

CLARK COUNTY HEALTH DISTRICT

REGULATIONS

GOVERNING THE SANITATION OF BODY PIERCING ESTABLISHMENTS

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

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

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

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

SECTION 1

- 1.1 **DEFINITIONS:** The following terms used in these Regulations shall be defined as follows:
- 1.2 **APPROVED:** Means acceptable to the Health Authority based on conformance with adopted regulations, good public health practice and recognized industry standards.
- 1.3 **BODY PIERCING:** Means the act of penetrating the skin or mucous membranes, excluding the ear lobes, to make, generally permanent in nature, a hole, mark or scar.
- 1.4 **BODY PIERCING ESTABLISHMENT:** Means a place of business, whether operated for profit or not, upon the premises of which body piercing is done.
- 1.5 **BODY PIERCING TECHNICIAN:** A person who performs body piercing procedures at a Health Permitted body piercing establishment hereinafter known as a technician. This person is responsible for compliance with Universal Precautions and these Rules and Regulations.
- 1.6 **CHIEF HEALTH OFFICER:** Means the Chief Health Officer of the Clark County Health District or his designee.
- 1.7 **CLARK COUNTY HEALTH DISTRICT:** Means all of the geographical area in both the incorporated and unincorporated parts of Clark County, Nevada.
- 1.8 **CROSS-CONTAMINATION:** Means the transfer of harmful micro-organisms from dirty surfaces or equipment to previously sanitized or sterilized surfaces or equipment.
- 1.9 **DISTRICT BOARD OF HEALTH:** Means the "District Board of Health" of Clark County which is comprised of two representatives appointed from each of the six member entities plus one at-large representative elected by the Board under the authority of the Nevada Revised Statutes (NRS), Chapter 439.390 , and organized pursuant to NRS 439.370.
- 1.10 **GROSS INCOMPETENCE:** Means a serious lack of ability or knowledge to perform ones duty in a sanitary manner or failure to comply with these Regulations. It shall also mean any conduct which endangers the public=s health or safety.
- 1.11 **HEALTH AUTHORITY:** Means the officers and agents of the District Board of Health.

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

1.13 JEWELRY: Means any personal ornament inserted into a newly pierced area, which must be made of surgical implant grade stainless steel, solid 14k or 18k white or yellow gold, niobium, titanium or platinum and which is free of nicks, scratches or irregular surfaces. Ear studs are not jewelry for purposes of these Regulations.

1.14 PERMITTEE: Means any person holding a Health Permit under these Regulations who is responsible for compliance with these Regulations.

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

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

1.17 STERILIZATION: Means destruction of all forms of microbotic life including bacterial and fungal spores.

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

- 1.18.1 A lack of adequate sterilization equipment on the premises in strict compliance with Section 6 of these Regulations.
- 1.18.2 Improper disposal of biohazardous wastes.
- 1.18.3 Any sharp instrument, such as a needle or razor, that is not appropriately containerized IMMEDIATELY after use.
- 1.18.4 Re-use of any single-use equipment.
- 1.18.5 Lack of proper sterilization of needles or any equipment that comes in contact with blood or body fluids.

- 1.18.6 A loss of electrical power or any other utility in the body piercing establishment that causes the failure of a system that is required for the operation of the body piercing establishment, such as for lighting, heating, cooling or sterilization.
- 1.18.7 A Body Piercing Technician infected with a communicable disease that may be transmitted to a patron and/or persons not practicing strict standards of cleanliness and personal hygiene and Universal Precautions, which may result in the potential transmission of illness.
- 1.18.8 Sewage or liquid waste is not disposed of in an approved and sanitary manner, or the sewage or liquid waste contaminates or may contaminate any body piercing equipment or body piercing area, or an area frequented by patrons or technicians.
- 1.18.9 Toilets and facilities for washing hands are not provided, properly installed, designed, accessible or convenient.
- 1.18.10 The supply of potable water is not approved or does not meet the applicable requirements for sampling and public notification set forth under the Safe Drinking Water Act and any regulations adopted pursuant thereto, and an operator does not use bottled water from an approved source.
- 1.18.11 A defect or condition exists in the system supplying potable water that may result in the contamination of the water.
- 1.18.12 The presence of any toxic items that are labeled, stored or used improperly.
- 1.18.13 The presence of insects, rodents and other vermin that constitutes a significant threat to the health or safety of patrons or technicians, as determined by the Health Authority.

1.19 UNIVERSAL PRECAUTIONS: Means a set of guidelines and controls published by the Centers for Disease Control (CDC) outlining certain practices which health workers should employ in order to prevent parenteral, mucous-membrane and no intact skin exposure to bloodborne pathogens. The method of infection control requires the employer and employee to assume that all human blood and specified human body fluids are infectious for Human Immunodeficiency Virus (HIV), Hepatitis B Virus (HBV), and other bloodborne pathogens. Precautions include handwashing, gloving, personal protective equipment, injury prevention, proper handling and disposal of needles and other sharp instruments and blood and body fluid contaminated products (Appendix A).

