Print Form

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COUNTY OF SAN LUIS OBISPO HEALTH AGENCY
ENVIRONMENTAL HEALTH SERVICES DIVISION
2156 Sierra Way STE. B, San Luis Obispo, CA 93401
PO Box 1489, San Luis Obispo, CA 93406
Phone: (805) 781-5544 Fax: (805)781-4211
Email: ehs@co.slo.ca.us

HEALTH PERMIT APPLICATION

PERMIT TYPE (CHECK ONE):

- ☐ RESTAURANT, # OF SEATS:_____
- ☐ BAR (NO FOOD PREPARATION)
- ☐ MARKET OR BAKERY, SQUARE FOOTAGE:_____
- ☐ BED AND BREAKFAST, AG HOME STAY
- ☐ FARMSTAND
- ☐ CATERING OPERATION FACILITY
- ☐ DEPENDENT FOOD SERVICE OPERATOR
- ☐ MOBILE FOOD FACILITY COMMISSARY
- ☐ SHARED FOOD FACILITY
- ☐ HOST FACILITY FOR CATERING OPERATOR
- ☐ COTTAGE FOOD OPERATOR: ☐ A ☐ B
- ☐ MOBILE FOOD FACILITY: ☐ CMFO PREPACK/NO PHF ☐ CMFO UNPACK/PHF
  - ☐ PREP UNIT: VEHICLE LICENSE # (IF APPLICABLE) _____
- ☐ PRODUCE VEHICLE ☐ SEASONAL ☐ YEAR-ROUND
- ☐ SWAP MEET ☐ PREPACKAGED ☐ PRODUCE
- ☐ OTHER FOOD(DESCRIBE)_____
- ☐ BODY ART FACILITY ☐ MOBILE ☐ TEMPORARY
- ☐ POOL #_____SPA #_____
  - ☐ POOL/SPA ONLY OPEN SEASONALLY (AT LEAST 6 MONTHS PER YEAR)

IF REQUESTING A CHANGE, CHECK ALL THAT APPLY:

- ☐ BUSINESS NAME CHANGE
- ☐ OWNERSHIP CHANGE
- ☐ BUSINESS SITE LOCATION CHANGE
- ☐ BILLING INFORMATION CHANGE
- ☐ OTHER:_____

IS FOOD FACILITY USED AS A MOBILE FOOD FACILITY COMMISSARY OR SHARED FOOD FACILITY? (KITCHEN AND/OR STORAGE AREAS ARE AVAILABLE TO BE RENTED TO MOBILE FOOD FACILITIES OR OTHER DEPENDENT OPERATOR BUSINESSES)

☐ YES ☐ NO

WERE PLANS FOR THIS PROJECT PREVIOUSLY SUBMITTED TO ENVIRONMENTAL HEALTH?

☐ YES ☐ NO

PLEASE CHECK IF YOUR BUSINESS QUALIFIES FOR ONE OF THE FOLLOWING

- ☐ REPRESENTS A NONPROFIT ORGANIZATION: PLEASE ATTACH A COPY OF YOUR 501C FORM
- ☐ VETERAN'S EXEMPTION: PLEASE PROVIDE ENVIRONMENTAL HEALTH AFFIDAVIT AND SUPPORTING DOCUMENTS

FACILITY INFORMATION

BUSINESS NAME (DBA)_____

PREVIOUS BUSINESS NAME (ONLY IF APPLICABLE)_____

BUSINESS SITE ADDRESS_____ CITY_____ ZIP_____

LEGAL OWNER NAME_____

SELECT ONE: ☐ SOLE PROPRIETORSHIP ☐ PARTNERSHIP INCORPORATED

BUSINESS TELEPHONE NUMBER _____

OWNER/BUSINESS EMAIL ADDRESS _____

BILLING ADDRESS (TO BE USED FOR SENDING INVOICES AND ALL CORRESPONDENCE)
IF YOU WOULD LIKE US TO USE THE BUSINESS ADDRESS ABOVE, CHECK THIS BOX ☐

ADDRESSEE NAME (IF DIFFERENT THAN OWNER NAME) _____

BILLING TELEPHONE NUMBER _____ CELL PHONE NUMBER_____

BILLING ADDRESS_____ CITY_____ STATE_____ ZIP_____

By signing below, I represent as follows: I am the Owner or Authorized Representative of the business applying for this Health Permit (hereafter "Permit"). I consent to all necessary fees and inspections permitted by law and incidental to the issuance of this Permit. I agree to operate the business in compliance with all applicable state and local laws, ordinances, regulations, and procedures and ***to obtain all authorizations and permits required by all local planning and building agencies***, in order to ensure compliance with the Permit, its rights, and its limitations. I shall immediately notify Environmental Health Services in writing if business closes or a change of ownership occurs. I acknowledge that HEALTH PERMITS ARE NON-TRANSFERRABLE. I declare under penalty of perjury under the laws of the state of California that the statements made in this Health Permit Application are true and correct.

SIGNATURE OF APPLICANT_____ PRINTED NAME_____

FOR OFFICE USE ONLY

DATE RECEIVED_____ RECEIVED BY_____ ASSIGNED TO_____ ENTERED BY_____ ENTERED DATE_____

PE#_____ AMOUNT DUE_____ AMOUNT PAID_____ CHECK OR CC AUTH #_____ CASH

NONPROFIT: 501C FORM ATTACHED YES NO VETERAN EXEMPT PAPER WORK ATTACHED YES NO

PR# _____SR#_____FA#_____ INVOICE NUMBER_____

INSPECTOR APPROVED _____ DATE_____

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BODY ART FACILITY INFECTION PREVENTION AND CONTROL PLAN TEMPLATE

In accordance with the California Health and Safety Code, Section 119313, a body art facility shall maintain and follow a written Infection Prevention and Control Plan, provided by the owner or established by the practitioners, specifying procedures to achieve compliance with the Safe Body Art Act. A copy of the Infection Prevention and Control Plan shall be filed with Environmental Health Services and a copy maintained in the body art facility.

