

NEW BEDFORD BOARD OF HEALTH
REGULATIONS GOVERNING BODY ART

Section:

1. Purpose
2. Authority
3. Citation
4. Applicability
5. Definitions
6. Exemptions
7. Restrictions
8. Operation of Body Art Establishments
9. Standards of Practice
10. Injury Reports
11. Complaints
12. Application for Body Art Establishment License
13. Application for Body Art Practitioner License
14. Summary Suspension Without Prior Hearing
15. Summary Suspension With Prior Hearing
16. Revocation of License With Notice
17. Unauthorized Practice of Body Art
18. Variance
19. Severability
20. Effective Date
21. Amendments

Section 1 - Purpose

1.1 To establish procedures for registration with the City of New Bedford Board of Health for all individuals and Establishments performing Body Art which shall include both Tattooing and Body Piercing and to establish minimum standards of licensure and operation for the prevention of disease transmission.

1.2 The Board is promulgating rules and regulations which provide minimum requirements to be met by any person performing Body Art and for any Establishment wherein Body Art is performed. These requirements shall include but are not limited to, general sanitation of the premises wherein Body Art is to be performed, minimum standards of practice, training and experience of Practitioners, and sterilization of equipment used in the Body Art Establishment. These regulations are necessary to protect the public's health by preventing the transmission of communicable diseases, including but not limited to, hepatitis B and/or human immunodeficiency virus (HIV/AIDS).

Section 2 - Authority

2.1 The Board pursuant to Massachusetts General Laws Chapter 111, Section 31, Tercentary Edition and Amendments hereto adopts the following regulations: "Body Art Regulations" as a reasonable health regulation designed to protect and improve the health of the general public.

Section 3 – Citation

3.1 These regulations may be cited as "Body Art Regulations".

Section 4 - Applicability

4.1. These regulations shall apply to all persons providing Body Art services and/or operating an Establishment where Body Art is being provided.

a. Qualifications of Applicants for a License:

A. To qualify for a License, an Applicant shall:

1. Be a person of good standing;
2. Be a Body Art Practitioner or an owner or an officer of the Body Art Establishment to be Licensed;
3. Comply with the requirements of all applicable codes, ordinances and regulations;
4. Agree to allow the Board and its authorized agent(s) access to the Body Art Establishment;
5. Agree to provide such information to the Board as the Board may require, and;
6. Pay the applicable License fee(s) at the time the application is submitted.

B. The Board, or its authorized agent, may refuse to grant an Applicant a License if, in the discretion of the Board, the following grounds exist and are sufficient to warrant denial of a License:

1. The Applicant does not meet one or more of the qualifications in section 4.2A above;
2. The Applicant provides false or misleading statements or documents to the Board or its authorized agent(s);
3. The Applicant has failed to pay any federal, state, or local taxes as required by law, pursuant to M.G.L. c. 62C § 49A;
4. Failure to comply with the applicable codes, ordinances or regulations;
5. Denial of entry of agents of the Board or attempts to obstruct, evade or impede the work of, a duly authorized agent of the Board;
6. The Applicant, owner of the Body Art Establishment, or if the Applicant is a corporation, a corporate officer, has been convicted of, plead guilty or *nolo contendere* to, or has in a judicial proceeding admitted to, facts sufficient to find that s/he is guilty of a crime relating to the operation governed by the Board's License;

7. The Applicant, owner of the Body Art Establishment, or if the Applicant a corporate officer, in the discretion of the Board, has engaged in conduct that endangers the public health, whether within or without the City of New Bedford;
 8. Such other reasons which, in the discretion of the Board, pose a risk to health and safety.
- C. The Board or its authorized agent, shall notify an Applicant in writing of the intent to refuse issuance of a License or portion thereof prior to either the requested opening date, or in the case of a requested renewal, prior to the expiration date of the current License then in effect.
- D. Notice of intent to refuse the issuance of a License or a portion thereof shall be rendered to the Applicant by the Board or its authorized agent in writing and shall specify:
1. The name and address of the Applicant and the name and location of the proposed or actual site of the Body Art Establishment to be Licensed;
 2. The specific grounds upon which the Board has determined the License or portion thereof should not be granted;
 3. The effective term of the refusal to grant the License or portion thereof;
 4. Notice of a right to a hearing before the Board if a written request for a hearing is filed with the Board by the Applicant within ten (10) days of receipt of the Board's notice of intent to refuse the License or portion thereof;
 5. The right to inspect and obtain copies of all relevant inspection reports, orders, notices and/or other documentary information in the possession of the Board;
 6. The right to be represented at the hearing.
 7. The name and address of the Board where the written request for a hearing shall be sent;
 8. A warning that, if no request for a hearing is filed within the ten (10) day period, the Board will deem any right to challenge the denial waived and may refuse to reconsider the grant of the License for the relevant Annual Period, and;
 9. The signature of a member of the Board or its agent, as determined by the Board.
- E. The Board or its authorized agent, may end a period of License refusal at any time if reasons for the refusal no longer exist.

F. The Board may place special conditions on any License that it issues.

Section 5 - Definitions

Aftercare shall mean written instructions given to the Client, specific to the Body Art procedure(s) rendered, about caring for the Body Art and surrounding area, including information about when to seek medical treatment, if necessary.

Applicant shall mean any person who applies to the Board for either a Body Art Establishment Permit or Body Art Practitioner Permit.

Autoclave shall mean an apparatus for Sterilization utilizing steam pressure at a specific temperature over a period of time.

Autoclaving shall mean a process which results in the destruction of all forms of microbial life, including highly resistant spores, by the use of an Autoclave for a minimum of thirty minutes at 20 pounds of pressure (PSI) at a temperature of 270 degrees Fahrenheit.

Bloodborne Pathogens Standard shall mean OSHA Guidelines contained in 29 CFR 1910.1030, entitled "Occupational Exposure to Bloodborne Pathogens".

Board shall mean the Board of Health of the City of New Bedford.

Body Art shall mean the provision of physical body adornment by Licensed Establishments and Practitioners using, but not limited to, the following techniques: Body Piercing, Tattooing and/or cosmetic Tattooing. This definition does not include practices that are considered medical procedures by the Board of Registration in Medicine, such as implants under the skin, which are prohibited.

Body Art Station shall mean a space screened from public view, containing no less than 45 square feet wherein Body Art will be provided to Clients.

Body Piercing shall mean puncturing or penetrating the skin of a Client with pre-sterilized Single-Use needles and the insertion of pre-sterilized jewelry or other adornment into the opening. This definition shall exclude piercing of the earlobe with a pre-sterilized Single-Use stud-and-clasp system manufactured exclusively for Ear-Piercing.

