



Operational Requirements for Tattoo Establishments

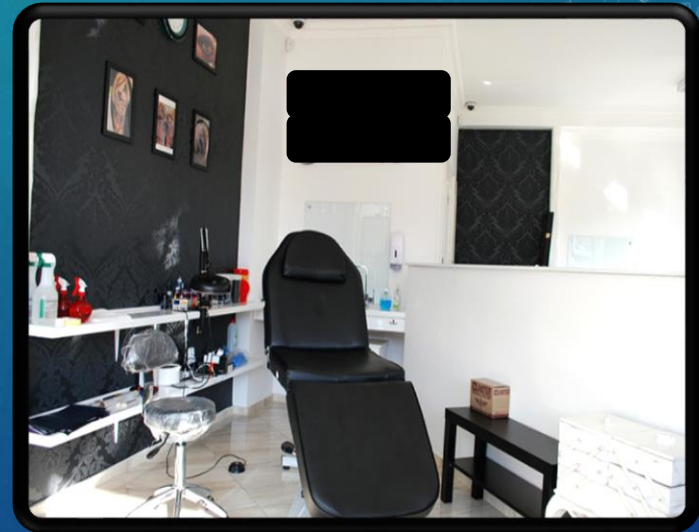
Chapter 64E-28.007,
Florida Administrative
Code





RULE 64E-28.007(1), FLORIDA ADMINISTRATIVE CODE THE BASICS

- ❖ Tattoo Establishments shall have walls, a floor and a ceiling.
- ❖ Floor and walls in the tattooing area shall be constructed of non-absorbent easily cleanable materials.
- ❖ The entire establishment shall be maintained in clean condition and good repair.





**RULE 64E-28.007(2),
FLORIDA ADMINISTRATIVE CODE
MAY I TATTOO FROM HOME?**

- ❖ There will not be a **direct opening** between a tattoo establishment and any portion of a building used as living or sleeping quarters.
- ❖ This shall be accomplished by a **solid floor to ceiling wall of separation**.
- ❖ Most homes will be located where **zoning laws** will not permit the operation of a commercial business.





RULE 64E-28.007(3) & (4), FLORIDA ADMINISTRATIVE CODE FOOD AND SMOKING

- ❖ A tattoo establishment shall not be located in an area where food is prepared.
- ❖ **Eating** and **drinking**, except for the purpose of administering first aid, and **smoking** are prohibited in areas where tattooing is performed or where instruments and supplies are cleaned and stored.





RULE 64E-28.007(5) & (6), FLORIDA ADMINISTRATIVE CODE WATER & SEWAGE

- ❖ Water supplies shall comply with Chapter 64E-8 or 62-550, Florida Administrative Code.
- ❖ Sewage disposal shall comply with Chapter 64E-6 or 62-200, Florida Administrative Code.





RULE 64E-28.007(7) & (8), FLORIDA ADMINISTRATIVE CODE PESTS & ANIMALS

- ❖ The establishment shall protect against the entrance, breeding, and presence of vermin such as insects and rodents.
- ❖ Animals **shall not be** allowed in a tattoo establishment **except for** service animals for persons with disabilities.





CHAPTER 64E-28.007(9), FLORIDA ADMINISTRATIVE CODE

LIGHTING

- ❖ Each tattoo establishment shall have an artificial light source equivalent to at least 100 foot candles in the tattooing area and in the area where items are cleaned and sterilized.





CHAPTER 64E-28.007(10), FLORIDA ADMINISTRATIVE CODE RESTROOMS

- ❖ Restrooms shall be supplied with toilet tissue, a hand sink with running water under pressure, and liquid soap.
- ❖ Restrooms shall have a dispenser with single-use paper towels, waste receptacles, and signage posted to instruct employees to thoroughly wash their hands.





CHAPTER 64E-28.007(11), FLORIDA ADMINISTRATIVE CODE HANDSINKS

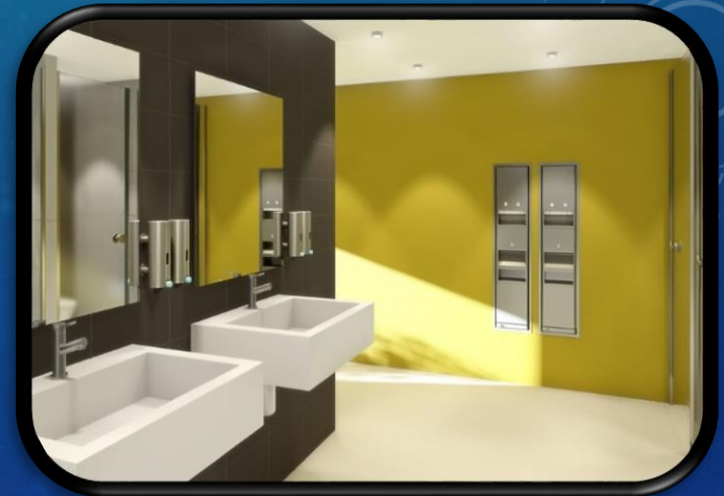
- ❖ A handsink with **unobstructed access** shall be located within each tattoo area or centrally located within the overall workroom area, so that each tattoo artist has access to the handsink for handwashing.