The body art facility owner shall provide onsite training on the facility's Infection Prevention and Control Plan to the body art practitioners and employees or individuals involved with decontamination and sterilization procedures.

Training shall be provided when tasks where occupational exposures may occur are initially assigned, anytime there are changes in the procedures or tasks and when new technology is adopted for use in the body art facility, but not less than once each year. Records of training shall be maintained on-site for three years.

NAME OF BODY ART FACILITY_____

FACILITY SITE ADDRESS_____

FACILITY MAILING ADDRESS_____

FACILITY OWNER/ CONTACT PERSON NAME_____

FACILITY OWNER/ CONTACT PERSON PHONE NUMBER_____

TYPES OF BODY ART PERFORMED AT FACILITY_____

I. **DECONTAMINATION AND DISINFECTION:** Describe the procedures for decontaminating and disinfecting of workstation and surfaces.

1. Workstation surfaces/counter tops:_____
_____
_____
2. Workstation chairs/stools: _____
_____
_____
3. Trays:_____
_____
_____
4. Armrests:_____
_____
_____
5. Procedure Area:_____
_____
_____

Headrests: _____
_____
_____

Procedure Area: _____
_____
_____

Tables: _____
_____
_____

Other: _____
_____
_____

II. **REUSABLE INSTRUMENTS:** Describe the procedures used for decontaminating, sterilizing, packaging and storing of reusable instruments. Include the procedures for labeling of sterilized peel-packs.

1. Tattoo Machine:_____
_____
_____
2. Needle Tubes: _____
_____
_____
3. Calipers:_____
_____
_____
4. Other Instruments: _____
_____
_____
5. Describe the Procedure for Labeling Peel Packs: _____
_____
_____

III. **STORAGE:** Describe the storage location and equipment used for the storage of clean and sterilized instrument peel packs to protect the packages from exposure to dust and moisture.

_____
_____
_____

IV. **SET UP AND TEAR DOWN OF WORKSTATION**: Describe the procedure for setting up and tearing down the workstation for the following procedures. (Attach additional pages if necessary).

1. Tattoo: _____
_____
_____

2. Piercing: _____
_____
_____

3. Permanent Cosmetics: _____
_____
_____

4. Branding: _____
_____
_____

V. **PREVENTION OF CROSS CONTAMINATION:** Describe the techniques used to prevent the contamination of instruments, tattoo machine, trays, tables, chairs, clip cords, power supplies, squeeze bottles, inks, pigments, lamps, stools, soaps and the procedure site or other items during a body art procedure. Include barriers provided to prevent cross contamination. Describe how the procedure site is prepared for a body art procedure. _____
_____
_____
_____
_____
_____

VI. **SHARPS CONTAINERS:** Describe the procedures for the safe handling of sharps and indicate the location of the sharps containers._____
_____
_____
_____

VII. **SHARPS DISPOSAL:** Describe the disposal of sharps used during a body art procedure.

1. Needles and needle bars:_____
_____
_____

2. Razors:_____
_____
_____

3. Other sharps or single-use marking pens: _____
_____
_____

VIII. **LIST THE MEDICAL WASTE HAULER, MAIL-BACK SYSTEM OR ALTERNATIVE TREATMENT TECHNOLOGY FOR THE DISPOSAL OF SHARPS CONTAINERS: _____**
_____
_____

Medical Waste Hauler Name_____

Medical Waste Hauler Address_____

_____

IX. **STERILIZATION OF JEWELRY:** Describe the procedure for the sterilization of jewelry prior to placing into newly pierced skin. _____

_____

_____

X. **STERILIZATION EQUIPMENT:** List the equipment used in the decontamination and sterilization room and describe the procedure for decontaminating instruments prior to placing inside the autoclave. Indicate whether instruments are manually washed or machine washed, such as with an ultrasonic machine. Include the material used for soaking dirty instruments in the machine, such as Tergazyme.

_____

_____

_____

XI. **DISINFECTION PRODUCTS:** List the disinfectant products used at the body art facility.

_____

_____

_____

XII. **TIME AND TEMPERATURE:** List the duration of time and temperature of the autoclave required for the sterilization of clean instruments.

Time: _____

Temperature: _____

PSI: _____

XIII. **PERSONAL PROTECTIVE EQUIPMENT:** List the personal protective equipment used during a body art procedure. _____

_____

_____

XIV. **HAND WASHING PROCEDURE:** Describe hand washing procedure. Indicate when hand washing is required.

_____

_____

_____

XV. **AFTERCARE PROCEDURE:** Describe the written recommendations and care provided to the client after a body art procedure. List the type of bandages or wrappings provided after a body art procedure.

_____

_____

_____

XVI. **PROCEDURE FOR AN ACCIDENTAL SPILL:** Describe the clean-up and disinfection procedure taken when there is an accidental spill of sharps or biohazardous waste. _____

_____

_____

_____

XVII. **TRASH RECEPTACLES AND DISPOSAL OF CONTAMINATED TRASH:** List the type of trash receptacles and their location throughout the body art facility. Describe the procedure for the disposal of contaminated items, such as gloves.

_____

_____

_____

XVIII. **NEGATIVE/FAILED SPORE TEST:** Describe the procedure conducted when a monthly spore test has failed.

_____

_____

_____

Maintain a copy of this document in your files.
Submit one copy to Environmental Health Services.

