
**Rules of
Department of Economic
Development**

**Division 267—Office of Tattooing, Body Piercing
and Branding**

Chapter 5—Standards of Practice

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**Title 4—DEPARTMENT OF
ECONOMIC DEVELOPMENT
Division 267—Office of Tattooing, Body
Piercing and Branding
Chapter 5—Standards of Practice**

4 CSR 267-5.010 Standards of Practice

PURPOSE: This rule outlines the standards that a practitioner will be held to in the course of performing tattoos, body piercing or branding. Such standards relate to practitioners' personal hygiene, safe and sanitary practices in performing procedures and the protection of the health and welfare of tattoo, body piercing and branding patrons.

(1) Competence.

(A) Each licensed tattooist, body piercer or brander shall:

1. Practice within his or her scope of practice and shall not attempt any procedure that is beyond his or her level of competence or training;

2. Perform only those procedures for which he or she holds a license to perform pursuant to sections 324.520 to 324.524, RSMo; and

3. Maintain the safe and sanitary practice of his or her profession, taking all necessary precautions to prevent the transfer of disease or infection from one patron to another, or from the licensee to a patron.

(B) A licensee shall not perform or attempt to perform any procedure intended to remove a tattoo. Any attempt by a licensee to perform a tattoo removal procedure shall be grounds for disciplinary action.

(C) Licensed tattooists shall retain records of the dyes used in their tattoos, including the lot number of each pigment used for each patron.

(D) No licensee shall delegate professional responsibilities to a person who is not qualified and licensed to perform such responsibilities.

(2) Identification.

(A) Each practitioner shall carry on his or her person proper picture identification when practicing pursuant to sections 324.520 to 324.524, RSMo. When requested to produce identification by an authorized agent of the division or office the licensee shall comply. A licensee's failure to produce proper picture identification upon request of an authorized agent shall be grounds for discipline by the division.

(3) Client Welfare.

(A) Each practitioner shall:

1. Conduct business and professional activities with honesty and integrity;

2. Obtain a signed informed consent from each patron prior to performing a tattooing, body piercing and/or branding procedures;

3. Not engage in the practice of tattooing, body piercing, or branding on a patron with an exposed rash, skin lesion, boil or any situation where contraindications exist;

4. Not engage in the practice of tattooing, body piercing or branding while under the influence of alcohol or drug(s);

5. Not allow smoking or consumption of food or alcohol in the area where a tattoo, body piercing or branding procedure is performed. Licensees and patrons may consume non-alcoholic beverages during the procedure. Alcoholic beverages shall not be consumed on the premises;

6. Utilize universal precautions at all times as defined in 4 CSR 267-1.010. This includes handwashing before and after each procedure and refraining from exposing clients to infectious or contagious diseases;

7. Thoroughly wash his or her hands and the exposed portions of his or her arms with dispensed soap and tempered water before and after each procedure and more often as necessary to keep them clean;

8. Dry his or her hands and arms with individual single-service towels;

9. Maintain a high degree of personal cleanliness and conform to good hygiene practices during procedures;

10. Wear clean, washable outer clothing;

11. Wear non-absorbent gloves when preparing the skin and while performing each procedure. The non-absorbent gloves shall be for single-use only and disposed of after the completion of each procedure;

12. If while performing a tattoo, body piercing or body branding, the practitioner's glove is pierced, torn or otherwise contaminated, the contaminated gloves shall be immediately discarded and replaced with new gloves; and

13. If interrupted during a procedure and the interruption requires the use of the hands, a practitioner shall rewash his or her hands and put on new gloves before resuming the procedure.

(4) Equipment.

(A) All surfaces, counters and general-use equipment in the tattoo, body piercing, and branding areas shall be cleaned and disinfected before each patron is seated.

(B) All inks and pigments shall be obtained from reputable ink and pigment manufacturers. Information indicating the sources of all inks and pigments shall be available to the office upon request. Single-use containers of

pigment or ink shall be used for each patron. No pigment or ink in which needles are dipped may be used on another patron. The remainder of unused portions shall be properly and permanently disposed of and/or destroyed after each application.

(C) Instruments, dyes, pigments, stencils, branding irons and other branding instruments used for tattooing, body piercing and branding shall be sterilized and stored in a safe and sanitary manner in order to prevent contamination.

(D) Disposable-type razors shall be for single-use only and disposed of in an approved manner.

(E) Tattoo stencils shall be single-use and each stencil shall be properly discarded after one (1) use.

(F) The use of piercing guns shall be prohibited for anything other than ears.

(G) Body piercing needles shall be disposable, sterile and for single-patron use only. All needles shall be placed in an approved sharps container after each use.