CHAPTER 64E-28.007(11)(A) & (B), FLORIDA ADMINISTRATIVE CODE **HANDSINKS** (CONTINUED)

- ❖ The handsink shall be supplied with running water under pressure, liquid soap, a dispenser with single-use paper towels, and a waste receptacle.
- ❖ A restroom handsink may be used as the handsink provided that it meets the **unobstructed access requirement** and meets all handsink requirements.





CHAPTER 64E-28.007(12) & (12)(A), FLORIDA ADMINISTRATIVE CODE **REUSABLE ITEMS (CONTINUED)**

- ❖ At a minimum, contaminated, **reusable items** shall be cleaned manually in a sink, separate from the handsink(s) or mechanically in an ultrasonic machine prior to sterilization.
- ❖ If items are cleaned in a sink, the sink shall be deep enough to allow complete submersion of the items. **Gloves shall be worn when manual cleaning is performed.**





CHAPTER 64E-28.007(12)(B) & (12)(C), FLORIDA ADMINISTRATIVE CODE REUSABLE ITEMS (CONTINUED)

- ❖ If items are cleaned in an ultrasonic machine, the machine shall be used in accordance with the manufacturer's instructions, which shall be available for review by the department at the time of inspection.
- ❖ After cleaning, items shall be rinsed and allowed to air dry or shall be dried with single-use paper towels prior to packaging for sterilization.





CHAPTER 64E-28.007(12)(D), FLORIDA ADMINISTRATIVE CODE REUSABLE ITEMS (CONTINUED)

- ❖ If only individually packaged, pre-sterilized, single-use items are used in the establishment, the cleaning sink and ultrasonic machine requirements **do not** apply.





CHAPTER 64E-28.007(13) & 13(A) & (B), FLORIDA ADMINISTRATIVE CODE AUTOCLAVES

- ❖ A tattoo establishment shall have a steam autoclave for sterilizing instruments that are not single-use.
- ❖ The autoclave shall be used in accordance with the manufacturer's instructions and maintained to ensure proper operation.
- ❖ There should be instructions for packaging, loading, and processing items.





CHAPTER 64E-28.007(13)(B)(1), FLORIDA ADMINISTRATIVE CODE **AUTOCLAVES** (CONTINUED)

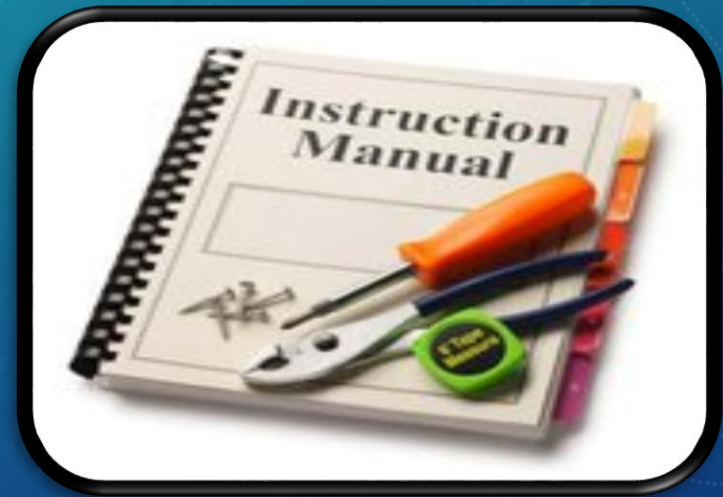
- ❖ The autoclave shall be cleaned at the frequency recommended by the manufacturer and shall be serviced at least once per year or at the frequency recommended by manufacturer.





CHAPTER 64E-28.007(13)(B)(2), FLORIDA ADMINISTRATIVE CODE **AUTOCLAVES** (CONTINUED)

- ❖ A copy of the manufacturer's instructions for packaging, loading, operating, cleaning, and servicing the autoclave shall be maintained at the tattoo establishment.
- ❖ The instruction manual shall be available for review by the Department at the time of an inspection.

