



**WHO:** Health Licensing Office  
Board of Body Art Practitioners

**WHEN:** April 27, 2015 at 10:00 a.m.

**WHERE:** Health Licensing Office  
Rhoades Conference Room  
700 Summer St. NE, Suite 320  
Salem, Oregon

**What is the purpose of the meeting?**

The purpose of the meeting is to conduct board business. A working lunch may be served for board members and designated staff in attendance. A copy of the agenda is printed with this notice. Please visit <http://www.oregon.gov/OHLA/BAP/Pages/meetings.aspx> for current meeting information.

**May the public attend the meeting?**

Members of the public and interested parties are invited to attend all board/council meetings. All audience members are asked to sign in on the attendance roster before the meeting. Public and interested parties' feedback will be heard during that part of the meeting.

**May the public attend a teleconference meeting?**

Members of the public and interested parties may attend a teleconference board meeting **in person** at the Health Licensing Office at 700 Summer St. NE, Suite 320, Salem, OR. All audience members are asked to sign in on the attendance roster before the meeting. Public and interested parties' feedback will be heard during that part of the meeting.

**What if the board/council enters into executive session?**

Prior to entering into executive session the board/council chairperson will announce the nature of and the authority for holding executive session, at which time all audience members are asked to leave the room with the exception of news media and designated staff. Executive session would be held according to ORS 192.660.

No final actions or final decisions will be made in executive session. The board/council will return to open session before taking any final action or making any final decisions.

**Who do I contact if I have questions or need special accommodations?**

The meeting location is accessible to persons with disabilities. A request for accommodations for persons with disabilities should be made at least 48 hours before the meeting. For questions or requests contact a board specialist at (503) 373-2049.

# **Items for Board Action**

# **Approval of Agenda**



Health Licensing Office  
Board of Body Art Practitioners



April 27, 2015 at 10:00 a.m.  
700 Summer St. NE, Suite 320  
Salem, Oregon

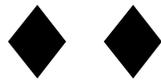
1. **Call to Order**
2. **Items for Board Action**
  - ◆ Approval of Agenda
  - ◆ Approval of Minutes
3. **Executive Session** – Pursuant to ORS 192.660(2)(f) for the purpose of considering information or records exempt from public inspection. (Legal Advice)

Working Lunch

4. **Reports**
  - ◆ Director Report
  - ◆ Licensing and Fiscal Statistical Reports
  - ◆ Policy Report
    - 2015 Legislative Update
    - Body Piercing Training Program
    - Specialty Piercing Training Program
    - Tattoo Video
  - ◆ Regulatory Report
5. **Public/Interest Parties Feedback**
6. **Executive Session** - Pursuant to ORS 192.660(2)(f) for the purpose of considering information or records exempt from public inspection. (Investigation Files)
7. **Other Board Business**

Agenda is subject to change.  
For the most up to date information visit [www.oregon.gov/OHLA](http://www.oregon.gov/OHLA)

# **Approval of Minutes**



**November 3, 2014**



Health Licensing Office  
Board of Body Art Practitioners



November 3, 2014  
700 Summer Street NE, Suite 320  
Salem, Oregon

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**MINUTES**

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**MEMBERS PRESENT**

Molly Ballew, chair  
Wendy Blenning, vice-chair  
Seth Dietz  
Cameron Straub  
Josh Bryant  
Ben Berry  
Lisa Chambliss

**STAFF PRESENT**

Holly Mercer, Director  
Joanna Tucker-Davis, assistant attorney general  
Sylvie Donaldson, fiscal services and licensing manager  
Bob Bothwell, regulatory operations manager  
Tina Russell, Investigator/Inspector  
Nathan Goldberg, Investigator/Inspector  
Jeremy Arguien, Investigator/Inspector  
Janet Bartel, Investigator/Inspector  
Samie Patnode, policy analyst  
Amanda Perkins, board specialist

**MEMBERS ABSENT**

None

**PRESENTERS**

Juan Baez-Arevalo

**GUESTS PRESENT**

Sheila Ahern

**Call to Order**

Molly Ballew called the meeting of the Board of Body Art Practitioners (Board) to order at 10:05 a.m.  
Roll was called.

