211.760 Tattooing and body piercing of humans by nonmedical personnel for remuneration -- Registration -- Administrative regulations -- Compliance checks -- Hearings.

(1) As used in this section:

(a) "Body piercing" means the act of penetrating the skin or body part of a human being to make a hole, mark, or scar;

(b) "Facility" means the place of business where tattooing, body piercing, or both are conducted; and

(c) "Tattooing" means the act of producing scars on a human being or the act of inserting pigment under the surface of the skin of a human being, by pricking with a needle or otherwise, to produce indelible marks or figures visible through the skin, including the application of permanent makeup.

(2) No person shall engage in, offer to engage in, or carry on any business of tattooing, body piercing, or both of humans by nonmedical personnel for remuneration within the Commonwealth of Kentucky without first registering with the local health department in the district or county in which the person is to perform tattooing, body piercing, or both. Registrations shall be valid for one (1) year. Applicants for registration shall pay a fee of twenty dollars ($20) to the local or district health department.

(3) The Cabinet for Health and Family Services shall promulgate administrative regulations relating to:

(a) Health and cleanliness of places of business in which tattooing, body piercing, or both are conducted;

(b) Sterilization of tattooing and body piercing apparatus;

(c) Procedures to prevent the spread of disease or infection during or relating to tattooing and body piercing procedures;

(d) Procedures to prevent any tattooing or body piercing of minors without the written notarized consent of a custodial parent or legal guardian; and

(e) Such other administrative regulations as may be necessary to protect public health or properly administer the program requirements of this section.

(4) Representatives of the cabinet or local or district health departments may visit a facility at any time during business hours to ensure compliance with the requirements of this section. Representatives of local or district health departments shall visit each registered facility in their county or district not less than twice each year.

(5) Any administrative hearing conducted under this section shall be conducted in accordance with KRS Chapter 13B.

Effective: June 20, 2005

History: Amended 2005 Ky. Acts ch. 99, sec. 371, effective June 20, 2005. -- Amended 2002 Ky. Acts ch. 153, sec. 1, effective July 15, 2002. -- Amended 1998 Ky. Acts ch. 426, sec. 312, effective July 15, 1998. -- Amended 1996 Ky. Acts ch. 318, sec. 108, effective July 15, 1996. -- Created 1992 Ky. Acts ch. 385, sec. 1, effective July 14, 1992.