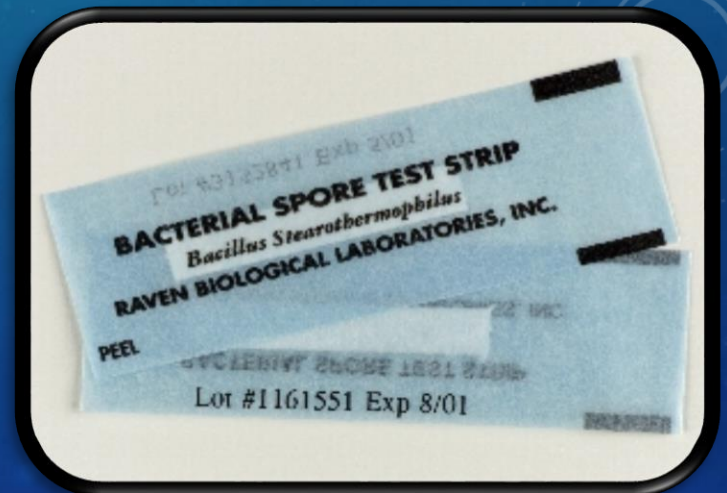




CHAPTER 64E-28.007(14)(A) & (B), FLORIDA ADMINISTRATIVE CODE **AUTOCLAVES** (CONTINUED)

When using an autoclave, sterilization shall be verified through:

- ❖ Chemical Indicator Strip placed inside one packet in each load to monitor sterilization procedure. The strip must indicate exposure to steam and proper operating temperature.
- ❖ Test with spore strips at a minimum frequency of every 40 hours of operation of the autoclave, but not less than on a quarterly basis.





CHAPTER 64E-28.007(14)(B)(1) & (2), FLORIDA ADMINISTRATIVE CODE **AUTOCLAVES** (CONTINUED)

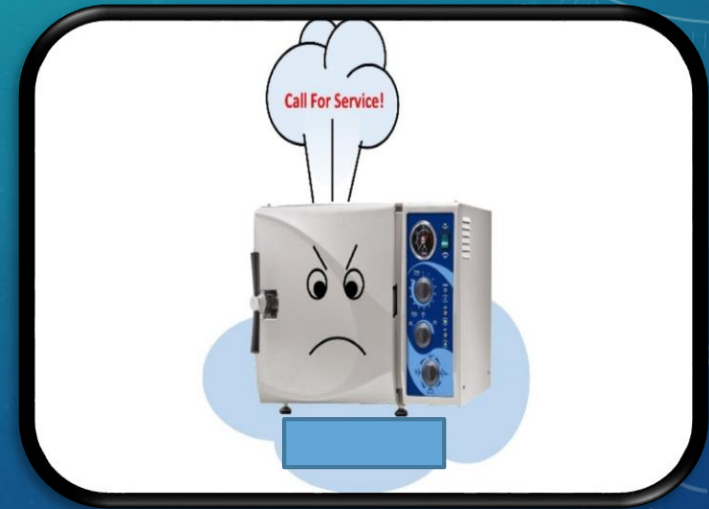
- ❖ Test results shall be verified by an independent laboratory.
- ❖ In the event of positive results, the autoclave shall be immediately taken out of service and all unused items processed in the autoclave since most recent negative test results will be considered non-sterile.





CHAPTER 64E-28.007(14)(B)(3) & (4), FLORIDA ADMINISTRATIVE CODE AUTOCLAVES (CONTINUED)

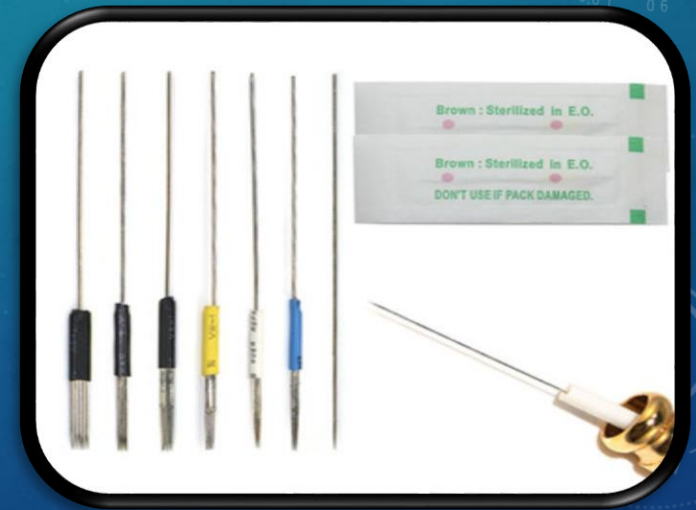
- ❖ While the autoclave remains out of service, tattooing may continue provided either another properly functioning autoclave is placed in service in the establishment or all single-use, pre-sterilized instruments are used.
- ❖ When the out of service autoclave is restored to proper function and confirmed by follow up testing, it may be placed back in service.