I hereby certify that to the best of my knowledge and belief, the statements made herein are correct and true.

Signature: _____ Date: _____

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STERILIZATION PROCEDURES

When a body art facility is equipped with a decontamination and sterilization room and will be sterilizing reusable instruments and body art jewelry, the following sterilization procedures must be followed:

1. Clean instruments to be sterilized shall first be sealed in peel-packs that contain either a sterilizer indicator or internal temperature indicator. The outside of the pack shall be labeled with the name of the instrument, the date sterilized, and the initials of the person operating the sterilizing equipment.
2. Sterilizers shall be loaded, operated, decontaminated and maintained according to manufacturer's directions, and shall meet all of the following standards:
    - Only equipment manufactured for the sterilization of medical instruments shall be used.
    - Sterilization equipment shall be tested using a commercial biological indicator monitoring system after the initial installation, after any major repair, and at least once per month. The expiration date of the monitor shall be checked prior to each use.
    - Each sterilization load shall be monitored with mechanical indicators for time, temperature, pressure, and, at a minimum, Class V integrators. The Class V integrator gives an immediate response on whether the sterilization has been achieved. Each individual sterilization pack shall have an indicator.
    - Biological indicator monitoring test results shall be recorded in a log that shall be kept on site for two years after the date of the results.
    - A written log of each sterilization cycle shall be retained on site for two years and shall include all of the following information:
        A. The date of the load.
        B. A list of the contents of the load.
        C. The exposure time and temperature.
        D. The results of the Class V integrator.
        E. For cycles where the results of the biological indicator monitoring test are positive, how the items were cleaned, and proof of a negative test before reuse.
3. Clean instruments and sterilized instrument packs shall be placed in clean, dry, labeled containers, or stored in a labeled cabinet that is protected from dust and moisture. Use clean gloves to handle sterilized packages to prevent cross contamination of the sterilized item when the package is opened for use.
4. Sterilized instruments shall be stored in the intact peel-packs or in the sterilization equipment cartridge until time of use.
5. Sterile instrument packs shall be evaluated at the time of storage and before use. If the integrity of a pack is compromised, including, but not limited to, cases where the pack is torn, punctured, wet, or displaying any evidence of moisture contamination, the pack shall be discarded or reprocessed before use.

6. A body art facility that does not afford access to a decontamination and sterilization area that meets the standards of subdivision (c) of Section 119314 of the California Health and Safety Code or that does not have sterilization equipment shall use only purchased disposable, single-use, pre-sterilized instruments. In place of the requirements for maintaining sterilization records, the following records shall be kept and maintained for a minimum of 90 days following the use of the instruments at the site of practice for the purpose of verifying the use of disposable, single-use, pre-sterilized instruments:
    - A record of purchase and use of all single-use instruments.
    - A log of all procedures, including the names of the practitioner and client and the date of the procedure.

OPERATING CONDITIONS FOR AUTOCLAVE

Cleaning: Remove all material on the instruments during the cleaning process to ensure that the sterilization process is achieved. The cleaning process can be a manual cleaning or by use of an ultrasonic machine.

Packaging: Package the instruments with hinges in the open position to ensure that the ridges and crevices of the instruments are sterilized.

Loading: Load the autoclave with the packages upright on their sides. Peel packs should be on edge with the plastic side next to a paper side to allow for steam penetration. Do not overload the autoclave to allow proper flow of the steam to achieve sterilization.

Steam Sterilization: Temperature should be 121°C or 250° F; pressure should be 106kPa (15lbs/in2); 30 minutes for packaged items. At a higher temperature of 132° C or 279° F, pressure should be 30 lbs/in2; 15 minutes for packaged items.

Allow all items to dry before removing them from the autoclave. Use clean gloves to handle packaged items.

Pressure settings (kPa or lbs/in2) may vary slightly depending on the autoclave used. Follow manufacturer's recommendations for your autoclave.

Exposure time begins only after the autoclave has reached the target temperature.

Source: Adopted from Principles and Methods of Sterilization in Health Sciences.
JJ Perkins. 1983

STERILIZATION LOG

Date	Load #	Contents	Operator	Time	Temp	Psi	Temp Indicator Results	Attach Integrator Here	Spore Test Results	Action Taken due to Failed Result

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BODY ART PRACTITIONER AND FACILITY REQUIREMENTS

These requirements are taken from California Health and Safety Code §119300-§119328, the Safe Body Art Act.

The purpose of the Safe Body Art Act is to provide minimum statewide standards for the regulation of persons engaged in the business of tattooing, body piercing, and the application of permanent cosmetics in California. These requirements are intended to protect both the practitioner and the client from transmission of infectious diseases through the application of proper body art procedures and the control of cross-contamination of instruments and supplies.

Restrictions on the Performance of Body Art

A client shall be at least 18 years of age to be offered or to receive a tattoo, branding, or permanent cosmetics application, regardless of parental consent. Persons under 18 years of age shall not be offered or receive a body piercing unless the piercing is performed in the presence of his or her parent or guardian. The piercing or application of permanent cosmetics to the nipples or genitals of a minor is prohibited, except when applied by a registered Certified Permanent Cosmetics Professional with the consent of the minor's parent or guardian and as directed by a physician. A body art facility may refuse to perform body piercing on a minor, regardless of parental or guardian consent.