**Introduction**

Lisa Chambliss, who was appointed to the health care practitioner position as a registered nurse.

**Approval of Agenda:**

Wendy Blenning made a motion with a second by Josh Bryant to approve the agenda. Motion passed unanimously.

**Approval of Minutes:**

Cameron Straub made a motion with a second by Wendy Blenning to approve the minutes for July 21, 2014. Motion passed unanimously.

**Approval of Chair and vice chair:**

Board members discussed the role of chairperson and vice chairperson and asked for nominations for 2015.

**MOTION:**

Seth Dietz made a motion with a second by Josh Bryant to elect Molly Ballew as chair person and Wendy Blenning as vice chairperson. Motion passed unanimously.

**2015 Meeting Dates:**

Board members considered proposed meeting dates for 2015 as follows:

April 27, 2015 at 10 a.m.

July 20, 2015 at 10 a.m.

November 9, 2015 at 10 a.m.

**MOTION:**

Seth Dietz made a motion with a second by Cameron Straub to approve 2015 meeting dates. Motion passed unanimously.

**Director Report**

Holly Mercer, Director, reported on the following:

- Update on transition to Oregon Health Authority (OHA) and the changes that come with being under a large umbrella agency.

**Licensing and Fiscal Statistical Reports:**

Sylvie Donaldson, fiscal services and licensing manager, presented an overview of statistics related to the Board. Statistics include licensing statistics, license volumes and active license trends.

The statement of cash flow for the period 07/01/2013 -06/30/2014 was reviewed with an actual ending cash balance of 268, 156.82. The ending cash balance for the period of 07/01/2013 – 06/30/2015 is projected to be 190,855.31.

Donaldson, reported the revenue decrease for the period of 07/01/2013 – 06.30/2014 was due to providing study materials and books to individuals taking the practical and written standard body piercing examination. Other fees were also waived including facility licensing fees.

Members, voiced concern regarding the standard body piercing training including total number of hours required to qualify for licensure and limited number of supervisors available to train.

Members, recommend reviewing standard body piercing training program including the possibility of separating theory and hands on instruction so that supervisors could teach theory to multiple trainees. Currently there is a one-to-one trainee to supervisor ratio.

Ben Berry arrived at 10:45 a.m.

**Policy Report:**

Samie Patnode, policy analyst, reported there had been ongoing discussion regarding jewelry standards for initial body piercing since the inception of the Board in 2012. Board members had requested that the OAR 331-900-0105 be amended to reflect the language accepted by the Association of Professional Piercers (APP) which would exclude many types of jewelry for initial piercings.

Members were provided revised informed consent document with additional information related to jewelry grade standards for initial piercings. The purpose of the addition would be to ensure the client is fully informed about the type of jewelry recommended for initial piercings. The informed consent document would also allow the client to decline the use of recommended jewelry for initial piercing. Members discussed concerns allowing consumers to choose between potentially harmful initial jewelry and jewelry which is recommended for initial piercings by the APP.

The Board recommended having certain jewelry for initial piercings evaluated and tested to ensure they meet APP jewelry standards for initial piercings and if the standards are not met consider eliminating certain types of jewelry based on the findings from the evaluation and testing.

Mercer, stated that she would reach out to Directors Office on check in with her supervisor pertaining to consumer's choice on jeweler.

**Health Licensing Office Permanent Rules – Military:**

Patnode reported that permanent administrative rules became effective on September 17, 2014, allowing for an expedited process for individuals who have military training or experience for an authorization to practice a profession listed under ORS 676.583 or ORS 676.800.

Patnode reported permanent administrative rules became effective on September 17 allowing for an expedited process to obtain an authorization to practice for military spouses or domestic partners as required by 2013 House Bill 2027.

**2015 practical examination dates/ schedule**

Dates for 2015 practical examinations were reported.