Branding shall mean inducing a pattern of scar tissue by use of a heated material (usually metal) to the skin, making a serious burn, which eventually becomes a scar.

Client shall mean a member of the public who requests a Body Art procedure at a Body Art Establishment.

Contaminated Waste shall mean waste as defined in 105 CMR 480.000 of the State Sanitary Code, Chapter VIII entitled "Storage and Disposal of Infectious or Physically Dangerous Medical or Biological Waste",.

Department shall mean the Massachusetts Department of Public Health or its authorized

representatives.

Disinfectant shall mean a product registered as a disinfectant by the U.S. Environmental Protection Agency (EPA).

Disinfection shall mean the destruction of disease-causing microorganisms on inanimate objects or surfaces, thereby rendering these objects safe for use or handling.

Ear-Piercing shall mean the puncturing of the lobe of the ear with a pre-sterilized Single-Use stud-and-clasp Ear-Piercing system following the manufacturer's instructions.

Equipment shall mean all machinery, including fixtures, containers, vessels, tools, devices, implements, furniture, display and storage areas, sinks, and all other apparatus and appurtenances used in connection with the operation of a Body Art Establishment.

Establishment shall mean a location, place, or business, whether public or private, that has been granted a License by the Board wherein the provision of Body Art is performed, whether or not for profit.

Fiscal Year Shall mean the year period beginning on July 1 of the current calendar year and culminating on June 30th of the immediate following calendar year. Example would be July 1, 2013- June 30, 2014.

Hand Sink shall mean a lavatory equipped with hot and cold running water under pressure, used solely for washing hands, arms, or other portions of the body.

Hot Water shall mean water that attains and maintains a temperature 110° - 130° F.

Instruments shall mean hand pieces, needles, needle bars, and any other tools, utensils or machines used to provide Body Art that may come in contact with a Client's body or may be exposed to bodily fluids during any Body Art procedure.

Invasive shall mean entry into the Client's body either by incision or insertion of any Instruments into or through the skin or mucosa, or by any other means intended to puncture, break, or otherwise compromise the skin or mucosa.

Jewelry shall mean any 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; or a dense, low-porosity plastic, which is free of nicks, scratches, or irregular surfaces and has been properly sterilized prior to use.

Microdermal Piercing shall mean A single point piercing in which a "Microdermal" anchor is placed under the skin and set into place.

Minor shall mean any person under the age of eighteen (18) years.

Operator shall mean any person who individually, or jointly or severally with others, owns, manages or otherwise controls a Body Art Establishment, whether or not said person is a Body Art Practitioner.

OSHA shall mean U.S. Occupational Safety and Health Administration.

Permit shall mean Board approval in writing to either: (1) operate a Body Art Establishment, or; (2) operate as a Body Art Practitioner within a Body Art Establishment. Board approval shall be granted solely for the provision of Body Art pursuant to these regulations. Said Permit is exclusive of the Establishment's compliance with other licensing or permitting requirements that may exist within the Board's jurisdiction.

Person shall mean an individual, any form of business or social organization or any other non-governmental legal entity, including but not limited to corporations, partnerships, limited-liability companies, associations, trusts or unincorporated organizations.

Physician shall mean an individual licensed as a qualified physician by the Board of Registration in Medicine pursuant to M.G.L. c. 112 §2.

Practitioner shall mean an individual who has been granted a License by the Board to perform Body Art in an Establishment that has been granted a Permit by the Board.

Procedure Surface shall mean any surface of any inanimate object that contacts any portion the Client's unclothed body during a Body Art procedure, including during the preparation of skin in an area other than a Body Art Station, and/or any associated work area which may require Sanitizing.

Sanitary shall mean clean and free of agents of infection or disease.

Sanitize shall mean the application of a U.S. EPA registered sanitizer on a cleaned surface in accordance with the label instructions.

Scarification shall mean altering skin texture by cutting the skin and controlling the body's healing process in order to produce wounds, which result in permanently raised wheals or bumps known as keloids.

Sharps shall mean any object, sterile or contaminated, that may intentionally or accidentally cut or penetrate the skin or mucosa, including, but not limited to, needle devices, lancets, scalpel blades, razor blades, and broken glass.

Sharps Container shall mean a puncture-resistant, leak-proof container that can be closed for handling, storage, transportation, and disposal and that is labeled with the International Biohazard Symbol.

Single-Use Items shall mean products or items that are intended for one-time, one-person use and are disposed of after use on each Client, including, but not limited to, cotton swabs or balls, tissues or paper products, paper or plastic cups, gauze and sanitary coverings, razors, piercing needles, scalpel blades, stencils, ink cups, and protective gloves.

Sterilize and Sterilization shall mean the use of a physical or chemical procedure to destroy all microbial life including highly resistant bacterial endospores.

Tattoo shall mean the indelible mark, figure or decorative design introduced by insertion of dyes or pigments into or under the subcutaneous portion of the skin.

Tattooing shall mean any method of placing ink or other pigment into or under the skin or mucosa by the aid of needles or any other instrument used to puncture the skin, resulting in permanent coloration of the skin or mucosa. This term includes all forms of cosmetic Tattooing.

Ultrasonic Cleaning Unit shall mean a unit approved by the Board, physically large enough to fully submerge Body Art Instruments in liquid, and which shall remove all foreign matter from the Instruments prior to Sterilization by means of high frequency oscillations transmitted through the contained liquid.

Universal Precautions shall mean a set of guidelines and controls, published by the Centers for Disease Control and Prevention (CDC), as "Guidelines for Prevention of Transmission of Human Immunodeficiency Virus (HIV) and Hepatitis B Virus (HBV) to Health-Care and Public-Safety Workers" in Morbidity and Mortality Weekly Report (MMWR), June 23, 1989, Vo1.38 No. S-6, and as "Recommendations for Preventing Transmission of Human Immunodeficiency Virus and Hepatitis B Virus to Patients During Exposure-Prone Invasive Procedures" in MMWR, July 12,1991, Vo1.40, No. RR-8. This method of infection control requires the Operator, Body Art Practitioner and their 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; proper handling and disposal of needles, Sharps and other Instruments, and blood and body fluid-contaminated products.

Section 6 - Exemptions

6.1 Physicians licensed in accordance with M.G.L. c. 112 § 2 who perform Body Art procedures as part of patient treatment are exempt from these regulations.

6.2 Individuals who pierce only the lobe of the ear with a pre-sterilized Single-Use stud-and-clasp Ear-Piercing system are exempt from these regulations.

Section 7 - Restrictions

7.1 No Tattooing or piercing of genitalia shall be performed on a person under the age of 18.

7.2 No person shall operate a mobile Establishment for the purpose of providing Body Art in the City of New Bedford.

7.3 Other forms of Body Art such as Branding, Scarification and/or body implants are prohibited.

7.4 Microdermal Piercings are allowed with the approval of appropriate courses.

7.5 The Sale of Body Art Equipment (for either piercing or tattooing) by any licensed practitioner and or establishment is expressly prohibited in the City of New Bedford.

