



General Assembly

January Session, 2019

Raised Bill No. 1058

LCO No. 5619



Referred to Committee on PUBLIC HEALTH

Introduced by:
(PH)

AN ACT CONCERNING THE LICENSURE OF TATTOO TECHNICIANS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 20-266n of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2019*):

3 As used in this section and sections 20-266o to 20-266s, inclusive, as
4 amended by this act, and subsection (c) of section 19a-14:

5 (1) "Commissioner" means the Commissioner of Public Health; [.]

6 (2) "Department" means the Department of Public Health; [.]

7 (3) "Tattooing" means marking or coloring, in an indelible manner,
8 the skin of any person by pricking in coloring matter or by producing
9 scars; [.]

10 (4) "Tattoo technician" means a person who is licensed under the
11 provisions of section 20-266o, as amended by this act; [.]

12 (5) "Student tattoo technician" means a person studying tattooing
13 who is registered with the department pursuant to section 20-266o, as
14 amended by this act; [.] and

15 (6) "Supervising tattoo technician" means a tattoo technician
16 licensed pursuant to this chapter for not less than five years who is
17 responsible for the personal supervision of a student tattoo technician's
18 practical training and experience in tattooing.

19 Sec. 2. Section 20-266o of the general statutes is repealed and the
20 following is substituted in lieu thereof (*Effective October 1, 2019*):

21 (a) [On and after July 1, 2014, no] No person shall engage in the
22 practice of tattooing unless the person is eighteen years of age or older
23 and has obtained a license or temporary permit from the Department
24 of Public Health pursuant to this section.

25 (b) [(1)] Each person seeking licensure as a tattoo technician [on or
26 before January 1, 2015,] shall [make application] apply to the
27 department on a form prescribed by the department [,] and pay an
28 application fee of two hundred fifty dollars. [and] Each applicant shall
29 present to the department satisfactory evidence that the applicant:
30 [(A)] (1) Is eighteen years of age or older; [(B)] (2) has successfully
31 completed, within the three years preceding the date of application, a
32 course on prevention of disease transmission and blood-borne
33 pathogens that complies with the standards adopted by the federal
34 Occupational Safety and Health Administration, as described in 29
35 CFR 1910.1030 et seq., as amended from time to time, and that requires
36 the successful completion of a proficiency examination as part of such
37 course; [and (C)] (3) holds current certification by the American Red
38 Cross or the American Heart Association in basic first aid; and (4)
39 signs a form prescribed by the Commissioner of Public Health
40 attesting that such person is in compliance with infection prevention
41 and control plan guidelines prescribed by the commissioner. The
42 infection prevention and control plan guidelines shall include, but
43 need not be limited to, the following: (A) Use of personal protective

44 equipment, including, but not limited to, disposable gloves, as a
45 barrier against infectious materials, (B) the practice of appropriate
46 hand hygiene including the availability of a hand-washing sink in the
47 area where the practice of tattooing occurs, (C) the decontamination
48 and sterilization, with hospital-grade cleaner, of the area or materials
49 used in the practice of tattooing, including, but not limited to, chairs,
50 armrests, tables, countertops, trays, seats, furniture and reusable
51 instruments that may come into contact with skin or mucosal surfaces,
52 and (D) the appropriate use of disposable equipment and the disposal
53 of sharps used during the practice of tattooing.

54 [(2) Each person seeking licensure as a tattoo technician after
55 January 1, 2015, shall, in addition to satisfying the requirements of
56 subdivision (1) of this subsection, provide documentation to the
57 department, in the form and manner required by the commissioner, of
58 having (A) completed not less than two thousand hours of practical
59 training and experience under the personal supervision and
60 instruction of a tattoo technician, or (B) practiced tattooing
61 continuously in this state for a period of not less than five years prior
62 to January 1, 2015.]

63 (c) Licenses issued under this section shall be subject to renewal
64 once every two years. A license to practice tattooing shall be renewed
65 in accordance with the provisions of section 19a-88 for a fee of two
66 hundred dollars. A licensee applying for license renewal shall, as a
67 condition of license renewal, successfully complete a course on
68 prevention of disease transmission and blood-borne pathogens that
69 complies with the standards adopted by the federal Occupational
70 Safety and Health Administration, as described in 29 CFR 1910.1030 et
71 seq., as amended from time to time, and that requires the successful
72 completion of a proficiency examination as part of such course. Each
73 licensee applying for license renewal shall sign a statement attesting
74 that the licensee has successfully completed such education course
75 within the six months preceding the expiration of the license on a form
76 prescribed by the Commissioner of Public Health. Each licensee shall
77 retain certificates of completion that demonstrate compliance with the

78 requirement for a minimum of four years after the year in which the
79 course was completed and shall submit such certificates to the
80 department for inspection not later than forty-five days after a request
81 by the department for such certificates.