CHAPTER 64E-28.007(16)(A) & (B), FLORIDA ADMINISTRATIVE CODE SINGLE-USE ITEMS (CONTINUED)

- ❖ If only individually packaged, pre-sterilized, single-use items are used, an autoclave **shall not be required nor the requirements specified in subparagraphs 12, 13, 14, and 15** of this section.





CHAPTER 64E-28.007(16)(A) & (B), FLORIDA ADMINISTRATIVE CODE SINGLE-USE ITEMS (CONTINUED)

- ❖ **Subparagraph 12** requires items to be cleaned in a sink separate from the handsink or ultrasonic machine prior to sterilization.
- Subparagraph 13** requires a steam autoclave for sterilization.
- 14** explains how autoclave sterilization shall be verified.
- 15** requires the maintenance of autoclave sterilization records.





CHAPTER 64E-28.007(16)(A) & (B), FLORIDA ADMINISTRATIVE CODE SINGLE-USE ITEMS

- ❖ These pre-sterilized, single-use items shall be sterilized with ethylene gas or gamma rays and shall be labeled with the expiration date by the manufacturer. If package is compromised, contents discarded.





CHAPTER 64E-28.007(17) & (18), FLORIDA ADMINISTRATIVE CODE SINGLE-USE ITEMS (CONTINUED)

- ❖ Packages of sterile items, which are sterilized by the tattoo establishment, **shall be labeled with the date of autoclaving.** If any package has been compromised, the items shall be repackaged and re-sterilized.
- ❖ All packages of sterile items shall be stored in a clean, dry, covered container or in a clean, dry cabinet until just prior to use.





CHAPTER 64E-28.007(19),
FLORIDA ADMINISTRATIVE CODE
CHAIRS, TABLES, COUNTER TOPS, ETC.

- ❖ Work chairs, tables, stands, cabinets, and counter tops shall have a smooth, non-porous, easily cleanable surface, and shall be cleaned and disinfected after each customer.





CHAPTER 64E-28.007(20), FLORIDA ADMINISTRATIVE CODE LABELING CONTAINERS

- ❖ If any liquid product is not in its original container, the container into which the product has been placed shall be labeled with the name of the product.





CHAPTER 64E-28.007(21), FLORIDA ADMINISTRATIVE CODE RECORDS

Each tattoo establishment shall maintain the following records for 2 years with those for the current licensing period onsite:

- ❖ Customer records, including parental consent;
- ❖ Autoclave sterilization records and maintenance records;
- ❖ Documentation identifying the method of sterilization utilized by the manufacturer if the information is not printed on the packaging of the item.





CHAPTER 64E-28.007(21), FLORIDA ADMINISTRATIVE CODE **RECORDS** (CONTINUED)

Each tattoo establishment shall maintain the following records for at least 2 years after an artist's employment ends:

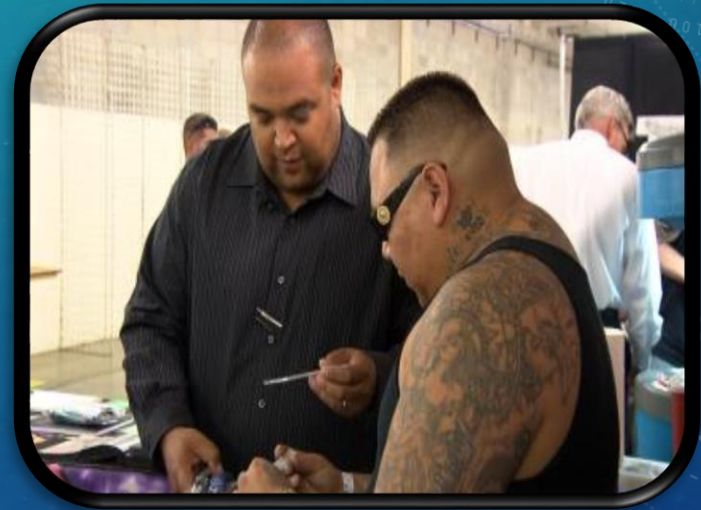
- ❖ Personnel records of each tattoo artist who works in the establishment. The record shall contain the tattoo artist's name, address, date of birth, and the license number issued by the department.