1.20 NUMBER, TENSE AND GENDER: Means words used in the singular may also

include the plural and vice versa; verbs used in the present tense do not preclude the past and future tenses; use of the masculine gender may also include the neuter or feminine, as the context so indicates.

SECTION 2

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

2.2 A physician, or a person working under the direct supervision of a physician, performing body piercing procedures in the physician=s office or clinic, and the practice of ear lobe piercing is exempt from these Regulations.

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

- 2.3.1 Name of applicant;
- 2.3.2 Residence of applicant;
- 2.3.3 If a partnership, the names and resident addresses of each of the partners, whether general or limited, designating which;
- 2.3.4 If a corporation, the names and resident addresses of all of its officers, directors, shareholders, and the name of its resident agent for the purpose of service;
- 2.3.5 The location of the proposed establishment, and a floor plan and specification of the establishment as it is proposed to be operated;
- 2.3.6 The proposed hours of operation;
- 2.3.7 The names of all employees and their exact duties;
- 2.3.8 A complete description of all body piercing services to be provided;
- 2.3.9 An exact inventory of all body piercing equipment to be utilized, including names of manufacturers;
- 2.3.10 Names and addresses of all suppliers of body piercing equipment and supplies.

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

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

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

2.7 Health Permits shall be non-transferable.

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

2.8.1 Documentation of Hepatitis B immunization of all technicians working at the body piercing establishment must be maintained and available for review by the Health Authority

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

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

2.9.1 Health Permit holders are responsible for notifying the Clark County Health District, verbally or in writing, when a body piercing technician starts or stops working at his facility.

2.9.2 Health Permit holders are responsible for ensuring that at least one (1) person

trained in CPR and First Aid, as evidenced by current certification, is available at the establishment during hours of operation.

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

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

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

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

SECTION 3

3.1 **TECHNICIANS:** It shall be unlawful for any person to act as a body piercing technician, or for any person to employ another person as a body piercing technician, unless such person has been issued a Health Card by the Clark County Health District. The Health Permit holder of the establishment must only hire technicians who have passed the Clark County Health District=s sanitation examination and been issued a Health Card.

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

3.2 Application for registration as a body piercing technician Health Card shall be made to the Health Authority on forms approved by the Health Authority which contain at least the following information:

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

3.2.9 Training and/or experience.

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

3.3.1 Applicant is free of communicable diseases;

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

3.3.3 Applicant has no physical disability or infirmity which could interfere with his acting as a body piercing technician;

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

3.3.5 Applicant has a minimum of six (6) months experience or training as a body piercing technician in a duly licensed establishment in Nevada, another state or country.

3.3.6 Applicant has written verification from the Health Permitted body piercing establishment where he will be operating.

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

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

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

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

3.7 A current Health Card must be in the technician=s possession at all times while engaged in the practice of body piercing.

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

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

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

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

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

3.10 The technician must be free from all communicable disease while performing body piercing procedures.

3.11 The technician must demonstrate a high level of competence. Gross incompetence may be cause for suspension of a body piercing technician=s Health Card or non-renewal of the body piercing technician=s Health Card.

3.12 Technicians are prohibited from providing body piercing services outside of a Health Permitted body piercing establishment. Health Cards are not transferable from person to person.

SECTION 4

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

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

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

4.2 Body piercing must not be performed on any person under the influence of drugs or alcohol. The Health Permittee and technician are charged with the responsibility of making reasonable observations and inquiries to assure themselves that the patron is in fact sober and not under the influence of intoxicating substances.

4.3 The patron must not bring food or drink into a body piercing area and must not smoke during the procedure.

4.4 The body area to be pierced must be free of rash, pimples, infection or scar tissue. The patron must be in apparent good health, and the body area to be pierced generally in a healthy condition to all appearances.

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

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

4.7 The body piercing establishment must keep a permanent record of all patrons pierced stating the name, age, and address of the patron(s), date of the piercing, name of the person who performed the piercing, body part pierced and a description of the type of jewelry inserted.

4.7.1 Such records shall be made available to the Health Authority upon request.

4.7.2 Such records shall be maintained in an orderly manner, filed by month and year, to facilitate retrieval of records.

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

SECTION 5

5.1 BODY PIERCING PROCEDURES: No person under the age of eighteen (18) years may perform a body piercing procedure.

5.2 The technician, while on duty, must utilize or wear effective hair restraints if he has hair over the ears; must have clean fingernails; must wear clean outer garments and shall, in general, pay particular attention to his personal hygiene. Body piercing technicians shall maintain a sanitary environment during all procedures to prevent cross-contamination.

