

CHAPTER 64E-28 TATOONG

64E-28.006 Education Course Requirements.

(1) All educational courses per Section 381.00775(2)(b)4., F.S., shall be approved by the department. Any person seeking approval of an education course shall submit a request for determination of compliance with the requirements of this rule to the Department of Health, Bureau of Community Environmental Health, 4052 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399. All requests for course approval shall be handled in accordance with Section 120.60, F.S. Requests for course approval shall include submission of the following documentation:

- (a) A copy of the credentials of trainers and persons compiling the curriculum.
 - (b) A copy of the curriculum.
 - (c) Copies of training materials.
 - (d) A copy of the test to be given.
 - (e) A copy of the answers to the test questions.
 - (f) A copy of the certificate of training to be issued.
- (2) The course shall meet the following criteria:
- (a) Utilize a classroom-based or internet-based delivery method.
 - (b) Be specific to the tattoo industry.
 - (c) Be a minimum of three (3) hours in length, excluding the examination.
 - (d) Include an opportunity for interactive questions and answers with the person conducting the training.
 - (e) Include, at a minimum, education and training on blood-borne pathogens, such as human immunodeficiency virus and hepatitis B and C viruses, and communicable diseases, such as hepatitis A, staphylococcal including those of methicillin-resistant *Staphylococcus aureus*, tuberculosis, impetigo, scabies, ringworm, molluscum contagiosum, herpes simplex, and herpes zoster, and the prevention of such transmission. This information shall include:
 1. Identification of the disease;
 2. Identification of the infectious agent;
 3. Mode of transmission;
 4. Incubation period;
 5. Period of communicability; and
 6. Prevention of transmission in a tattoo setting.
 - (f) Be followed by a written examination covering the materials in the course. The examination shall contain a minimum of fifty (50) questions with a passing score of at least seventy percent (70%).
 - (g) Ensure identity verification and validation for each student taking the internet or classroom course and test.
- (3) In addition to that specified in paragraphs (2)(b)-(g) above, internet-based courses shall meet the following criteria:
- (a) Each course section shall have a minimum time to finish that section before it is possible to move on to the next section.
 - (b) Identity verification and validation shall occur prior to the initiation of the internet course, using an identity verifying technology that seeks verification through internet databases using information that is specific to the student's identity. Following initial identity verification, validation shall occur at least every hour during the course and prior to completing the test.
 - (c) The course shall automatically terminate when a student fails to answer an identity validation question during a 60-second response time period or a student provides more than one incorrect answer to a validation question. Upon termination, a one-hour waiting period is required before the student is allowed to register again.
 - (d) At a minimum, the course provider shall include on the internet registration form, initial blocks in which the student indicates agreement with the following information:
 1. That the student who registers for the course is the person taking the course.
 2. That the student will be asked time-limited identity validation questions during the internet course. The validation questions will ask the student questions about themselves based on information provided by them and obtained through internet databases as described in paragraph (b), above. Failure by a student to answer an identity validation question during a 60-second response time period or a student providing more than one incorrect answer to an identity validation question will cause the course to automatically terminate. Upon termination, a 1-hour waiting period is required before the student is allowed to register again.
 - (e) A student shall be prevented from proceeding with the internet course should they fail to indicate agreement with each stipulation listed in paragraph (d) above.
 - (f) A subject matter expert representing the course provider shall be available by telephone or via electronic means during normal business hours to assist students.

(4) In order to ensure that the requirements of this rule section are met, the department may annually register and take the course, as any interested student would.

(5) The course provider shall notify the department in writing within 30 days of determining that a student has attempted or acquired certification by committing fraud, deceit, false statements, or perjury. When this is determined, the course provider shall revoke the certificate.

(6) Any reference to department approval shall state no more than: "This course is approved by the Florida Department of Health for tattoo artist licensure under Section 381.0775, F.S. and Chapter 64E-28, F.A.C."

(7) Course approval is not transferrable from person to person.

Rulemaking Authority 381.00789 FS. Law Implemented 381.00775 FS. History—New 5-15-12.