**Esthetics Outreach on scope of practice:**

The Health Licensing Office in collaboration with the Board of Cosmetology formed a Rules Advisory Committee made up of estheticians, physicians and nurses. The purpose of the committee was to provide expertise and feedback to HLO and the Board of Cosmetology regarding advanced skin care practices procedures, training, education and supervision.

**Guest Speaker - Juan Baez-Arevalo, higher education coordinating commission director of private post-secondary education:**

- Discussed the previous and more complex WITS model for instruction
- Upcoming workshops on how to design a curriculum
- New rules concerning the new program model and provided a contents form
- Information pertaining to opening a new school, and the eight step process.
- Discussion on qualifications for instructors.

Member, asked about having an example for a curriculum model. There is currently not one in place, but

maybe on can be designed in the future.

**Regulatory Report:**

Bob Bothwell, regulatory operations manager, reported on enforcement activity including:

**2011-2013 Biennium**

Between July 1, 2011 and June 30, 2013, 193 complaints were received. Of the 193 complaints 16 remain open. A summary of allegations received by type of complaint was provided as stated below.

Anonymous	Clients	Oth
45	37	1

**2013-2015 Biennium**

Between July 1, 2013 and September 30, 2014, 96 complaints were received. Of the 96 complaints 42 remain open. A summary of allegations received by type of complainant was provided as stated below.

Anonymous	Clients	Other
7	11	78

**Public Comment**

Sheila Ahern, stated her affiliation to the Board, and reported on the following:

- Proposed that the Board name be changed to “The Board of Electrologist and Body Art Practitioners.”
- Having state exams available online, and establishing a fee
- Question concerning outside of a scope for use of ablative lasers, suggested clarification on definition. Recommended that someone attend a meeting with the Oregon Association of Electrologist for further clarification on the scope.

Cerynthia Murphy, qualification analyst, provided the Board with an updated on current practical locations, and the potential of having the practical locations changed.

**Executive Session**

- The Board entered executive session pursuant to ORS 192-660(2) at 12:55 p.m. on November 3, 2015, for the purpose of considering information or records exempt from public inspection. Records to be considered related to legal advice.
- Executive session concluded and the Board reconvened regular session at 2:46 p.m. It was noted.

Mercer and Members of the Board outlined the following recommendations:

**In regards to investigation file 12-6781**

- A notice of 1,000 civil penalty to be issued, and a 5 year license revocation.

**MOTION:**

Ben Berry made a motion, with a second by Molly Ballew. Motion passed unanimously

In regards to investigation file 14-7444

- A notice to have licenses trainee licensed revoked.

**MOTION**

Josh Bryant made a motion, with a second by Wendy Blenning. Motion passed unanimously

In regards to investigation file 14-7445

- Suspension of license for nine months, and licenses status as an approved supervisor be revoked.

**MOTION:**

Seth Dietz made a motion with a second by Josh Bryant. Motion passes unanimously.

In regards to investigation file 14-7498

- A notice of \$3,000 civil penalty to be issued

**MOTION:**

Lisa Chambliss made a motion with a second by Seth Dietz. Motion passes unanimously.

In regards to investigation file 14-7555

- A notice of \$1,000 civil penalty to be issued

**MOTION:**

Wendy Blenning made a motion with a second by Seth Dietz. Motion passed unanimously

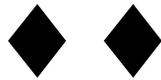
**Other Board Business**

Board members, would like to reassess the body piercing training requirements for possible reduction and review specialty piercings programs for the next board meeting.

The meeting adjourned at approximately 3:00 p.m.

Minutes prepared by: Maria Gutierrez, board specialist

# Executive Session



ORS 192.660(2)(f) for the purpose of considering  
information or records exempt from public inspection.