CHAPTER 64E-28.007(22), FLORIDA ADMINISTRATIVE CODE INSPECTIONS

❖ A tattoo establishment shall allow the department to conduct, at minimum, annual inspections for the purpose of ensuring compliance with sections 381.00771-.00791, Florida Statutes, and these rules.





CHAPTER 64E-28.007(23), FLORIDA ADMINISTRATIVE CODE BIOMEDICAL WASTE

❖ Biomedical waste shall be managed in accordance with section 381.0098, Florida Statutes, and Chapter 64E-16, Florida Administrative Code. Regular solid waste shall be collected, stored and disposed of in a manner and at a frequency that does not create a sanitary nuisance, as defined in Chapter 386, Florida Statutes.





TATTOO ESTABLISHMENT LICENSURE

Licensure of a tattoo establishment requires the following:

- 1) Contact city/county for potential **need for business tax receipt and ensure location is zoned for a tattoo business.**
- 2) Submit completed **Application for Tattoo Establishment License. (\$200)**
- 3) Completed **Application for Biomedical Waste Generator Permit/Exemption. (\$85)**
- 4) Pass inspection in compliance with sections 381.00771-381.00791, Florida Statutes, and **Rule 64E-28, , Florida Administrative Code.**

STATE OF FLORIDA
DEPARTMENT OF HEALTH
Authority 381.00789, Florida Statutes
Application for Tattoo Establishment Licensure

Instructions: Do not leave any item blank. Enter NA for non-applicable items. Submit the completed application and the fee(s) specified below to the county health department that has jurisdiction for the tattooing program in the county where the establishment is physically located. To select the county, type the following link into an internet browser: http://www.myfloridah.com/community/biomedical/county_coordinators.htm

Fees: Initial Licensure of a Tattoo Establishment or Temporary Tattoo Establishment: \$200.00
Renewal Licensure of a Tattoo Establishment: \$200.00
Reactivation Fee for Renewal of a Tattoo Establishment License after Date of Expiration: \$75.00

Type of Establishment: Fixed Location
 Temporary Location If Checked, Specify Event Date(s): From ___ To ___

Type of Tattooing: Conventional Cosmetic Educational

Business Name of Establishment: _____
(Registered or fictitious) (Applicant must be a legal entity, i.e. individual, partnership, corporation, association, or public body)

Physical Address of Establishment: _____
Street City State Zip Code

Mailing Address if Different: _____
P.O. Box or Street City State Zip Code

Telephone Number of Establishment: () _____ Name of Operator: _____

E-mail Address of Establishment or Operator (optional): _____ @ _____

Name of Establishment Owner: _____

Mailing Address of Establishment Owner: _____
P.O. Box or Street City State Zip Code

Phone Number of Establishment Owner: () _____

Name of Registered Agent for Service of Process (if applicable): _____

Mailing Address of Registered Agent: _____
P.O. Box or Street City State Zip Code

The undersigned Applicant/Representative hereby agrees to operate the tattoo establishment described in this application in accordance with the requirements of Section 381.00771-381.00791, Florida Statutes, and Chapter 64E-28, F.A.C. The information contained in this application, which serves as a basis for licensure, is true and correct. I understand that any misrepresentation of the facts in this application, or failure to comply with sanitary standards, is grounds for denial, administrative fine or revocation of the tattoo license. Further, I understand that obtaining or attempt to obtain a license or registration by means of fraud, misrepresentation, or concealment is committing a misdemeanor of the second degree punishable as provided in s. 775.082 or s. 775.083.

Name of Applicant/Representative (print or type) _____ Date _____

Signature of Licensee/Representative _____

DH 4155, 8/12 64E-28.005, F.A.C.



WHERE TO SUBMIT APPLICATION AND FEE

- ❖ Applications, supporting documents, and fees should be submitted to the **local Department of Health office** having jurisdiction of the tattooing program in the county in which the business is located.

The form is titled "Application for Tattoo Establishment Licensure" and is issued by the Florida Department of Health. It includes a header with the Florida Health logo and the text "STATE OF FLORIDA DEPARTMENT OF HEALTH Authority 381.007(8), Florida Statutes". Below the header, there are instructions for applicants, including a note to enter NA for non-applicable items and a link to the program's website. The form lists fees for initial licensure (\$200.00), renewal (\$200.00), and reacquisition (\$75.00). It contains several sections for providing information about the establishment, including type of establishment, type of tattooing, business name, physical address, mailing address, telephone number, and email address. There are also sections for the establishment owner and a registered agent. The form concludes with a declaration by the applicant and a signature line for the licensee representative. The form number is DH 4151-B12 and the version is SHE-28.005 F.A.C.