_ performed by \_\_\_\_\_ at  
\_\_\_\_\_. (Name of Body Artist  
(Name of Body Art Establishment & Town/Hamlet)

**The aforementioned Body Artist has fully explained to me the nature of the procedure(s) and has informed me of the potential complications and risks including, but not limited to: bleeding, pain, swelling, infection, prolonged healing, scarring, nerve damage, fainting and death.**

I am aware that Body Art Procedures are invasive and may involve possible health risks, especially for people with certain underlying medical conditions. I am also aware that I should consult with my physician prior to receiving any Body Art Procedure. If I experience an adverse effect during the healing period related to the Body Art Procedure I received, I have been advised to seek medical care as soon as possible and advise the Body Artist and/or the Body Art Establishment where I received the procedure.

**\*NOTE: It is possible to become infected with Hepatitis B, Hepatitis C, HIV or any other blood-borne disease with any procedure that involves exposure to blood products or instruments contaminated with blood products. In addition, an individual cannot donate blood for 12 months after having any body art procedure.**

I have been provided with a copy of Appendix A, Aftercare Instructions, for my particular Body Art Procedure, and, if it's a Body Piercing, a copy of Appendix E relating to healing periods. I have also had the opportunity to have any questions about the procedure answered.

Client Signature: \_\_\_\_\_

Parent/Guardian signature (for Body Piercing of Minors only): \_\_\_\_\_



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## Suffolk County Sanitary Code

### Article 14

**October 31, 2007**

#### Appendix E

### Estimated Healing Periods for Body Piercings

Ear lobe	6 to 8 weeks
Ear cartilage	4 months to 1 year
Eyebrow	6 to 8 weeks
Female genitalia	4 to 10 weeks
Lip	2 to 3 months
Male genitalia	4 weeks to 6 months
Navel	4 months to 1 year
Nipple	to 6 months
Nostril	2 to 4 months
Nasal septum	6 to 8 months
Nasal bridge	8 to 10 weeks
Tongue	4 weeks

**These are approximate, average healing times. Information on the healing time and the aftercare instructions must be provided to clients prior to the piercing procedure as the healing time range and aftercare rigor may not meet with the client's expectations. Human bodies are highly individual and healing times can vary greatly, are not guaranteed and may be complicated by certain medical conditions.**



**Public Health**  
Prevent. Promote. Protect.

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Commissioner

**Suffolk County Sanitary Code**  
**Article 14**  
**Body Art Establishment Regulations**  
**APPENDIX F**  
**PUBLIC NOTICE**

**Body Art Disclosure & Notice of Inspection**

**The Suffolk County Department of Health Services does not endorse or recommend Body Art Procedures in any form. This includes, but not limited to Tattooing, Body Piercing, Branding, Scarification, Cosmetic Tattooing, Permanent Makeup, Micropigmentation and Dermopigmentation.**

The Establishment's Permit and the Body Artist's Certificate signify their respective obligations to observe all the requirements of Article 14 of the Suffolk County Sanitary Code governing Body Art Procedures and the Health Department's inspection of the establishment for such compliance.

Body Art Procedures are invasive and accordingly may involve possible health risks, especially if you have certain medical conditions. It is recommended that you consult with your physician prior to receiving any body art procedure.

Body Art Procedures could result in bleeding, pain, swelling, infection, scarring, nerve damage, fainting and death.

**The Body Artist's obligations include, but are not limited to:**

- 1-Provide a "Consent Form" as detailed in Appendix D of Article 14 SCSC
- 2-Properly cleanse and prepare the site prior to the procedure.
- 3-Use sterilized instruments, needles, equipment, and jewelry.
- 4-Use sterile and aseptic technique and universal precautions
- 5-Inform the client/patron of proper aftercare for the particular Body Art Procedure.
- 6-Inform the Department of any customer reported injury, infection or illness.

**Notice of Inspection**

**In accordance with Section 760-1405.6, the Department's most recent record of inspection must be kept in the establishment and upon request by anyone, made available for their review.**

**For information, complaints: contact the Suffolk County Department of Health Services at (631) 852-5873.**



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