# **Director Report**

# **Licensing and Fiscal Statistical Reports**

# Board of Body Art Practitioners

Licensing Division Statistics as of April 13, 2015

2013 - 2015 Biennium

## Licenses Issued

Quarter	Body Art Facilities	Electrologists	Tattoo Artists	Body Piercing Technicians	Earlobe Piercing Technicians	Temporary Body Piercing & Earlobe Technicians	Specialty 1 & 2 Certifications	Total Licenses
1st	62	17	150	11	8	38	12	298
2nd	45	4	57	7	-	29	2	144
3rd	65	1	39	4	28	6	5	148
4th	28	2	36	2	38	3	-	109
5th	21	1	43	1	41	3	-	110
6th	29	3	30	-	34	2	-	98
7th	50	-	31	1	30	4	-	116
8th	3	-	4	-	6	-	-	13
<b>Total:</b>	303	28	390	26	185	85	19	1,036

## Renewals Processed

Quarter	Body Art Facilities	Electrologists	Tattoo Artists	Body Piercing Technician	Earlobe Piercing Technicians	Temporary Body Piercing & Earlobe Technicians	Specialty 1 & 2 Certifications	Total Renewals	% Renewed Online
1st	39	12	171	9	-	10	5	246	58.9%
2nd	30	23	138	20	-	4	4	219	54.8%
3rd	80	13	204	17	-	1	7	322	59.0%
4th	59	10	241	18	5	-	1	334	57.8%
5th	93	22	250	11	6	-	14	396	58.1%
6th	57	25	165	18	2	1	2	270	62.2%
7th	96	15	226	13	11	2	10	373	62.2%
8th	12	-	29	5	6	-	1	53	39.6%
<b>Total:</b>	466	120	1,424	111	30	18	44	2,213	56.6%

# Board of Body Art Practitioners

Licensing Division, Examination Statistics as of April 13, 2015  
2013 - 2015 Biennium