Section 8 - Operation Of Body Art Establishments

8.1 Unless otherwise ordered or approved by the Board, each Body Art Establishment for the purpose of tattooing or body piercing shall be constructed, operated and maintained to meet

the following minimum requirements:

A. Physical Plant

1. Walls, floors, ceilings, and Procedure Surfaces shall be smooth, free of open holes or cracks, light-colored, washable, and in good repair. Walls, floors, and ceilings shall be maintained in a clean condition. All Procedure Surfaces, including Client chairs/benches, shall be of such construction as to be easily cleaned and Sanitized after each Client use.
2. Solid partitions or walls extending from floor to ceiling shall separate the Establishment's space from any other room used for human habitation, any food establishment or room where food is prepared, any hair salon, any retail sales, or any other such activity that may cause potential contamination of work surfaces.
3. The Establishment shall take all measures necessary to ensure against the presence or breeding of insects, vermin, and rodents within the Establishment.
4. Each Body Art Station shall have a minimum of 45 square feet of floor space for each Practitioner, be screened from public view for Client privacy and contain a Hand Sink. At a minimum, multiple Body Art Stations shall be separated by dividers or partitions.
5. The Establishment shall be well ventilated and provided with an artificial light source equivalent to at least 20 foot candles 3 feet off the floor, except that at least 100 foot candles shall be provided at the level where the Body Art procedure is being provided, and where Instruments and Sharps are assembled.
6. Each Body Art Station shall have a separate, readily accessible Hand Sink with hot and cold running water under pressure, preferably equipped with wrist- or foot-operated controls and supplied with liquid soap, and disposable paper towels stored in fixed dispensers.
7. The Establishment shall provide separate toilets with adjacent hand washing sinks with hot and cold water, liquid soap and paper towels for each sex, in accordance with the requirements of the State Plumbing Code. Said toilet facilities, all hand washing sinks, and any showers shall be cleaned and Sanitized daily, and shall be maintained at all times in a clean and Sanitary manner. Toilet rooms shall be provided with toilet paper, liquid hand soap and paper towels stored in a fixed dispenser.
8. At least one covered, foot operated waste receptacle shall be provided in each Body Art Station and each toilet room. Receptacles in each Body Art Station area shall be emptied daily. Solid waste shall be stored in covered, leak proof, rodent-resistant containers and shall be removed from the premises at least weekly.
9. At least one janitorial sink shall be provided in each Body Art Establishment for use in cleaning the Establishment and the proper disposal of non-contaminated liquid

wastes in accordance with all applicable Federal, state and local laws. Said sink shall be of adequate size equipped with hot and cold running water under pressure and permit the cleaning of the Establishment and any equipment used for cleaning.

10. All Instruments and supplies shall be stored in clean, dry, and covered containers. Containers shall be kept in a secure area specifically dedicated to the storage of all Instruments and supplies.
 11. The Establishment shall have a cleaning area. Every cleaning area shall have an area for the placement of an Autoclave or other Sterilization unit located or positioned a minimum of 36 inches from the required Ultrasonic Cleaning Unit.
 12. The Establishment shall have a Client waiting area, exclusive and separate from any Body Art Station, Instrument storage area, cleaning area or any other area in the Body Art Establishment used for Body Art activity.
 13. No animals of any kind shall be allowed in a Body Art Establishment except service animals used by persons with disabilities (e.g., seeing eye dogs). Fish aquariums shall be allowed in waiting rooms and non-procedural areas.
 14. Eating and drinking are prohibited in the area where Body Art is provided, with the exception of fluids being offered to a Client during or after a Body Art procedure. No alcoholic beverages shall be served in any portion of a Body Art Establishment.
 15. The Body Art Practitioner and Establishment Operator shall ensure that no illegal acts occur on the licensed premises. The allowance of any illegal act could be cause for revocation, suspension, or modification of any issued License
 16. Use of tobacco products of any kind is prohibited within a Body Art Establishment and within fifteen (15) feet of each point of entry to said Establishment.
- B. Requirements for Single-Use Items Including Inks, Dyes and Pigments
1. Single-Use Items shall not be used on more than one Client for any reason. After use, all Single-Use Sharps shall be immediately disposed of in approved Sharps Containers pursuant to 105 CMR 480.000.
 2. All products applied to the skin, such as but not limited to Body Art stencils, applicators, gauze and razors, shall be Single-Use Items and disposable.
 3. Hollow bore needles or needles with a cannula shall not be reused.
 4. All inks, dyes, pigments, solid core needles, and Instruments shall be specifically manufactured for performing Body Art procedures and shall be used according to manufacturer's instructions.
 5. Inks, dyes or pigments may be mixed and may only be diluted with water from an approved potable source. Immediately before a Tattoo is applied, the quantity of the

dye to be used shall be transferred from the manufacturer's container and placed into Single-Use paper cups or plastic caps. Upon completion of the Tattoo, these Single-Use cups or caps and their contents shall be discarded.

C. Sanitation and Sterilization Measures and Procedures

1. No part of an Instrument which cannot be appropriately Sanitized shall be applied directly to the skin of a Client unless it, or the part of the body it will contact, is covered with a sterile or Single-Use drape.
2. All non-disposable Body Art Instruments, including all reusable solid core needles, pins and stylets, shall be cleaned thoroughly after each use by scrubbing with an appropriate soap or disinfectant solution and Hot Water, (to remove blood and tissue residue), and shall be placed in an Ultrasonic Cleaning Unit operated in accordance with the manufacturer's instructions.
3. After being cleaned, all non-disposable Instruments shall be packed individually in sterilizer packs and subsequently Sterilized in a steam Autoclave. All sterilizer packs shall contain either a sterilizer indicator or internal temperature indicator. Sterilizer packs must be dated with an expiration date not to exceed six (6) months.
4. Autoclaves shall be used, cleaned, and maintained according to the manufacturer's instructions. A copy of the manufacturer's recommended procedures for the operation of each Autoclave must be available for inspection by the Board. Autoclaves shall be located away from Body Art Stations or areas frequented by the public.
5. Each holder of a License to operate a Body Art Establishment shall demonstrate that the Autoclave(s) used is/are capable of attaining sterilization by monthly spore destruction tests. These tests shall be verified through an independent laboratory. The License shall not be issued or renewed until documentation of each Autoclave's ability to destroy spores is received by the Board. These test records shall be retained by the Operator for a period of three (3) years and made available to the Board monthly and at license renewal.
6. All Instruments used for Body Art procedures shall remain stored in sterile packages until just prior to the performance of a Body Art procedure. After sterilization, the Instruments used in Body Art procedures shall be stored in a dry, clean cabinet or other tightly covered container reserved for the storage of such Instruments.
7. Sterile Instruments may not be used if the package has been breached or after the expiration date without first repackaging and re-sterilizing.
8. If the Body Art Establishment uses only sterile single-use, disposable Instruments and products, and sterile supplies, an Autoclave shall not be required.
9. Disposable medical gloves shall be worn and medically recognized techniques shall be used when assembling Instruments to be used for Body Art procedures in order to ensure that the Instruments and gloves shall not be contaminated.