82 (d) The provisions of this section shall not apply to a physician, an
83 advanced practice registered nurse rendering service in collaboration
84 with a physician, a registered nurse executing the medical regimen
85 under the direction of a licensed physician, dentist or advanced
86 practice registered nurse, or a physician assistant rendering service
87 under the supervision, control and responsibility of a physician.

88 (e) No person shall use the title "tattoo technician", "tattoo artist",
89 "tattooist" or other similar titles unless the person holds a license
90 issued in accordance with this section.

91 (f) Notwithstanding the provisions of subsection (a) of this section, a
92 person may practice tattooing if such person has obtained a license or
93 temporary permit pursuant to this subsection or practices tattooing
94 temporarily in the state as an instructor or participant in an event,
95 trade show or product demonstration in accordance with the
96 provisions of subdivision (3) of this subsection.

97 (1) The department may grant licensure to any person who is
98 licensed at the time of application as a tattoo technician, or as a person
99 entitled to perform similar services under a different designation, in
100 another state of the United States, the District of Columbia or a
101 commonwealth or territory subject to the laws of the United States and
102 who submits evidence satisfactory to the department of (A) a current
103 license in good standing to practice tattooing from such other state,
104 commonwealth or territory, (B) documentation of licensed practice in
105 such state, commonwealth or territory for a period of at least two years
106 immediately preceding application, (C) successful completion of a
107 course on prevention of disease transmission and blood-borne
108 pathogens that complies with the standards adopted by the federal
109 Occupational Safety and Health Administration, as described in 29

110 CFR 1910.1030 et seq., as amended from time to time, [and] (D) current
111 certification by the American Red Cross or the American Heart
112 Association in basic first aid, and (E) signs a form prescribed by the
113 Commissioner of Public Health attesting that such person is in
114 compliance with the infection prevention and control plan guidelines
115 as prescribed by the commissioner. Pending approval of the
116 application for licensure, the commissioner may issue a temporary
117 permit to such applicant upon receipt of a completed application form,
118 accompanied by the fee for licensure, a copy of a current license from
119 such other state, commonwealth or territory and a notarized affidavit
120 attesting that the license is valid and belongs to the person requesting
121 notarization. Such temporary permit shall be valid for a period not to
122 exceed one hundred twenty calendar days and shall not be renewable.

123 (2) The commissioner may issue a temporary permit to an applicant
124 previously licensed in Connecticut whose license has become void
125 pursuant to section 19a-88. Such applicant for a temporary permit shall
126 submit to the department a completed application form accompanied
127 by a fee of one hundred dollars, a copy of a current license in good
128 standing from another state and a notarized affidavit attesting that
129 such license is valid and belongs to the person requesting notarization.
130 A temporary permit for an applicant previously licensed in
131 Connecticut whose license has become void pursuant to section 19a-88
132 shall be valid for a period not to exceed one hundred twenty calendar
133 days and shall not be renewable.

134 (3) A person who: (A) Provides instruction on tattooing techniques;
135 or (B) participates in the demonstration of a tattooing-related product
136 or offers tattooing as part of a professional course, seminar, workshop,
137 trade show or other event, may practice tattooing for such purpose,
138 provided such person described in subparagraphs (A) and (B) of this
139 subdivision (i) is licensed or certified in the state, territory or
140 possession of the United States or foreign country that is the primary
141 place where such person practices tattooing if such state, territory,
142 possession or foreign country requires licensure or certification for
143 tattooing, (ii) has successfully completed a course on prevention of

144 disease transmission and blood-borne pathogens that complies with
145 the standards adopted by the federal Occupational Safety and Health
146 Administration, as described in 29 CFR 1910.1030 et seq., as amended
147 from time to time, within the preceding three years, (iii) practices
148 tattooing under the direct supervision of a tattoo technician, (iv) does
149 not receive compensation for tattooing, other than for providing
150 instruction or tattooing services to persons in attendance at the course,
151 seminar, workshop, trade show or event, and (v) provides instruction,
152 demonstrates tattooing techniques or offers tattooing only for persons
153 enrolled in the course, seminar or workshop or attending the trade
154 show or event at which the person provides instruction, demonstrates
155 a product or offers tattooing. Any person or organization that holds or
156 produces a course, seminar, workshop, trade show or other event at
157 which a person who is not a tattoo technician licensed in the state
158 provides tattooing instruction, participates in the demonstration of a
159 tattooing-related product or offers tattooing to persons in attendance at
160 the trade show or event shall ensure compliance with the provisions of
161 this section.