Informed Consent

Prior to the performance of body art, the client shall read, complete, and sign an informed consent form that shall include, but not be limited to, all of the following information:

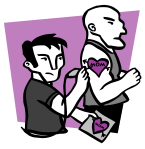
1. A description of the procedure.
2. A description of what the client should expect following the procedure, including suggested care and any medical complications that may occur as a result of the procedure.
3. A statement regarding the permanent nature of body art.
4. A notice that tattoo inks, dyes, and pigments have not been approved by the federal Food and Drug Administration and that the health consequences of using these products are unknown.
5. Post procedure instructions that include all of the following:
    a. Information on the care of the procedure site.
    b. Restrictions on physical activities such as bathing, recreational water activities, gardening, or contact with animals, and the duration of the restrictions.
    c. Signs and symptoms of infection, including, but not limited to, redness, swelling, tenderness of the procedure site, red streaks going from the procedure site towards the heart, elevated body temperature, or purulent drainage from the procedure site.

d. Signs and symptoms that indicate the need to seek medical care.

Medical Questionnaire

Prior to the performance of body art, the client shall receive, complete, and sign a questionnaire that includes all of the following information:

1. Whether the client may be pregnant.
2. Whether the client has a history of herpes infection at the proposed procedure site, diabetes, allergic reactions to latex or antibiotics, hemophilia or other bleeding disorder, or cardiac valve disease.



3. Whether the client has a history of medication use or is currently using medication, including being prescribed antibiotics prior to dental or surgical procedures.
4. Other risk factors for blood-borne pathogen exposure.

All information gathered from the client that is personal medical information and that is subject to the federal Health Insurance Portability and Accountability Act of 1996 (HIPPA) or similar state laws shall be maintained or disposed of in compliance with those provisions.

Practitioner Registration

A person shall not perform body art at any location other than a permitted permanent or temporary facility. A person shall not perform body art if he or she is not registered with San Luis Obispo County Environmental Health Services. As a condition of registration, the applicant shall provide all of the following:

1. Evidence of current hepatitis B vaccination, including applicable boosters, unless the practitioner can demonstrate hepatitis B immunity or has complied with current federal OSHA hepatitis B vaccination declination requirements.
2. Evidence of completion of OSHA Bloodborne Pathogen Training.
3. Proof that he or she is 18 years of age or older.
4. Self-certification of, knowledge of, and commitment to meet state law and relevant local regulations pertaining to body art safety.
5. His or her business address and the address at which he or she will perform any activity regulated by this chapter.
6. Payment of a registration fee.

A practitioner shall display, in a place readily visible to the public at the body art facility where the practitioner is performing body art, the certificate confirming registration with Environmental Health Services.

A valid and current registration issued by Environmental Health Services shall be valid in any other jurisdiction for no more than five consecutive days, or 15 days total, in any one calendar year. Practitioner registration shall be renewed annually.

A practitioner shall obtain all necessary permits to conduct business, including, but not limited to, being registered with Environmental Health. A practitioner who violates this subdivision shall be subject to suspension and a penalty not to exceed three times the cost of registration.

Practitioner Training

Prior to registering with Environmental Health, a practitioner shall complete a Bloodborne Pathogens Exposure Control Training program that is specific to his or her practice.

An owner shall provide Bloodborne Pathogens Exposure Control Training pursuant to the requirements of paragraph (2) of subdivision (g) of Section 5193 of Title 8 of the California Code of Regulations, or its successor, for all employees, practitioners, and volunteers who perform duties within the decontamination and sterilization area or procedure area.

The Bloodborne Pathogens Exposure Control Training shall meet all of the following criteria:

1. Training shall be conducted by a person or persons who are knowledgeable in exposure control and infection prevention in the body art setting and who are approved by the local enforcement agency.
2. Training and training materials shall be specific to performing body art.
3. Training shall consist of not less than two hours of instruction that includes all of the following:
    a. A copy and explanation of the Division of Occupational Safety and Health, Bloodborne Pathogens Standard contained in Section 5193 of Title 8 of the California Code of Regulations, or its successor.

    b. A copy and explanation of applicable county, city, or city and county ordinances that pertain to bloodborne pathogen transmission control in body art.
    c. Discussion of transmission, control, and symptoms of the diseases caused by bloodborne pathogens.
    d. Discussion of tasks involved in performing body art and how those tasks may lead to exposure to bloodborne pathogens for the client or practitioner.
    e. Discussion of the types and uses of personal protective equipment, such as disposable gloves, including an explanation of the limitations of the equipment.
    f. Discussion of the types of tasks, proper task technique, and order of tasks before and after putting on and removing personal protective equipment, to avoid contamination.

    g. Discussion of the importance of hand hygiene and a demonstration of proper hand hygiene techniques.
    h. Discussion of choice, use, and storage of disinfectants and antiseptics.

i. Information on the signage required for biohazard materials and the importance of properly labeling chemicals and supplies.

j. Information on hepatitis B vaccine, including safety and accessibility.

k. Discussion of what constitutes a bloodborne pathogen exposure incident, including all of the following:

l. Examples of bloodborne pathogen exposure, how the exposure occurred, and what actions to take to prevent or minimize future exposures.

m. Risk of infection following a bloodborne pathogen exposure incident.

n. Procedures to be followed after an exposure incident, including medical followup.

o. Opportunities for interactive questions and answers with the instructor.

p. Each person required to complete a Bloodborne Pathogens Exposure Control Training program shall annually complete a minimum of two hours of Bloodborne Pathogens Exposure Control Training update presented by an eligible trainer.

q. Records of training required pursuant to this section shall be maintained for three years and shall be available for inspection upon request of the enforcement officer.