## Examination Report

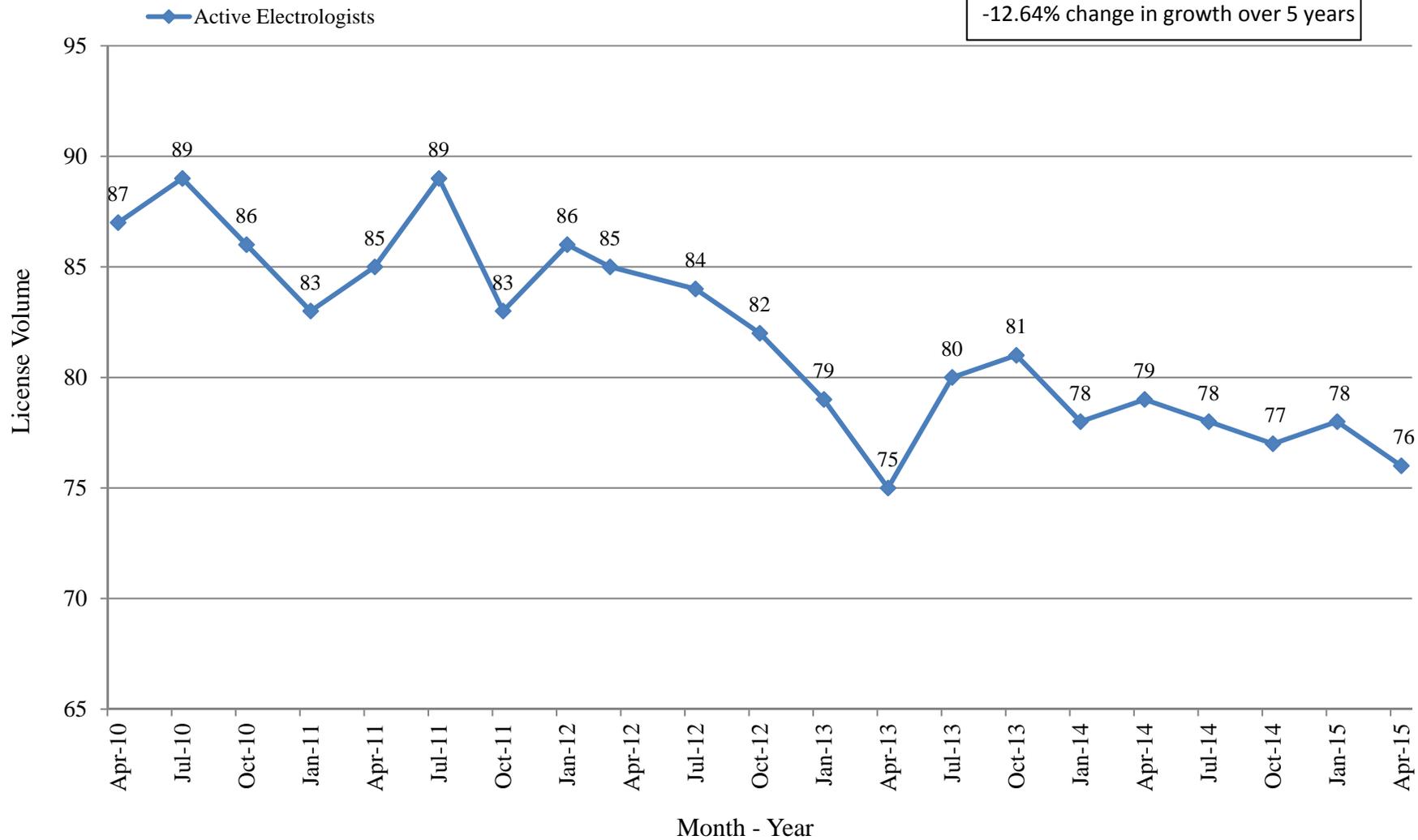
Quarter	Electrologist Written			Quarter	Electrologist Practical		
	Passed	Failed	% Passed		Passed	Failed	% Passed
1st	-	-	0%	1st	-	-	0%
2nd	1	-	100%	2nd	-	-	0%
3rd	-	-	0%	3rd	-	-	0%
4th	1	-	100%	4th	1	1	50%
5th	-	-	0%	5th	-	-	0%
6th	2	1	67%	6th	-	-	0%
7th	-	-	0%	7th	-	-	0%
8th	-	-	0%	8th	-	-	0%
<b>Total</b>	<b>4</b>	<b>1</b>	<b>80%</b>	<b>Total</b>	<b>1</b>	<b>1</b>	<b>50%</b>
Quarter	Tattoo Skills Assessment			Quarter	Tattoo Written		
	Passed	Failed	% Passed		Passed	Failed	% Passed
1st	23	6	79%	1st	25	3	89%
2nd	23	3	88%	2nd	23	2	92%
3rd	25	4	86%	3rd	29	2	94%
4th	34	1	97%	4th	33	2	94%
5th	32	5	86%	5th	32	1	97%
6th	26	2	93%	6th	29	-	100%
7th	26	2	93%	7th	27	3	90%
8th	4	1	80%	8th	4	-	100%
<b>Total</b>	<b>193</b>	<b>24</b>	<b>89%</b>	<b>Total</b>	<b>202</b>	<b>13</b>	<b>94%</b>
Quarter	Body Piercing Written			Quarter	Body Piercing Practical		
	Passed	Failed	% Passed		Passed	Failed	% Passed
1st	10	4	71%	1st	9	2	82%
2nd	9	2	82%	2nd	7	2	78%
3rd	2	2	50%	3rd	3	-	100%
4th	-	1	0%	4th	1	-	100%
5th	2	2	50%	5th	1	-	100%
6th	2	1	67%	6th	-	3	0%
7th	2	3	40%	7th	4	-	100%
8th	-	1	0%	8th	-	-	0%
<b>Total</b>	<b>27</b>	<b>16</b>	<b>63%</b>	<b>Total</b>	<b>25</b>	<b>7</b>	<b>78%</b>