10. All robes, covers, sheets, pillow cases, blankets, towels, napkins, table covers, and other linen that comes in direct body contact shall be laundered with detergent and appropriately Sanitized after each use. Disposable Single-Use Items may be used in lieu of multiple use items. All such items shall be stored in a manner that will preclude them from being soiled.
- D. Posting Requirements. The following shall be prominently displayed:
1. A disclosure statement, a model of which shall be available from the Board. A Disclosure Statement shall also be given to each Client, advising him/her of the risks and possible consequences of Body Art procedures.
 2. The name, address and phone number of the Board and the procedure for filing a complaint.
 3. An Emergency Plan, including:
 - a. A plan for the purpose of contacting police, fire or emergency medical services in the event of an emergency;
 - b. A telephone in good working order shall be easily available and accessible to all employees and Clients during all hours of operation; and
 - c. A sign at, or adjacent to, the telephone indicating the correct emergency telephone numbers.
 4. An occupancy and use permit as issued by the City of New Bedford building Department.
 5. A current Establishment License.
 6. Each Practitioner's License.
- E. Establishment Record-keeping
- The Establishment shall maintain the following records in a secure place for a minimum of three (3) years, and such records shall be made available to the Board upon request:
1. Establishment information, which shall include:
 - a. Establishment name;
 - b. Hours of operation;
 - c. Operator's name and address;
 - d. A complete description of all Body Art procedures performed;
 - e. An inventory of all Instruments and body Jewelry, all Sharps, and all inks used for any and all Body Art procedures, including names of manufacturers and serial or lot numbers, if applicable. Invoices or packing slips shall satisfy this requirement;
 - f. A material safety data sheet (MSDS), when available, for each ink and dye used by the Establishment; and
 - g. A copy of these regulations.
 2. Employee information, which shall include:

- a. Full names and exact duties;
 - b. Date of birth;
 - c. Home address;
 - d. Home/work phone numbers; and
3. Client information, which shall include:
- a. Name;
 - b. Date of birth;
 - c. Address of the Client;
 - d. Date of the procedure;
 - e. Name of the Practitioner who performed the procedure(s);
 - f. Description of procedure(s) performed and the location on the body;
 - g. A signed consent form as specified in sections 7.2 and 9.1D.2; and,
 - h. If the Client is a person under the age of 18, proof of parental or guardian identification, presence and consent including a copy of the photographic identification of the parent or guardian.
4. Client information shall be kept confidential at all times.
- F. The Establishment shall require that all Body Art Practitioners have either completed, or were offered and declined, in writing, the hepatitis B vaccination series. Records documenting compliance with this requirement shall be provided to the Board upon request.

Section 9 - Standards Of Practice

9.1 Practitioners are required to comply with the following minimum health standards:

- A. A Practitioner shall perform all Body Art procedures in accordance with Universal Precautions set forth by the U.S Centers for Disease Control and Prevention.
- B. A Practitioner shall refuse service to any person who may be under the influence of alcohol or drugs.
- C. Practitioners who use Ear-Piercing systems must conform to the manufacturer's directions for use, and to applicable U.S. Food and Drug Administration requirements. No Practitioner shall use an Ear-Piercing system on any part of the Client's body other than the lobe of the ear.
- D. Prior to performing a Body Art procedure on a Client, the Practitioner shall complete a health history on each Client and provide the Client with an informed consent:
 - 1. Inform the Client, verbally and in writing that the following health conditions may increase health risks associated with receiving a Body Art procedure:
 - a. History of diabetes;
 - b. History of hemophilia (bleeding);
 - c. History of skin diseases, skin lesions, or skin sensitivities to soaps, disinfectants etc.;
 - d. History of allergies or adverse reactions to pigments, dyes, or other sensitivities;

- e. History of epilepsy, seizures, fainting, or narcolepsy;
- f. Use of medications such as anticoagulants, which thin the blood and/or interfere with blood clotting; and
- g. Any other conditions such as hepatitis or HIV.

- 2. Require that the Client sign a form confirming that the above information was provided, that the Client does not have a condition that prevents them from receiving Body Art, that the Client consents to the performance of the Body Art procedure and that the Client has been given the aftercare instructions as required by section 9(K).

E. Practitioner shall maintain the highest degree of personal cleanliness, conform to the best standard of hygienic practices, and wear clean clothes when performing Body Art procedures. Before performing a Body Art procedure, Practitioners shall thoroughly wash their hands in hot running water with liquid soap, then rinse hands and dry with disposable paper towels. This shall be done as often as necessary to remove contaminants.

F. In performing Body Art procedures, a Practitioner shall wear disposable Single-Use gloves. Gloves shall be changed if they become pierced, torn, or otherwise contaminated by contact with any unclean surfaces or objects, or by contact with a third person. The gloves shall be discarded, at a minimum, after the completion of each procedure on an individual Client, and hands shall be washed in accordance with section 9.1E. before the next set of gloves is put on. Under no circumstances shall a single pair of gloves be used on more than one person. The use of disposable Single-Use gloves does not preclude or substitute for hand-washing procedures as part of a good personal hygiene program.

G. The skin of the Practitioner shall be free of rash or infection. No Practitioner affected with boils, infected wounds, open sores, abrasions, weeping dermatological lesions or acute respiratory infection shall work in any area of a Body Art Establishment in any capacity in which there is a likelihood that that person could contaminate Body Art Equipment, supplies, or working surfaces with body substances or pathogenic organisms.

H. Any item or Instrument used for Body Art that is contaminated during the procedure shall be discarded and replaced immediately with a new disposable item or a new Sterilized Instrument or item before the procedure resumes.

- I. Preparation and care of a Client's skin area must comply with the following:
 - 1. Any skin or mucosal surface to receive a Body Art procedure shall be free of rash and any visible infection.
 - 2. Before a Body Art procedure is performed, the immediate skin area and the areas of skin surrounding where Body Art procedure is to be placed shall be washed with soap and water or an approved surgical skin preparation. If shaving is necessary, Single-Use disposable razors or safety razors with single-service blades shall be used. Blades shall be discarded after each use, and reusable holders shall be cleaned and autoclaved after use. Following shaving, the skin and surrounding area shall be washed with soap and water. The washing pad shall be discarded after its Single-Use.
 - 3. In the event of bleeding, all products used to stop the bleeding or to absorb blood shall

be Single-Use Items, and discarded immediately after use in appropriate covered containers, and disposed of in accordance with 105 CMR 480.000.