Operating Requirements

Before performing body art, the practitioner shall do all of the following:

1. Wash and dry his or her hands consistent with sound hygienic practices.
2. Put on a clean apron, bib, or lap pad over clean, dry clothing.
3. Put on personal protective equipment that is appropriate for the task.
4. Don clean, previously unused, disposable examination gloves on both hands just prior to the procedure. Gloves shall be worn throughout the procedure. If gloves come into contact with an object or surface other than the client's prepared skin or material to be used for the procedure, or if a glove is torn or punctured, both gloves shall be removed, hand hygiene performed, and new, clean, previously unused, disposable examination gloves shall be donned. If gloves are removed for any reason during a procedure, hand hygiene shall be performed prior to donning new, clean, previously unused, disposable examination gloves.
5. If the skin at the procedure site is to be shaved, the skin shall be first washed with soap and water. A single-use, disposable razor shall be used to shave the procedure site and then discarded into a sharps container.
6. Immediately prior to performing the body art, the client's skin shall be prepared with an antiseptic solution, antimicrobial, or microbicide, according to manufacturer's instructions. The item used for application shall be discarded after use.

At the completion of the procedure, the practitioner shall do all of the following:

1. Answer questions regarding the procedure site.

2. Provide post-procedure instructions.
3. When covering a procedure site, use a sterile dressing.
4. Place all used or discarded sharps waste in a sharps waste container.
5. Wash and disinfect reusable instruments.
6. Package and sterilize reusable instruments that may have come in contact with non-intact skin or mucosal surfaces.
7. Clean and decontaminate the workstation and procedure area.

The practitioner shall maintain a clean and sanitary environment. All solid surfaces and objects in the procedure area and the decontamination and sterilization area that have come into contact with the client or the materials used in performing the body art, including, but not limited to, chairs, armrests, tables, countertops, and trays, shall be immediately cleaned and decontaminated after each use by application of a disinfectant, used according to manufacturer's directions.

The surfaces and objects in the procedure area shall be disinfected again before use if the area has been used for any activity following its previous disinfection.

The practitioner shall wear disposable gloves on both hands when touching, decontaminating, or handling a surface, object, instrument, or jewelry that is soiled or that is potentially soiled with human blood.

An instrument or other reusable item that comes into contact with non-intact skin or mucosal surfaces shall either be single use or be cleaned, decontaminated, packaged, and sterilized after each procedure. Sterilization shall be accomplished pursuant to the procedures established in Section 119315 by steam autoclave.

An instrument or reusable item that does not come into contact with non-intact skin or mucosal surfaces shall be washed with a solution of soap and water, using a brush that is small enough to clean the interior surfaces, and decontaminated after each procedure.

A reusable item that cannot be immediately washed, disinfected, and sterilized following completion of the body art procedure shall be placed in a basin of water with or without detergent.

Sterile instrument packs shall be evaluated before use, and if the integrity of a pack is compromised in any way, including, but not limited to, being torn, punctured, wet, or having evidence of potential moisture contamination, the instrument pack shall be discarded or reprocessed before use.

No food, drink, tobacco product, or personal effects are permitted in the procedure area. The practitioner shall not eat, drink, or smoke while performing a procedure. If a client requests to eat, drink, or smoke, the procedure shall be stopped and the procedure site shall be protected from possible contamination while the client leaves the procedure area to eat, drink, or smoke.

Branding shall not be done with another client in the procedure area. During the procedure, the practitioner and the client shall wear appropriate protective face filter masks.

Jewelry placed in newly pierced skin shall be sterilized prior to piercing as specified in Section 119315 or shall be purchased pre-sterilized. Sterile jewelry packs shall be evaluated before use and, if the integrity of a pack is compromised, including, but not limited to, being torn, wet, or punctured, the pack shall be discarded or reprocessed before use.

Only jewelry made of ASTM F138, ISO 5832-1, and AISI 316L or AISI 316LVM implant grade stainless steel, solid 14-karat through 18-karat yellow or white gold, niobium, ASTM F 136 6A4V titanium, platinum, or other materials found to be equally biocompatible shall be placed in newly pierced skin.

Ear piercing equipment with a disposable, single-use, pre-sterilized stud and clasp may be used only for piercing the ear.

If measuring the body piercing site is necessary, clean calipers shall be used and the skin marked using clean toothpicks and ink or a single-use marking pen.

A product applied to the skin prior to tattooing or application of permanent cosmetics, including, but not limited to, stencils and marking and transfer agents, including pens, shall be single use and discarded into a waste container at the end of the procedure unless the product can be disinfected for reuse.

Only commercially manufactured inks, dyes, and pigments shall be used.

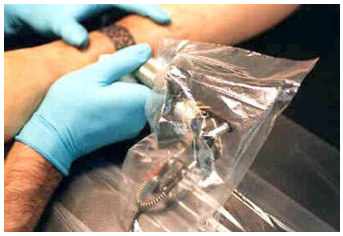
Inks, pigments, soaps, and other products in multiple-use containers shall be dispensed in a manner to prevent contamination of the storage container and its remaining contents through the use of a single-use receptacle.

Inks and pigments shall be placed into a clean, single-use receptacle. The inks and pigments remaining in the receptacle shall be discarded immediately upon completion of the procedure.

If a tray is used for inks or pigments, it shall be decontaminated after each procedure.

Only single-use needles and needle bars shall be used in tattooing and the application of permanent cosmetics. Needles and needle bars that are purchased in a non-sterilized state, shall be sterilized.

Needles, needle bars, grommets, and razors shall be discarded into a sharps waste container immediately upon completion of the procedure.



Any part of a tattooing machine that may be touched by the practitioner during the procedure shall be covered with a disposable plastic sheath that is discarded upon completion of the procedure, and the machine shall be decontaminated upon completion of the procedure.

A machine used to insert pigments shall be designed with removable tip parts between the tip and motor housing, and in a manner that will prevent backflow into enclosed parts of the motor housing.

A hand tool used to insert pigment shall be disposed of in a sharps container, with the sharps intact, unless the needle can be mechanically ejected from the hand tool.

