

SENATE BILL REPORT

SHB 2335

As Reported By Senate Committee On:
Health & Long-Term Care, February 22, 2006

Title: An act relating to preventing the spread of disease in body piercing practices through standard universal precautions and sterilization requirements.

Brief Description: Regulating body piercing.

Sponsors: House Committee on Health Care (originally sponsored by Representatives Appleton, Campbell, Cody, Moeller, Green, Clibborn, Lantz, Morrell, Chase, Murray, Darneille, Santos, Wallace, Dickerson, Kenney and Schual-Berke).

Brief History: Passed House: 2/03/06, 86-10.

Committee Activity: Health & Long-Term Care: 2/15/06, 2/22/06 [DPA-WM].

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Majority Report: Do pass as amended and be referred to Committee on Ways & Means.

Signed by Senators Keiser, Chair; Thibaudeau, Vice Chair; Deccio, Ranking Minority Member; Benson, Brandland, Franklin, Johnson, Kastama, Kline, Parlette and Poulsen.

Staff: Sharon Swanson (786-7447)

Background: The Secretary of Health establishes requirements for the sterilization of needles and instruments used by electrologists and tattoo artists. These rules address both sterilization procedures and universal precautions for preventing the spread of disease. There are no similar provisions for body piercing.

Summary of Amended Bill: The Department of Health is directed to adopt rules, in accordance with nationally recognized professional standards for sterilization of instruments used in body piercing or tattooing, and other precautions against the spread of disease. Violation of such rules is a misdemeanor level offense, and is considered negligence per se.

Any person, firm, or corporation engaged in the business of body art, body piercing, or tattooing: (1) must comply with the rules adopted by the Department of Health; (2) must register annually with the Department of Licensing; (3) may be disciplined pursuant to Uniform Regulation of Business and Professions Act; and (4) is subject to civil penalties and the consumer protection act. The Department of Licensing is authorized to investigate complaints concerning persons engaged in the business of body art, body piercing, or tattooing.

A person, firm, or corporation engaged in the business of body art, body piercing, or tattooing must file a written report containing certain information to the Department of Licensing and the Department of Health within seventy two hours of becoming aware of an infection or allergic reaction resulting from the person's tattooing, body piercing, or body art.

Amended Bill Compared to Original Bill: The amended bill regulates body piercing, body tattooing, and body art by requiring any person, firm, or corporation engaging in the business of body art, body piercing, or tattooing to register with the Department of Licensing. The Department of Licensing is authorized to investigate complaints concerning any person, firm, or corporation engaging in the business of body art, body piercing, or tattooing.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This bill goes to great lengths to protect public health. The bill allows the Department of Health to set rules for sterilization, sanitation, and protects against the spread of disease or infection. Currently, body piercing is an unregulated field. There needs to be safeguards put in place to protect the public from infection. Although the bill does not require licensing or address enforcement requirements, this is the best way to protect public health.

Testimony Against: None.

Who Testified: PRO: Troy Amundson, Apocalypse Tattoo & Piercing; Charlotte Heller, Lucky Devil.