



# Minnesota Body Art Industry Meeting September 24, 2024

Hosted by the Health Regulation Division

1. Welcome/Objectives - Debbie

2. Legislative Updates - Jill

3. Evaluation: Pete/Ah

- Quarterly report
- Ink Recall
- Establishment Inspections
  - Evaluation
  - Industry

1. LCR

- Quarterly report
- Renewal
- OpenGov Update

2. LCR & Evaluation:

3. Questions

# Meeting Objectives

1. Build collaboration by bringing together Industry leaders and State officials
2. Educate Technicians and Establishment Owners on commonly seen issues and asked questions
3. Give Body Art technicians a chance to ask questions and learn from one another about best practices
4. Gives MDH a forum to bring new and changing information, laws and regulations to the industry in a timely manner

## How to propose a legislative change to Mn. Ch. 146B

- Governor's Office
- Legislative representative

## Topics of interest – Industry

- Fee – establishment & industry
- Separation of licensure for tattooist and permanent makeup (PMU)
- Exceptions for licensure
- Apprenticeship

# Evaluation

# Complaints/Investigations (July 2024 – September 2024)

## **Complaints received – 9**

1. Unlicensed practice
2. Breach of supervision plan/contract
3. Unprofessional conduct - financial exploitation/harassment/sexual contact

## **Investigation Closed – 2**

1. Substantiated – 1 (civil penalty)
2. No violation - 1

## Open Complaint Investigations – 41

1. Unlicensed practice – license lapse, unlicensed tech, unlicensed establishment
2. Unprofessional conduct – under influence of substance
3. Supervision – breach of contract, harassment, financial exploitation
4. Inappropriate touch - sexual
5. Piercing of minor without parental consent
6. Health & Safety- Infection from tattoo, unsanitary

## Sierra Stain LLC - "Bloodline" ink

- Carolina Blue
- All Purpose Black
- UV China Pink





# Establishment Inspection

## MDH

Provisional license – effective until determined compliant with requirements

- Provisional inspection– within 1 year of the provisional license being issued
  - Clear – body art establishment license issued
  - Not set up/Refusal/multiple failed attempts to inspect – constitutes grounds for licensure denial or revocation
- Routine – thereafter provisional inspection, once every 2-yrs
- Repeat violations – correction orders = internal referral for potential investigation
- Any body art services provided in an unlicensed location is guilty of a gross misdemeanor
  - [Sec. 146B.02 MN Statutes](#) Establishment License Procedure
  - [Sec. 146B.08 MN Statutes](#) Investigation and Grounds for Disciplinary Action

## Industry

- Update contact information (LCR)
- Update business hours (LCR)
- Maintain compliance
  - [Sec. 146B.06 MN Statutes](#) Health and Safety Standards
  - [Sec. 146B.07 MN Statutes](#) Professional Standards

# Licensing, Certification and Registration (LCR) Report

## License Counts as of September 24, 2024:

Establishments: 359

Temporary Body Art Events: 28 in 2024

Guest Licenses:

- Tattooist: 553 - Piercer: 9

Temporary Body Artists:

- Tattooist: 303 - Piercer: 23 - Dual: 10

Full Body Artists:

- Tattooist: 1418 - Piercer: 130 - Dual: 72



## Body Art Establishment Renewal

- Two year cycle
- 2024 renewal cycle
  - Expires September 30, 2024

## What happens if I miss the September 30, 2024 deadline?

- Your body art establishment will be out of compliance with Minnesota Statute 146B.02.
- Applications submitted on or after September 30, 2024 will be fined \$300 late fee.
- Establishments may also be subject to a technical violation fee for operating a body art establishment after the license has expired and before it is renewed for \$300 for any part of any subsequent month up to six months. Continued practice or operation after six months becomes a disciplinary violation.

- Minnesota Department of Health Licensing System: OpenGov
- Launching in the future
- Things to consider:
  - Claiming renewal
  - Provisional applications

## Body Art Licensing Contact Information

Body Art licensing questions: call 651-201-4200 or email [health.ba@state.mn.us](mailto:health.ba@state.mn.us).

### **Mail correspondence to:**

Minnesota Department of Health  
Health Occupations Program  
Attn: Body Art  
PO Box 64882  
Saint Paul, MN 55164-0882

# Questions



Next Meeting: December 2024



Question 1. Shop inspections...In case of part time Piercers? Or piercer on vacation?

Answer: Whether on vacation or part time, the dedicated area and equipment for piercing should be available for inspection.

Question 2. Are there state regulations that require piercing and tattoos to be completed in separate rooms? If a room can be shared between these services is it okay to offer services simultaneously for piercings and tattoos?

Answer: There are no state regulations requiring these 2 services to be in different rooms. The best scenario is to keep the 2 services at different ends of the room and use privacy screens.

Question 3. I'm sorry to have missed this - where would you like us to update studio hours for MDH inspectors?

Answer: The best time to update establishment information is during the renewal period. It will be discussed among MDH staff as to how to best do this outside of the renewal period. You can contact me if you have questions outside of renewals at [alison.helm@state.mn.us](mailto:alison.helm@state.mn.us). If you need an establishment renewal application, contact [health.ba@state.mn.us](mailto:health.ba@state.mn.us).

Question 2. If a studio reprocesses tools to be used again for future procedures is an ultrasonic required? Or only an autoclave?

Answer: The tools need to be washed and then sterilized in an autoclave. It is not required to use ultrasonic to wash the tools but they have to be sterilized in the autoclave.

# Thank You!

**Health Regulation Division,**

*Minnesota Department of Health*

651-201-4200