162 (g) Notwithstanding the provisions of subsection (a) of this section,
163 a student tattoo technician may practice tattooing under the personal
164 supervision of a tattoo technician for a period not to exceed two years.
165 A student tattoo technician shall (1) successfully complete a course on
166 prevention of disease transmission and blood-borne pathogens that
167 complies with the standards adopted by the federal Occupational
168 Safety and Health Administration, as described in 29 CFR 1910.1030 et
169 seq., as amended from time to time, and that requires the successful
170 completion of a proficiency examination as part of such course, (2)
171 hold current certification by the American Red Cross or the American
172 Heart Association in basic first aid, (3) obtain a notarized statement
173 signed by a supervising tattoo technician documenting completion of
174 the minimum training requirements in accordance with subsection (h)
175 of this section, and (4) register with the department for purposes of
176 completing the practical training and experience required to obtain a
177 license pursuant to this section [. An application for registration shall

178 be submitted to the department] on a form prescribed by the
179 commissioner. [and shall be accompanied by documentation that the
180 applicant (1) has successfully completed a course on prevention of
181 disease transmission and blood-borne pathogens that complies with
182 the standards adopted by the federal Occupational Safety and Health
183 Administration, as described in 29 CFR 1910.1030 et seq., as amended
184 from time to time, and that requires the successful completion of a
185 proficiency examination as part of such course, and (2) holds current
186 certification by the American Red Cross or the American Heart
187 Association in basic first aid. Such application shall include a notarized
188 statement signed by a tattoo technician providing that such licensee
189 acknowledges having responsibility for personally supervising the
190 applicant's practical training and experience in tattooing.]

191 (h) A supervising tattoo technician may supervise no more than two
192 student tattoo technicians and shall maintain records, for a period of
193 three years, of completing the following minimum training
194 requirements for each student tattoo technician: (1) Discussion of
195 transmission, control and symptoms of the diseases caused by blood-
196 borne pathogens, (2) discussion of tasks involved in the practice of
197 tattooing and the risks of exposure to blood-borne pathogens to the
198 client and the tattoo technician during the performance of each task,
199 (3) discussion of the types and uses of personal protective equipment,
200 including an explanation of the limitations of the equipment, (4)
201 discussion of the types of tasks, proper task technique and sequence of
202 tasks before and after donning and removing personal protective
203 equipment to avoid contamination, (5) discussion of the importance of
204 hand hygiene and a demonstration of proper hand hygiene techniques,
205 (6) discussion of the options, use and storage of disinfectants and
206 antiseptics, (7) information on the signage required for biohazard
207 materials and the importance of properly labeling chemicals and
208 supplies, (8) information on the hepatitis B vaccine, including the
209 safety and accessibility, (9) discussion of what constitutes a blood-
210 borne pathogen exposure incident, including (A) examples of
211 incidences and the actions to take in preventing or minimizing further

212 exposure; (B) risks of infection following an exposure incident; and (C)
213 procedures to follow after an exposure incident, including follow-up
214 medical treatment, and (10) opportunities for interactive questions and
215 answers between the supervising tattoo technician and the student
216 tattoo technician.

217 [(h)] (i) No license or temporary permit shall be issued under this
218 section to any applicant against whom professional disciplinary action
219 is pending or who is the subject of an unresolved complaint in any
220 state or jurisdiction.

221 [(i)] (j) The Commissioner of Public Health may, in accordance with
222 chapter 54, adopt such regulations as are necessary to implement the
223 provisions of sections 20-266o to 20-266s, inclusive, as amended by this
224 act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2019</i>	20-266n
Sec. 2	<i>October 1, 2019</i>	20-266o

Statement of Purpose:

To require tattoo technicians to comply with the infection prevention and control plan guidelines prescribed by the Commissioner of Public Health and to require student tattoo technicians to complete minimum educational requirements under a supervising licensed tattoo technician.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]