J. Petroleum jellies, soaps, and other products used in the application of stencils shall be dispensed and applied on the area to receive a Body Art procedure with Single-Use sterile gauze or other sterile applicator to prevent contamination of the original container and its contents. The applicator or gauze shall be used once and then discarded.

K. The Practitioner shall provide each Client with verbal and written instructions on the aftercare of the Body Art site. The written instructions shall advise the Client:

1. On the proper cleansing of the area which received the Body Art;
2. To consult a health care provider for:
 - a. Unexpected redness, tenderness or swelling at the site of the Body Art procedure;
 - b. Any rash;
 - c. Unexpected drainage at or from the site of the Body Art procedure; or
 - d. A fever within 24 hours of the Body Art procedure; and
3. Of the Operator's name, and the address and phone number of the Body Art Establishment.

L. Contaminated waste shall be stored, treated and disposed in accordance with 105 CMR 480.000: Storage and Disposal of Infectious or Physically Dangerous Medical or Biological Waste, State Sanitary Code, Chapter VIII.

Section 10 - Injury Reports

10.1 A written report of any injury, infection complication or disease as a result of a Body Art procedure, or complaint of injury, infection complication or disease, shall be forwarded by the Operator to the Board, with a copy to the injured Client within five working days of its occurrence or knowledge thereof. The report shall include:

- A. The name of the affected Client;
- B. The name and address of the Body Art Establishment involved;
- C. The nature of the injury, infection complication or disease;
- D. The name and address of the affected Client's health care provider, if any; and
- E. Any other information considered relevant to the situation.

Section 11 - Complaints

11.1 The Board shall investigate complaints received about an Establishment or Practitioner's practices or acts, which may violate any provision of these regulations.

11.2 If the Board finds that an investigation is not required because the alleged act or practice is not in violation of these regulations, then the Board shall notify the complainant of this finding and the reasons on which the finding is based.

11.3 If the Board finds that an investigation is required, because the alleged act or practice may be in violation of these regulations, the Board shall investigate and if a finding is made that the act or practice is in violation of the Board's regulations, then the Board shall apply whatever enforcement action is appropriate to remedy the situation and shall notify the complainant of its action in the matter.

Section 12 - Application For Body Art Establishment License

12.1 No person may operate a Body Art Establishment except with a valid License from the Board.

12.2 Applications for a License shall be made on forms prescribed by and available from the Board. An applicant shall submit all information required by the form and its accompanying instructions. The term application as used herein shall include the original and renewal applications.

12.3 A Body Art Establishment License shall be valid fiscal year from the date of issuance and shall automatically expire on June 30, unless sooner revoked by the Board.

12.4 The Board shall require that the Applicant provide, at a minimum, the following information in order to be issued a Body Art Establishment License:

- A. Name, address, and telephone number of:
 - 1. The Body Art Establishment;
 - 2. The Operator of the Establishment; and
 - 3. The Body Art Practitioner(s) working at the Establishment;
- B. The manufacturer, model number, model year, and serial number, where applicable, of the Autoclave(s) to be used by the Establishment;
- C. A signed and dated acknowledgement that the applicant has received, read and understood the requirements of the Board's Body Art regulations;
- D. A scaled drawing of the physical layout of the entire Body Art Establishment proposed for a plan review by the Board, including the Body Art Stations where the Practitioner(s) will perform Body Art. Said scale to be no smaller than $\frac{1}{4}'' = 1'$;
- E. Proof that the proposed location complies with all of the City of New Bedford zoning ordinances; and
- E. Such additional information as the Board may reasonably require.

12.5 The Board shall set a reasonable fee for such License.

12.6 A License for a Body Art Establishment shall not be transferable from one place or person to another.

12.7 Once issued, a Body Art Establishment License may be renewed annually by completing the Board's application and submitting the required fee, unless said License is otherwise revoked or suspended. The application for License renewal must be filed not less than thirty (30) days prior to the expiration of the existing License, whereupon the existing License shall not expire until the Board has determined the application's renewal status.

Section 13 - Application For Body Art Practitioner License

13.1 No person shall practice Body Art or perform any Body Art procedure without first obtaining a Practitioner License from the Board. The Practitioner License may be issued as a Body Piercing Practitioner License or a Tattoo Practitioner License. An individual may apply for both types of Body Art Practitioner Licenses provided all necessary Licensing requirements are met. The Board shall set a reasonable fee for such Licenses.

13.2 A Body Art Practitioner shall be a minimum of 18 years of age.

13.3 A Body Art Practitioner License shall be valid fiscal year from the date of issuance and shall automatically expire on June 30th unless revoked sooner by the Board.

13.4 Once issued, a Body Art Practitioner License may be renewed annually by completing the Board's application and submitting the required fee, unless said License is otherwise revoked or suspended. The application for License renewal must be filed not less than thirty (30) days prior to the expiration of the existing License, whereupon the existing License shall not expire until the Board has determined the application's renewal status.

13.5 Application for a Body Art Practitioner License shall include:

- A. Name;
- B. Date of birth;
- C. Residence address;
- D. Mailing address;
- E. Phone number;
- F. State/Federally issued photo identification card.
- G. Proof of a routine medical examination taken no later than twelve months prior to the application for a License;
- H. Place(s) of employment as a Practitioner;
- I. Training and/or experience as set out in 13.6 below; and
- J. Evidence of active professional liability insurance in limits not less than 1MM/3MM.

13.6 Practitioner Training and Experience

A. In reviewing and application for a Practitioner License, the Board may consider experience, training and/or certification acquired in other states that regulate Body Art.

B. Training for all Tattoo Practitioners shall be approved by the Board and, at a minimum, shall include the following:

1. Bloodborne Pathogens Standard training program (or equivalent) which includes infectious disease control; waste disposal; handwashing techniques; Sterilization equipment operation and methods; and Sanitization, Disinfection and Sterilization methods and techniques; and

2. First Aid and cardiopulmonary resuscitation (CPR). Examples of courses approved by the Board include "Preventing Disease Transmission" (American Red Cross) and "Bloodborne Pathogens Training" (OSHA). Training/courses provided by professional Body Art organizations or associations or by equipment manufacturers may also be submitted to the Board for approval. Proof of any ongoing trainings and or continuing education is strongly recommended at the time of license renewal each year.