Permanent Body Art Facilities

A body art facility shall not conduct business without a valid health permit. No body art facility shall allow a practitioner who does not possess a valid practitioner registration to perform body art procedures at the facility.

An owner of a body art facility shall notify the local enforcement agency in writing within 30 days of the resignation, termination, or new hire of a body art practitioner at the body art facility.

The application for a health permit for a body art facility shall include all of the following:

- **A copy of the facility's infection prevention control plan.**
- **A fee, as set by San Luis Obispo County Environmental Health Services.**

Environmental Health Services will issue a health permit after an investigation has determined that the proposed body art facility and its method of operation meets the specifications of the approved plans or conforms to the requirements of this article.

A health permit is valid only for the location of the facility and the time period indicated on the permit and may not be transferred to another owner or facility.

The health permit shall be posted in a conspicuous place at the body art facility. Certificates of registration for all practitioners performing body art in that facility shall also be prominently displayed either near the health permit or at the individual practitioner's procedure area if each practitioner has a designated area.

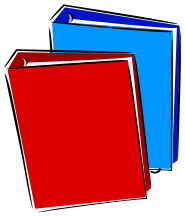
A person proposing to construct a practice site or mobile practice site, other than a temporary body art event booth, shall submit plans to Environmental Health. The plans shall be approved in advance of the issuance of a building, plumbing, or electrical permit. All required corrections must be made and the body art facility approved to open before body art can be performed in the facility.

Health permits shall be renewed annually.

The county may suspend or revoke the permit of a body art facility if a person who does not possess a valid practitioner registration is allowed to perform body art.

An owner who operates a body art facility shall obtain all necessary permits to conduct business, including, but not limited to, a permit issued by a local enforcement agency. An owner who violates this subdivision shall be subject to the closure of the facility and a penalty not to exceed three times the cost of the permit.

Infection Prevention and Control Plan



A body art facility shall maintain and follow a written Infection Prevention and Control Plan, provided by the owner or established by the practitioners, specifying the procedures to achieve compliance with each applicable requirement of this chapter.

The Infection Prevention and Control Plan shall include all of the following:

1. Procedures for cleaning and decontaminating environmental surfaces.
2. Procedures for cleaning, decontaminating, packaging, sterilizing, and storing reusable instruments.
3. Procedures for protecting clean instruments and sterile instrument packs from exposure to dust and moisture during storage.
4. A setup and teardown procedure for any form of body art performed at the body art facility.
5. Techniques to prevent the contamination of instruments or the procedure site during the performance of body art.
6. Procedures for safe handling and disposal of sharps waste.

The Infection Prevention and Control Plan shall be revised when changes are made in infection prevention practices, procedures, or tasks.

Onsite training on the facility's Infection Prevention and Control Plan shall take place when tasks where occupational exposure may occur are initially assigned, any time there are changes in the procedures or tasks, and when new technology is adopted for use in the facility, but not less than once each year.

Records of training required pursuant to this section shall be maintained for three years and shall be available for inspection upon request of the enforcement officer.

Construction Requirements

With the exception of a temporary demonstration booth, a body art facility shall comply with all of the following:

1. Have floors, walls, and ceilings.
2. Have floors and walls that are smooth, nonabsorbent, free of open holes, and washable.
3. Be free of insect and rodent infestation.
4. Be separate from any residential areas used for sleeping, bathing, or meal preparation. A body art facility associated with a residential dwelling shall have a separate entrance and toilet facility, and shall not have a door allowing direct access between the body art facility and the residential dwelling.
5. Have adequate toilet facilities, in accordance with the specifications of the State Building Standards Code, local building standard codes, and any other local ordinance. The sink shall be supplied with hot and cold running water, containerized liquid soap, and single-use paper towels that are dispensed from a wall-mounted, touchless dispenser.

Procedure areas in a body art facility shall meet all of the following standards:

1. Be equipped with a light source that provides adequate light at the procedure area.

2. Be separated, by a wall or ceiling-to-floor partition, from nail and hair activities.
3. Be separated from all business not related to body art, at the discretion of the local enforcement agency.
4. Be equipped with a sink supplied with hot and cold running water, containerized liquid soap, and single-use paper towels that are dispensed from a wall-mounted, touchless dispenser that is accessible to the practitioner.

5. All sinks shall be permanently plumbed and meet local building and plumbing codes. Facilities that were issued a permit prior to January 1, 2014, shall have until July 1, 2014, to comply with this section.
6. All counter surfaces and service trays shall have a smooth, durable, and nonabsorbent finish.

Decontamination and sterilization areas within a body art facility shall meet all of the following requirements:

1. Be separated from procedure areas by a space of at least five feet or by a cleanable barrier.
2. Be equipped with a sink, hot and cold running water, containerized liquid soap, and single-use paper towels dispensed from a wall-mounted, touchless dispenser that is readily accessible to the practitioner.

Each procedure area shall have lined waste containers.

Each procedure area shall have a sharps waste container that meets the following requirements:

1. The sharps waste container shall be portable, if portability is necessary to ensure that the sharps waste container is within arm's reach of the practitioner.
2. The sharps waste container shall be labeled with the words "sharps waste" or with the international biohazard symbol and the word "BIOHAZARD."

3. All sharps waste produced during the process of tattooing, body piercing, or the application of permanent cosmetics shall be disposed by either of the following methods:
    a. Removal and disposal by a licensed waste hauler. Materials shall be disposed of at a licensed treatment facility or removed and transported through a mail-back system authorized by the State Department of Public Health.
    b. As solid waste, after being disinfected by a method approved by the department.
4. Documentation of proper disposal of sharps waste shall be maintained for three years and shall be available for inspection at the request of the enforcement officer,
5. No animals shall be allowed in the procedure area or the decontamination and sterilization area.