5.3 The technician must not smoke while piercing a patron.

5.4 Prior to and immediately following a body piercing procedure, the technician must thoroughly wash his hands and nails in hot running water and liquid soap, rinse them in clear warm water and then dry his hands with a paper towel.

5.5 During the body piercing procedure, the technician must wear surgical gloves. These gloves must be discarded after each procedure and when damaged, soiled or when interruptions occur in the procedure to prevent cross-contamination.

5.6 Prior to any body piercing procedure, the body area to be pierced must be cleansed with an antiseptic solution and cleansed again after the piercing.

5.7 Piercing needles must be individually packaged and sterilized, used once, then immediately disposed of in a medically approved red Sharps container, appropriately labeled with the international biohazard symbol. Piercing needles are not reusable under any circumstances.

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

5.9 All jewelry and instruments that directly aid in the piercing, or that may come in contact with instruments that are used during the piercing, such as forceps or needle holders, must be properly sterilized in accordance with the sterilization procedures in Section 6.

5.10 All equipment indirectly used in body piercing, including any beds, tables, headrests, armrests, legrests, handrails or counter tops, must be sanitized daily and between patrons by a

disinfectant solution. The method used shall be approved by the Health Authority.

5.11 Only jewelry defined in these Regulations may be used in new piercings.

5.12 Piercing guns are permitted in body piercing establishments for ear lobe piercing only, under these Regulations.

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

5.14 Any infection or injury resulting from the body piercing procedure, which becomes known to the Health Permittee, shall be immediately reported, in writing, to the Health Authority.

SECTION 6

6.1 **STERILIZATION OF EQUIPMENT:** The instruments used during body piercing procedures shall be cleaned thoroughly after each use by scrubbing with a germicidal soap solution and hot water.

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

6.3 All instruments used in the body piercing procedure shall be sterilized by one of the following methods:

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

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

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

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

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

6.4.2 Biological monitoring system (commercial preparation of spores), to ensure all microorganisms have been destroyed and sterilization has been achieved. Each holder of a Health Permit to operate a body piercing establishment shall demonstrate that his sterilizer is capable of attaining proper heat and pressure through an annual spore destruction test. This test shall be verified through an

independent laboratory. The Health Permit shall not be issued or renewed until documentation of the sterilizer=s ability to destroy spores is received by the Health Authority. Permanent records of the results must be kept, and such records shall be made available to the Health Authority upon request.

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

SECTION 7

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

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

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

7.4 Hand sinks with hot and cold running water, liquid soap and disposable paper towels in dispensers, shall be located in each body piercing cubicle.

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

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

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

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

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

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

SECTION 8

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

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

8.3 The original of the inspection report must be furnished to the Health Permit holder or technician of the body piercing establishment.

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

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

OR

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

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

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

SECTION 9

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

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

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

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

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

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

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

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

SECTION 10

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

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

- 10.2.1 The purpose for which the Health Permit is requested.
- 10.2.2 The period of time during which the Health Permit is needed
- 10.2.3 Current Health Card or certification to practice or teach body piercing in Clark County or another state and present satisfactory evidence of that fact to the Health Authority.
- 10.2.4 The location where the Temporary Demonstration Health Permit will be used.

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

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

- 10.4.1 Conveniently located handwashing facilities, as approved by the Health Authority, with liquid soap, paper towels and hot and cold water under adequate pressure and drained in accordance with local plumbing codes shall be provided. Disinfecting single use hand wipes, approved by the Health Authority, in addition to the handwashing requirements of this section must be available in each booth/cubicle.
- 10.4.2 One hundred (100) square feet of floor space.
- 10.4.3 At least fifty (50) foot candles of light at the level where the body piercing is being performed.

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

10.4.5 Ability to properly clean and sanitize the area used for body piercing.

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

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

SECTION 11

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

SECTION 12

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

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

APPENDIX A UNIVERSAL PRECAUTIONS

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

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

1. **Needlestick injuries**

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

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

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

2. **Gloves and other protective barriers**

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

3. **Hand washing**

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

4. **Health problems**

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

5. **Pregnancy**

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

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

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

APPENDIX B
HEPATITIS B IMMUNIZATION RECORD

Name of Facility

Street Address/City/State/Zip

Permit Number of Facility

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

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

a/hepbdoc

PUBLIC NOTICE

BODY PIERCING DISCLOSURE STATEMENT

THE CLARK COUNTY HEALTH DISTRICT DOES NOT ENDORSE OR RECOMMEND BODY PIERCING IN ANY FORM.

HEALTH DISTRICT PERMITS SIGNIFY SANITATION OF EQUIPMENT AND PROCEDURES ONLY.

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

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

The Piercing Technician should:

Properly cleanse the piercing site before piercing

Use sterilized equipment

Use Sterile Piercing Techniques, and

Inform the Client of proper aftercare of the pierced area.

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