C. The applicant for a Body Art Practitioner's License who wishes to perform Body Piercing shall provide documentation, acceptable to the Board, that s/he completed a course on anatomy, completed an examination on anatomy, or possesses an equivalent combination of training and experience deemed acceptable to the Board. *(See section 21 for additional requirements for Body Piercing.)*

D. The applicant for a Body Art Practitioner's License who wishes to perform Tattooing shall provide documentation, acceptable to the Board, that s/he completed a course on skin diseases, disorders and conditions, including diabetes, or completed an examination on skin diseases, disorders and conditions, including diabetes, or possesses a combination of training and experience deemed acceptable to the Board.

13.7 A Practitioner's License shall be conditioned upon continued compliance with all applicable provisions of these regulations.

Section 14 - Summary Suspension of License/Emergency Closure Without a Prior Hearing

14.1 The Board and/or its authorized agent may, without a prior hearing, suspend a previously issued License in its entirety, or any portion of said License pertaining to one or more specific operations of the Body Art Establishment if an imminent health hazard is found to exist.

14.2 A License may be summarily suspended without providing prior written notice, notice of a hearing, or a hearing. In such circumstances, the License holder must be informed of their right to a hearing. If the License holder exercises their right to a hearing, the Board shall offer the License holder a hearing date within three (3) business days of receiving the request for a hearing.

14.3 A summary suspension order shall be in writing and shall be posted at the Establishment with a copy provided to the License holder. The order summarily suspending the License in its entirety or that portion of the License pertaining to one or more specific operations of the License holder shall be effective immediately upon the posting of the order by an authorized agent of the Board.

14.4 A summary suspension order shall state:

A. The name and address of the License holder and the name and location of the Establishment;

B. That the Board and/or its authorized agent, has determined that an imminent health hazard exists, which requires the immediate suspension of the License or the operation of one or more particular operations at the Establishment;

C. The specific violation(s) that lead to the determination that an imminent health hazard exists;

D. That all operations or one or more particular operations at the Establishment shall immediately cease and desist;

E. That an emergency closure shall remain in effect until conditions cited in the Board's order of closure are corrected and the corrections are confirmed by the Board or its authorized agent, through re-inspection or other appropriate means;

F. That a written request for a hearing shall be filed with the Board by the License holder within ten (10) days of receipt of the summary suspension order;

G. That the License holder has the right to inspect and obtain copies of all relevant inspection reports, orders, notices, and other documentary evidence in the possession of the Board and has the right to be represented at any hearing;

H. The name and address of the Board, including details as to where the written request for a hearing shall be sent, and;

I. The signature of a member of the Board or its authorized agent.

14.5. At the hearing the petitioner shall be given an opportunity to be heard and to show why the order should be modified or withdrawn. After the hearing the Board shall sustain, modify or withdraw the order and shall inform the petitioner in writing of its decision.

14.6 If no hearing is requested, the summary suspension shall remain in effect until the Board or its authorized agent determines that all conditions cited in the summary suspension order are corrected.

14.7 The Board or its authorized agent may end the summary suspension at any time if the reasons for the suspension no longer exist.

Section 15 - Suspension of a License with Notice

15.1 The Board or its authorized agent, may issue a notice to suspend a License or portion thereof for:

- A. Serious or repeated violations of any of the requirements of the applicable codes, ordinances or regulations, or;
- B. Any grounds cited in section 4.2B above as sufficient to refuse to issue a License with notice which, in the discretion of the Board, warrant suspension, plus;
- C. Any present or past violation of these regulations governing the provision of Body Art;
- D. Providing Body Art while the ability to perform a procedure is impaired by alcohol, drugs, physical disability or mental instability;
- E. Being habitually drunk or dependent upon, or a habitual user of, narcotics, barbiturates, amphetamines, hallucinogens, or other drugs having similar effects;
- F. Knowingly permitting, aiding or abetting an unauthorized person to perform Body Art activities requiring a License;
- G. Continuing to perform Body Art while his/her License is lapsed, suspended, or revoked;
- H. Having been disciplined in another jurisdiction in any way by the proper permitting authority for reasons substantially the same as those set forth in these regulations; or
- I. Other just and sufficient cause(s) which the Board may determine would render the Establishment, Practitioner or applicant unfit to provide Body Art.

15.2 The order to suspend a License shall be given by the Board or its authorized agent, to the License holder in writing and shall specify:

- A. The name and address of the License holder and name and location of the Body Art Establishment;
- B. The specific violation(s) for which the License or that portion of the License pertaining to one or more particular operations of the License holder at the Body Art Establishment is to be suspended;
- C. The date the suspension will become effective;
- D. That the suspension shall remain in effect until the conditions cited in the order to suspend are corrected and their correction is confirmed by the Board or its authorized agent, through re-inspection and any other means as appropriate;
- E. Notice of a right to a hearing before the Board if a written request for a hearing is filed with the Board by the License holder within ten (10) days of receipt of the order to suspend;

F. The right to inspect and obtain copies of all relevant inspection reports, orders, notices and other documentary information in the possession of the Board;

G. The right to be represented at the hearing;

H. The name and address of the Board where the written request for a hearing shall be sent;

I. If no request for a hearing is filed within the ten (10) day period, the Board may impose the suspension order, and;

J. The signature of a member of the Board or its agent, as determined by the Board.

15.3 The Board or its authorized agent, may end a period of suspension at any time if the reasons for the suspension no longer exist.

Section 16 - Revocation of a License with Notice

16.1 The Board, or its authorized agent, may issue an order to revoke a License or portion thereof for:

A. Serious or repeated violations of any of the requirements of the applicable codes, ordinances or regulations, or;

B. Any grounds cited in section 15.1 above as sufficient to refuse the issuance of a License with notice which, in the discretion of the Board, warrant revocation.

16.2 The order to revoke a License shall be given by the Board or its authorized agent, to the License holder in writing and shall specify:

A. The name and address of the License holder and the name and location of the Body Art Establishment;

B. The specific violation(s) for which the License or operation is to be revoked;

C. The date the revocation will become effective;

D. That the revocation of a License or operation shall be effective for a period of one (1) calendar year from the date of the final order, unless the Board orders otherwise;

E. Notice of a right to a hearing before the Board if a written request for a hearing is filed with the Board by the License holder within ten (10) days of receipt of the order to revoke;

F. The right to inspect and obtain copies of all relevant inspection reports, orders, notices and other documentary information in the possession of the Board;

G. The right to be represented at the hearing;

H. The name and address of the Board where the written request for a hearing shall be sent;

I. A warning that, if no request for a hearing is filed within the ten (10) day period, the Board shall deem the right to challenge the decision waived, and;

J. The signature of a member of the Board or its agent, as determined by the Board.

16.3 Following a hearing, the Board shall issue a written decision that contains a summary of the testimony and evidence considered and the reasons for the decision.