Sterilization

A body art facility shall conform to the following sterilization procedures:

1. Clean instruments to be sterilized shall first be sealed in sterilization packaging that contain either a sterilizer indicator or process indicator, unless instruments are being processed for immediate use. The outside of the pack shall be labeled with the name of the instrument if not immediately identifiable, the date sterilized, and the initials of the person operating the sterilizing equipment unless instruments are being sterilized for immediate use.
2. Sterilizers shall be loaded, operated, decontaminated, and maintained according to manufacturer's directions, and shall meet all of the following standards:
   a. Only equipment manufactured for the sterilization of medical instruments shall be used.
   b. Sterilization equipment shall be tested using a commercial biological indicator monitoring system after the initial installation, after any major repair, and at least once per month. The expiration date of the monitor shall be checked prior to each use.
   c. Each sterilization load shall be monitored with mechanical indicators for time, temperature and pressure. Each sterilization load shall include, at a minimum, a class V integrator.
   d. Biological indicator monitoring test results shall be recorded in a log that shall be kept on site for three years after the date of the results.
   e. A written log of each sterilization cycle shall be maintained for three years, shall be available for inspection by the enforcement officer, and shall include all of the following information:

      i. The date of the load.
      ii. A list of the contents of the load.
      iii. The exposure time and temperature.
      iv. The results of the Class V integrator.
      v. For cycles where the results of the biological indicator monitoring test are positive, how the items were cleaned, and proof of a negative test before reuse.
3. Clean instruments and sterilized instrument packs shall be placed in clean, dry, labeled containers, or stored in a labeled cabinet that is protected from dust and moisture.

4. Sterilized instruments shall be stored in the intact sterilization packaging or in the sterilization equipment cartridge until time of use.
5. Sterile instrument packs shall be evaluated at the time of storage and before use. If the integrity of a pack is compromised, including, but not limited to, cases where the pack is torn, punctured, wet, or displaying any evidence of moisture contamination, the pack shall be discarded or reprocessed before use.

6. A body art facility that does not afford access to a decontamination and sterilization area that meets the standards or that does not have sterilization equipment shall use only purchased disposable, single-use, pre-sterilized instruments. In place of the requirements for maintaining sterilization records, the following records shall be kept and maintained for a minimum of 90 days following the use of the instruments at the site of practice for the purpose of verifying the use of disposable, single-use, pre-sterilized instruments:
    a. A record of purchase and use of all single-use instruments.
    b. A log of all procedures, including the names of the practitioner and client and the date of the procedure.
    c. Written proof on company or laboratory letterhead showing that the pre-sterilized instruments have undergone a sterilization process. Written proof shall clearly identify the instruments sterilized by name or item number and shall identify the lot or batch number of the sterilizer run.

Mobile Body Art Facilities

A mobile body art facility shall meet all the applicable requirements for a permanent body art facility unless specifically exempted.

A mobile body art facility that is either a special purpose commercial modular and coach, as defined by Section 18012.5, or a commercial modular coach, as defined by Section 18001.8, shall be certified by the Department of Housing and Community Development.

The Department of Motor Vehicles occupational licensing requirements, Division 5 (commencing with Section 11100) of the Vehicle Code, shall also apply to these mobile body art facilities.

The local enforcement agency shall approve all equipment installation prior to operation.

A mobile body art facility shall have all of the following:

1. A fixed hand wash sink in the procedure area for the exclusive use of the practitioner that meets all of the following requirements:
    a. Availability of containerized liquid soap and single-use paper towels that are dispensed from a wall-mounted, touchless dispenser.
    b. A pressurized supply of at least five gallons of potable water.
    c. Warm water (100˚F).
    d. The sink measures at least nine inches wide, nine inches long, and five inches deep.
    e. All counter surfaces and service trays shall have smooth, durable, and nonabsorbent finish.
    f. A waste water tank that shall be sized to be a minimum of 1.5 times the size of the potable water tank.

All body art procedures shall be completed inside the mobile body art facility.

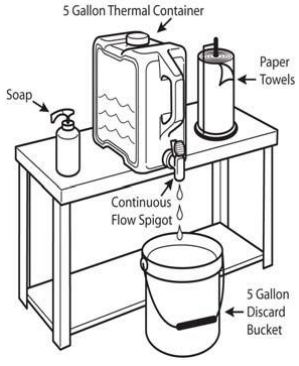
The mobile body art facility's doors and windows shall remain closed during procedures. A mobile body art facility may keep doors and windows open during a procedure only if the openings are covered by a screen constructed to cover the entirety of the opening that is the equivalent of a 16 mesh per square inch screen or better.

- A mobile body art facility shall use only purchased disposable, single-use, pre-sterilized instruments.
- A mobile body art facility shall only be operated within 200 feet of an accessible restroom.
- A mobile body art facility shall be used exclusively for performing body art and shall not be used as a living space or residence.

Temporary Body Art Facilities

A practitioner may, in the local jurisdiction of registration, practice in a temporary demonstration booth for no more than seven days in a 90-day period. The demonstration booth shall meet all of the following requirements:

1. Be located within a building that has hand washing facilities with hot and cold running water, soap, and single-use paper towels to which practitioners have direct access.
2. Constructed with a partition of at least three feet in height separating the procedure area from the public.
3. Have floor space of at least 50 square feet for each practitioner.
4. Be free of insect or rodent infestation.
5. Used exclusively for performing body art.
6. Equipped with adequate light available at the level where the practitioner is performing body art.
7. Hand Washing:
    a. For temporary body art events consisting of one demonstration booth, the booth shall be equipped with hand washing equipment that, at a minimum, consists of containerized liquid soap, single-use paper towels, a five-gallon or larger container of potable water accessible via spigot, and a wastewater collection and holding tank of corresponding size. Potable water shall be refilled and the holding tank evacuated frequently to provide uninterrupted use, or as determined by the local enforcement agency.



    b. For temporary body art events consisting of two or more demonstration booths, practitioner hand wash areas shall be provided throughout the event. The hand wash areas shall be located within a booth with partitions at least three feet in height separating the hand wash area from the public. The area shall be equipped with a commercial, self-contained hand wash station that consists of containerized liquid soap, single-use paper towels, a storage capacity of five gallons or more of potable water, and a trash receptacle.