(H) Body piercing jewelry purchased at the establishment shall be cleaned, individually packaged and sterilized prior to use. Patrons that wish to use their own jewelry for body piercing must sign a waiver releasing the establishment from liability associated with the use of the patron's own jewelry.

(I) Bars, tubes, branding irons and other branding instruments shall be constructed in a manner that permits easy cleaning and sterilizing.

(J) Branding irons and other instruments used to brand may be reused if cleaned, sterilized and stored in an approved manner between each patron.

(K) Contaminated waste that may release liquid blood or bodily fluids when handled must be placed in an approved "red" bag that is marked with the international "biohazard" symbol. It must then be disposed of by, or delivered to, an approved medical waste facility pursuant to all applicable laws and regulations. Sharps ready for disposal shall be disposed of in an approved sharps container.

(L) Contaminated waste that does not release liquid blood or body fluids when handled may be placed in a covered receptacle and disposed of through normal approved disposal methods.

(M) Practitioners shall use single-use plastic covers to cover reusable accessories such as spray bottles to minimize the possibility of transmitting body fluids or disease during application of a tattoo, body piercing or branding to successive patrons.

(N) Insects, vermin and rodents shall not be present in any part of the tattoo, body



piercing and/or branding establishments and any appurtenances or appertaining premises.

AUTHORITY: section 324.522, RSMo Supp. 2001. Original rule filed Aug. 15, 2002, effective Feb. 28, 2003.*

**Original authority: 324.522, RSMo 1998, amended 1999, 2001.*

4 CSR 267-5.020 Patrons

PURPOSE: This rule outlines the age requirements of a patron and the necessity of a parental release for patrons under the age of eighteen (18) years of age. The rule also requires the establishment owner to keep on file photocopies of parental release forms and photocopies of picture identification.

(1) A practitioner shall not tattoo, body pierce or brand any person without first obtaining the following information in writing from the patron immediately preceding each procedure performed by the practitioner:

(A) Name, address, telephone number and date of birth of the patron;

(B) Driver's license number or official picture identification number of the patron. If the patron is under the age of eighteen (18) years, the practitioner shall obtain the driver's license number or official picture identification of the minor's parent or legal guardian;

(C) Signature of the patron or signature of the patron's parent or legal guardian if the patron is under the age of eighteen (18) years;

(D) A medical/health information form, to be completed by the patron that shall include but not be limited to information pertaining to the following:

1. Use of any medications containing controlled substances;

2. Communicable diseases, including Human Immunodeficiency Virus (HIV), Hepatitis B Virus (HBV) and/or other blood borne pathogens;

3. Allergies;

4. Diseases affecting the patron's healing processes, including diabetes;

5. Current use of illegal substances (i.e., is the patron currently under the influence of illegal substances?);

6. Current use of alcohol (i.e., is the patron currently under the influence of alcoholic beverages?);

7. Jaundice within the twelve (12) months prior to the procedure;

8. Use of any medications that contain blood thinners; and

9. Use of any medications that are immunocompromising (i.e., weakens the immune system that fights infections);

(E) A properly authorized consent form signed by the patron acknowledging that he or she has been informed in person and in writing, pursuant to section (2) of this rule, of the dangers and contraindications of the procedure, and that the patron agrees to the procedure in light of the foregoing. The informed consent form shall be retained on file in the tattoo, body piercing and/or branding establishment;

(F) The signature of the practitioner attesting that the practitioner has reviewed the completed form(s), has advised the patron in person and in writing of the dangers and contraindications of the procedure, and the date of the review.

(2) A practitioner shall not tattoo, body pierce or brand any person until he or she has informed the patron, in person and in writing, of the following:

(A) The dangers of the procedure to a person who may suffer from certain diseases and/or undergoing certain medical treatments as follows:

1. Impaired kidney and/or liver function;

2. Diabetes;

3. Jaundice within the twelve (12)-month period prior to the procedure;

4. Medication therapy containing a blood thinner; and

5. Medication therapies that are immunocompromising (i.e., weakens the immune system that fights infections).

(B) That the tattoo body piercing and/or branding should be considered permanent, and can only be removed or repaired with a surgical procedure that may leave permanent scarring and disfigurement.

(3) A practitioner may decline to provide service for any lawful reason.

(4) A tattoo, body piercing or branding establishment shall post a sign in a conspicuous place in the establishment stating that no person under the age of eighteen (18) shall be tattooed, body pierced or branded. No practitioner shall knowingly tattoo, brand or perform body piercing on a minor unless he or she obtains the written informed consent of the minor's parent or legal guardian. The minor's parent or legal guardian shall execute the written consent form required pursuant to this subsection in the presence of the practitioner performing the tattooing, branding or body piercing on the minor, or in the pres-

ence of an employee or agent of the practitioner.