Section 17 - Unauthorized Practice Of Body Art

17.1 The Board shall refer to the appropriate District Attorney, Attorney General, or other law enforcement official any incidents of unauthorized provision of Body Art.

Section 18 - Variance

18.1. These regulations may be varied by the Board upon written application for such and the completion of a public hearing. Notice of said variance request shall be published at the Applicant's expense in a local newspaper at least 7 days prior to the hearing date.

18.2. In order for a variance to be approved, an Applicant must show:

A. Strict enforcement of these regulations would do manifest injustice; and

B. The same degree of protection required under the regulations herein can be achieved without strict application of the particular section of these regulations.

18.3. The Board may place special conditions on any variance approval issued.

18.4. A variance is not transferable from person to person or location to location.

Section 19 - Severability

19.1 If any provision contained in these regulations is deemed invalid for any reason, it shall be severed and shall not affect the validity of the remaining provisions.

Section 20 - Effective Date

20.1 These regulations shall be adopted and effective upon notice published in the New Bedford Standard Times.

Este e um documento legal importante. Pode afectar os seus direitos. Deve de o ter traduzido.

Esto es un documento legal importante. Puede afectar sus derechos. Necesita ser traducido.

Adopted: July 15, 2003

Section 21- Ammendments to the Regulations

ADDENDUM 1: Hours of Operation

Hours of operation shall be from 11:00A.M., daily. Practitioner may finish with client however the establishment must close by 12:00 A.M.

ADDENDUM 2: Mobile Establishments

Mobile Body Art Establishments for either the purpose of tattooing and/or body piercing are strictly prohibited in the City of New Bedford.

ADDENDUM 3: Penalties

Penalties for infractions of the New Bedford Board of Health Body Art Regulation shall be: a minimum of \$50.00 for the first offense; \$100.00 for the 2nd offense; and \$200.00 for the 3rd offense with a mandatory appearance before the Board of Health with a possible revocation of license.

ADDENDUM 4: Apprenticeships

Application for Body Art Apprenticeship Permit

- (A) No person shall act as an apprentice body art practitioner without first obtaining an apprentice permit from the Board. The Board shall set a reasonable fee for such permits.
- (B) An apprentice shall be a minimum of 18 years of age.
- (C) An apprentice permit shall be valid from the date of issuance and shall automatically expire in one (1) year from the date of issuance unless revoked sooner by the Board.
- (D) Application for an apprentice permit shall include:
 - 1. Name;
 - 2. Date of birth;
 - 3. Residence address;
 - 4. Mailing address;
 - 5. Phone number;
 - 6. Place(s) of employment as a practitioner; and
 - 7. Training and/or experience as set out in (E) below.

Tattoo Apprentice Training and Experience Requirements

- (A) Tattoo Apprenticeship permits are required for any practicing Tattoo Apprentice. Prior to the Board of Health's granting of an Apprenticeship permit, each applicant must complete the following training programs and submit them to the Board of Health for approval. Examples of training courses approved by the Board of Health include "Preventing Disease Transmission" (American Red Cross), and "Blood borne Pathogen Training" (U.S. OSHA). Training/courses provided by professional body art organizations or associations or by equipment manufacturers may also be submitted to the Board for approval.
- (B) In addition applicants must submit proof of successful completion of an approved course on CPR (Cardiopulmonary Resuscitation) and First Aid.
- (C) The term of the Apprenticeship shall only begin upon completion of the training programs and Board of Health approval of the training programs and permit application.
- (D) Apprentices that have been duly issued an apprentice permit from the New Bedford Board of Health shall perform all the working duties of the practitioner under whom they are studying. All working activities must be performed under the immediate and direct supervision of the licensed practitioner. Immediate and direct supervision shall mean that the licensed practitioner is in the room directly overseeing the work of the apprentice. The Board shall set a reasonable fee for such permits from time to time.
- (E) Apprenticeships shall be for a minimum of One (1) full year.

Body Piercing Apprenticeship Training and Experience Requirements

- (A) No person shall practice as an apprentice without first obtaining an apprentice certificate from the Board of Health.
- (B) An apprentice certificate of registration shall be an annual permit valid from the date of issuance and shall expire one year from the date of issuance year unless revoked sooner by the Board. The permit shall be renewed annually until completion of apprenticeship.
- (C) Application for an apprentice permit shall include:
- 1) Name;
 - 2) Date of birth;
 - 3) Residence address;
 - 4) Mailing address;
 - 5) Phone number;

- 6) Place(s) of prior employment as a practitioner if any;
- 7) Present photo I.D. at time of application;
- 8) Name and address of approved trainer;
- 9) Signed letter of acceptance by the approved trainer;
- 10) Proof of all pre-apprenticeship training requirements as defined in the Practitioner Training and Experience sections 1, 2, and 3;
- 11) Payment of the fee in effect, at the time of the application; and
- 12) Completion of the permit application in full.

- (D) An apprentice shall be a minimum of 18 years of age.
- (E) The apprenticeship period shall be a minimum of 1 year, full-time, under immediate and direct supervision. There is no maximum amount of time for the apprenticeship. The apprentices' approved trainer will be responsible for determining that proficiency of practice is demonstrated to the trainer.
- (F) Apprenticeship Training and Experience Requirements: In reviewing an application for a body piercing apprentice in the City of New Bedford, apprentices shall perform the same training requirements as stated for Practitioners with the exception that apprentices shall perform a minimum of a one year apprenticeship that involves performing all the working duties of a practitioner. All working activities must be performed under the immediate and direct supervision of a licensed practitioner. Immediate and direct supervision shall mean that the licensed practitioner is in the room directly overseeing the work of the apprentice.
- (G) Training for all apprenticeships shall be approved by the Board and, at a minimum, shall include evidence of successfully completing the following procedures **during** the apprenticeship period.
- (H) The training period shall include:
- 1) Client consultation;
 - 2) Client health information;
 - 3) Client disclosure form;
 - 4) Client preparation;
 - 5) Client informed consent;
 - 6) Sanitation and safety precautions;

- 7) Implement selection and use;
 - 8) Proper use of equipment;
 - 9) Material selection and use;
 - 10) Grade of jewelry;
 - 11) Metals to use; and
 - 12) Aftercare procedures.
- (I) After successful completion of training, the apprentice may apply for a Body Piercer certificate of registration by completing the following:
- 1) Proof of maintenance of a valid CPR certificate;
 - 2) Proof of maintenance of a valid First Aid Certificate;
 - 3) Proof of maintenance of a valid Bloodborne pathogens training certificate;
 - 4) Body piercer's practitioner form, completed in full;
 - 5) Payment of the fee in effect, at the time of the application;
 - 6) A letter from the approved trainer to the Board stating that the apprentice has successfully completed the apprenticeship and is allowed to perform all allowable body piercing procedures

ADDENDUM 5: Body Piercing Practitioner Requirements

Practitioner Training and Experience

- (A) In reviewing an application for a body piercing practitioner in New Bedford, the applicant must show certification or evidence of completing the following courses prior to receipt of a License/Apprenticeship Permit to conduct body piercing:
- 1) Basic Training in CPR/First Aid as well as proof of attendance at required renewal courses.
 - 2) Completion of a course on prevention of disease transmission and blood borne pathogens, conducted by an instructor trained and sufficiently knowledgeable to teach this course. Examples of courses approved by the Board include "Preventing Disease Transmission" (American Red Cross) and "Bloodborne

Pathogens Training” (OSHA). Such knowledge shall include the requirements of standards 29 CFR 19010.1030.