The sponsor shall provide one hand wash area for every two demonstration booths at the event.

8. Have smooth, cleanable flooring.
9. No food, drink, or tobacco products are permitted in the demonstration booth.
10. Not allow animals within the confines of the demonstration booth.
11. Be operating with all necessary permits to conduct business. A sponsor or practitioner who violates this subdivision shall be subject to closure of the temporary body art event and a penalty not to exceed three times the cost of the permit or both closure and penalty.

The sponsor of a temporary body art event shall obtain all necessary permits to conduct business in the jurisdiction where the event will be held. The sponsor shall submit a complete temporary facility permit application to Environmental Health Services a minimum of 30 days prior to the date of the scheduled event. Environmental Health may establish a fee not to exceed the amount necessary, but that is sufficient to cover, the actual costs of the administration of this section. A sponsor who violates this subdivision shall be subject to closure of the temporary body art event and a penalty not to exceed three times the cost of the permit.

The sponsor shall not allow a person to perform body art procedures at the event unless the person has a valid body art practitioner registration.

The sponsor of a temporary body art event shall be responsible for ensuring the availability of support facilities and supplies for practitioners and vendors, including, but not limited to:

1. Restrooms that have flush toilets supplied with toilet paper, and hand wash sinks supplied with hot and cold potable running water, soap, and single-use paper towels to which practitioners have direct access.

2. Sharps waste containers for each demonstration booth.

3. The use of a licensed medical waste disposal company for removal of all sharps waste containers used during the body art event.
4. Frequent trash pickup from demonstration booths.
5. Wastewater removal and potable water recharge for hand wash areas at a frequency that will provide uninterrupted use, or as determined by the local enforcement agency.
6. When applicable, decontamination and sterilization area that is separated from a procedure area by at least five feet or by a cleanable barrier.
7. Adequate backup supplies that have been stored in compliance and that can be purchased by practitioners, including, but not limited to:
    a. Pre-sterilized tattoo needles.
    b. Pre-sterilized needle tubes.

c. Pre-sterilized piercing instruments, including, but not limited to, needles, receiving tubes, corks, marking tools, and forceps.

d. Plastic bags, barrier film, clip cord covers, and plastic wrap.

e. Ink cups.

f. Nitrile and latex gloves.

g. Single-use tubes of water-based and petroleum-based lubricants.

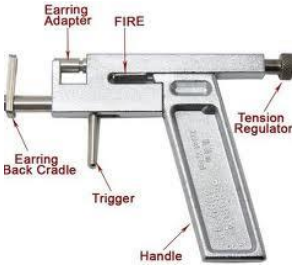
h. Absorbent dressing materials.

i. All forms and documents required to perform body art, including, but not limited to, client consent forms, medical history forms, aftercare instructions, and single-use instrument logs.

The name, telephone number, and directions to an emergency room near the temporary body art event shall be posted in a conspicuous location.

Each practitioner working in a booth at a temporary body art event shall display his or her certificate of registration, or keep the certificate in a folder that is available for inspection upon request of the enforcement officer or a client.

Mechanical Stud and Clasp Ear Piercing Facilities



The piercing of the ear with a mechanical stud and clasp device does **not** constitute body art as defined in this chapter. It is the intent of the Legislature, in enacting this article, to provide uniform and statewide requirements for the performance of ear piercing with a mechanical stud and clasp device. The piercing of an ear with a mechanical stud and clasp device shall only be subject to the requirements in this article.

The area within a facility where mechanical stud and clasp ear piercing is conducted shall be safe and sanitary and shall not constitute a threat to the public health and safety.

The mechanical stud and clasp device that is used to pierce an ear pursuant to this article shall be single-use, pre-sterilized, stud and clasp only.

The single-use mechanical stud and clasp device used to pierce an ear pursuant to this article shall meet the jewelry requirements.

Only jewelry made of ASTM F138, ISO5832-1, and AISI 316L or AISI 316LVM implant grade stainless steel, solid 14-karat through 18-karat yellow or white gold, niobium, ASTM F136 6A4V titanium, platinum, or other materials found to be equally biocompatible shall be placed in newly pierced skin.

A person piercing an ear with a mechanical stud and clasp piercing device shall meet the following requirements before providing mechanical stud and clasp ear piercing services:

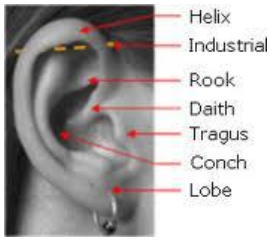
1. Is at least 18 years of age.
2. Received one hour of training that covers all of the following topics:

a. Proper use of the mechanical stud and clasp ear piercing device.

b. Types of blood-borne pathogens and the prevention of the transmission of blood-borne communicable diseases.

c. Proper hand hygiene.

d. The safe and sanitary use of single-use equipment, including, but not limited to, gloves, towels, and disinfectant wipes.



3. If the person will also be piercing the cartilage of the upper ear, that person shall also receive training on proper techniques for this type of piercing.

4. The training requirements shall not apply to an individual who was employed to perform mechanical stud and clasp ear piercing prior to the effective date of this article.