(5) The practitioner shall verify through proper picture identification that the patron requesting the tattoo, body pierce or brand is at least eighteen (18) years of age.

(6) A practitioner shall not tattoo, body pierce or brand any person who:

(A) Appears to be under the influence of alcohol or drugs; or

(B) Has evident skin lesions or skin infections in the area of the procedure.

(7) Each practitioner shall maintain a record for each patron for a minimum of two (2) years following the completion of the procedure. A patron's record shall include at a minimum all the information required in sections (1) and (2), as well as the name, license number and signature of the practitioner performing the procedure. The practitioner also shall note any adverse effects or difficulties arising from the procedure.

AUTHORITY: section 324.522, RSMo Supp. 2001. Original rule filed Aug. 15, 2002, effective Feb. 28, 2003.*

**Original authority: 324.522, RSMo 1998, amended 1999, 2001.*

4 CSR 267-5.030 Cleaning and Sterilization

PURPOSE: This rule outlines the proper cleaning and sterilization of equipment used by a tattooist, body piercer or brander.

(1) Cleaning.

(A) Reusable equipment used in a tattooing, body piercing and branding procedure shall be cleaned immediately following each use to remove blood and/or body tissue residue prior to sterilization.

(B) Reusable bars, tubes, branding irons, other branding instruments and body piercing equipment shall be placed in a covered container until they are sterilized.

(C) All containers holding contaminated tubes, branding irons, other branding equipment, reusable body piercing equipment and container lids shall be cleaned and disinfected with an approved disinfectant as defined in 4 CSR 267-1.010.

(D) Gloved personnel shall clean bars, tubes, branding irons, other branding equipment, and reusable body piercing equipment prior to sterilization as follows:

1. Manually preclean the items with care taken to ensure removal of residue; thoroughly rinse the items with warm water and then drain the water; clean the items by soaking them in a protein-dissolving detergent-enzyme cleaner used according to the manufacturer's instructions; and clean the items further in an ultrasonic cleaning device that operates at forty to sixty (40–60) hertz and is used according to the manufacturer's instructions; and

2. Rinsing and drying the items.

(E) Prior to autoclaving, all tubes shall be packaged either individually or in quantities appropriate for individual procedures. Packages shall be identifiable and dated.

(2) Sterilization.

(A) Equipment requiring sterilization shall be pressure-sterilized at the establishment in an autoclave and in accordance with manufacturer's instructions. Practitioners shall have procedures in place to ensure autoclaves have been properly disinfected and spore-tested as required in subsection (2)(C) of this rule.

(B) Each batch of sterilized equipment shall be monitored for sterilization by use of heat-sensitive indicators capable of indicating approximate time and temperature achieved.

(C) Autoclaves shall be spore-tested at least weekly. Spore kill test effectiveness shall be conducted by an independent laboratory. If a positive spore test is received, the practitioner shall immediately cease using the autoclave device and notify the office within forty-eight (48) hours.

(D) Sterilized equipment shall be wrapped and stored in a manner that ensures it will remain sterile until used.

(E) Each tattoo, body piercing and branding establishment shall maintain sterilization records including spore tests for at least two (2) years from the date of the last entry, which shall include the following information:

1. Date of sterilization;
2. Name of person operating the equipment; and
3. Result of heat-sensitive indicator.

(F) Sterilized equipment shall be resterilized if the package is opened, damaged or becomes wet.

(G) All methods of sterilization other than steam autoclaving are prohibited.

AUTHORITY: section 324.522, RSMo Supp. 2001. Original rule filed Aug. 15, 2002, effective Feb. 28, 2003.*

**Original authority: 324.522, RSMo 1998, amended 1999, 2001.*

4 CSR 267-5.040 Preparation and Care of Site

PURPOSE: This rule outlines the requirements for skin care before and after a tattoo, body piercing or branding procedure is completed on each patron.

(1) Before beginning any procedure regulated pursuant to sections 324.520 to 324.524, RSMo, the tattooist, body piercer or brander shall clean the skin area for the tattooing, body piercing or branding and then prepare the area with an antiseptic. The solution shall be applied with cotton, gauze or single-use toweling.

(2) After the procedure is complete, the practitioner shall provide the patron with verbal and written instructions for the care of the tattoo, pierce or brand.

(3) The practitioner shall wear non-porous, disposable gloves at all times when contact with a patron's skin is required.

AUTHORITY: section 324.522, RSMo Supp. 2001. Original rule filed Aug. 15, 2002, effective Feb. 28, 2003.*

**Original authority: 324.522, RSMo 1998, amended 1999, 2001.*