- 3) Completion of a course in Anatomy and Physiology with a grade of C or better from an accredited post secondary institution. This course must include instruction on the integumentary system (skin). Or any other course or program as the Board shall deem appropriate and acceptable may be substituted for the course in anatomy and physiology such as an approved (Body Piercing School) or any other program deemed acceptable to the Board.
 - 4) Completion of at least 500 Piercing procedures minimum
- (B) Board of Health and its agents, clerks, and inspectors shall keep a record of the place of business of each person who is registered.
- (C) The place of business shall meet all the requirements of the Board of Health.
- (D) Evidence of active professional liability insurance in limits not less than \$1M/\$3M.
- (E) Body piercing practitioners must provide evidence of at least one year apprenticeship experience, working under a licensed body piercing practitioner, and have no history of their piercing causing short or long term health problems. In the case of those not having completed an apprenticeship, then documentation must be provided to the Board for review to determine if comparable training is acceptable.
- (F) Body piercing certificates of registration shall expire on December 31, each calendar year.

ADDENDUM 6: Body Art Apprentice Trainer Requirements

Trainer Standards

- (A) Trainers must apply to the Board prior to accepting a Body Art apprentice. Requirements at the time of application include:
- 1) Trainers must demonstrate licensure for a minimum of the most recent 3 consecutive years with no documented violations.
 - 2) Trainers are responsible for developing and maintaining a log of the hours worked and actions performed by the apprentice. A blank copy of this log should be provided at the time of application.
 - 3) Trainers shall develop an informed consent form that includes a statement that the procedure is being performed by an apprentice. A copy of this form should be provided at the time of application.

(B) Trainers are assuming responsibility for the apprentice throughout the training period. It is the trainer's responsibility to ensure all procedures and practices are conducted in compliance with all applicable codes.

(C) Trainers are responsible for providing the Board of Health with all necessary paperwork at the end of the apprenticeship. They must state that the apprentice has successfully completed an apprenticeship of at least one year without any history of their piercing having caused short or long-term health problems, that they are capable of working independently and able to perform the procedures for which the Board licenses Body Art Practitioners. The informed consent forms provided to clients shall be kept on file by the trainer and provided to the Board as requested as proof of the number and type of procedures performed.

(D) Each trainer may have no more than one (1) apprentice at any given time.

(F) During the apprenticeship training period, the trainer's permit shall be held responsible for any complaints lodged against the apprentice for any procedure for which active supervision is required.

(G) Body Art practitioners/trainers must provide proof that all apprentices are covered under the establishment's professional liability insurance plan

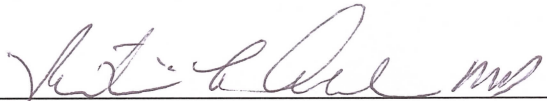
ADDENDUM 7 :

Body Piercing Prohibitions

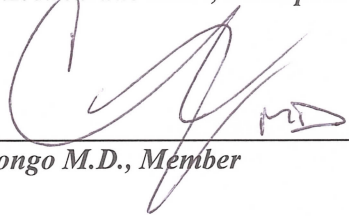
- A. No minors under the age of 16 shall receive body piercing, other than the ear lobes unless accompanied by a parent or legal guardian who has signed a consent form. The adult accompanying the minor must show a state approved I.D., a certified birth certificate of the minor as well as proof of parenthood or guardianship.
- B. No piercing of the genitalia of minors
- C. No Piercing of animals shall be allowed in piercing studios
- D. The following body piercings are hereby prohibited in the City of New Bedford:
Piercing the Uvula, piercing of the tracheal area; piercing of the neck; piercing of the ankle; piercing between the ribs and vertebrae; piercing of the clitoris; any form of deep muscle piercing excluding the nipple; piercing of the anus; piercing of the eyelid (top and bottom); piercing of the gums; piercing or skewering of the testicle; so called deep piercing of the penis-meaning piercing through the shaft of the penis; so called deep piercing of the vagina. Piercing of the web area of hand or foot; Piercing of the lingual frenum (tongue web); the form of body piercing known as “pocketing”; trans-scrotal piercing;
- E. Cutting, splitting or other bifurcation of the tongue is hereby prohibited unless performed by a licensed Doctor of Medicine in the Commonwealth of Massachusetts.
- F. Braiding of the skin is hereby prohibited unless performed by a licensed Doctor of Medicine in the Commonwealth of Massachusetts.
- G. Three dimensional implantation including “beading” is hereby prohibited unless performed by a licensed Doctor of Medicine in the Commonwealth of Massachusetts.
- H. Tooth filing, fracturing, or removal of a tooth is hereby prohibited unless performed by a licensed Doctor of Medical Dentistry or Doctor of Dental Science in the Commonwealth of Massachusetts.
- I. Cutting, notching, sculpting or other modification of the cartilage is hereby prohibited unless performed by a licensed Doctor of Medicine in the Commonwealth of Massachusetts.
- J. The intentional amputation of any part of the body is hereby prohibited unless performed by a licensed Doctor of Medicine in the Commonwealth of Massachusetts.
- K. Modification of the Genitalia by any means such as sub-incision, bifurcation, castration, male/female nullification or other surgical means is hereby prohibited *unless performed by a licensed Doctor of Medicine in the Commonwealth of Massachusetts.*
- L. The introduction of saline solution or other liquid or semi liquid substance into the body of another for the purpose of causing a modification of the body is hereby prohibited unless performed by a licensed Doctor of Medicine in the Commonwealth of Massachusetts.
- M. The use of dermal punches and/or biopsy punches are strictly prohibited in the City of New Bedford.

These amended regulations governing the practice of Body Art within the City of New Bedford shall hereby be adopted on this 22 day of April in the Year Two Thousand and Thirteen.


Signed by the Board of Health



Patricia L. Andrade M.D., Chairperson



Craig Longo M.D., Member



Athena Xifaris M.D., Member

And are hereby affixed with the Stamp of the Health Department