# Board of Body Art Practitioners

5 Year Active Electrologist License Trend

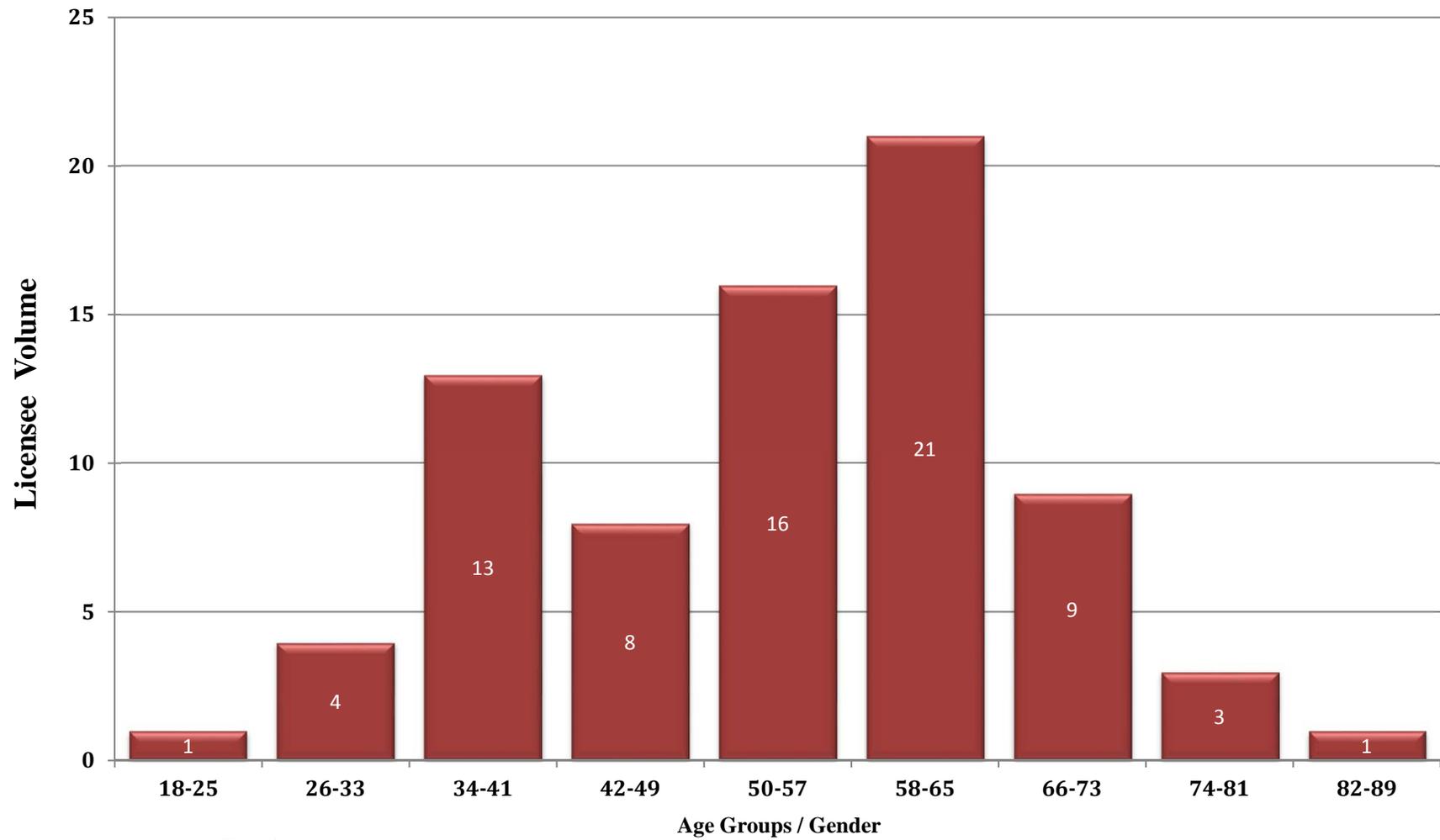
April 2010 - April 2015

-3.80% change in growth over 1 year  
-12.64% change in growth over 5 years



# Board of Body Art Practitioners

Active Electrologist Licensee Volume  
Grouped by age and gender as of April 13, 2015  
2013-2015



Female  
76

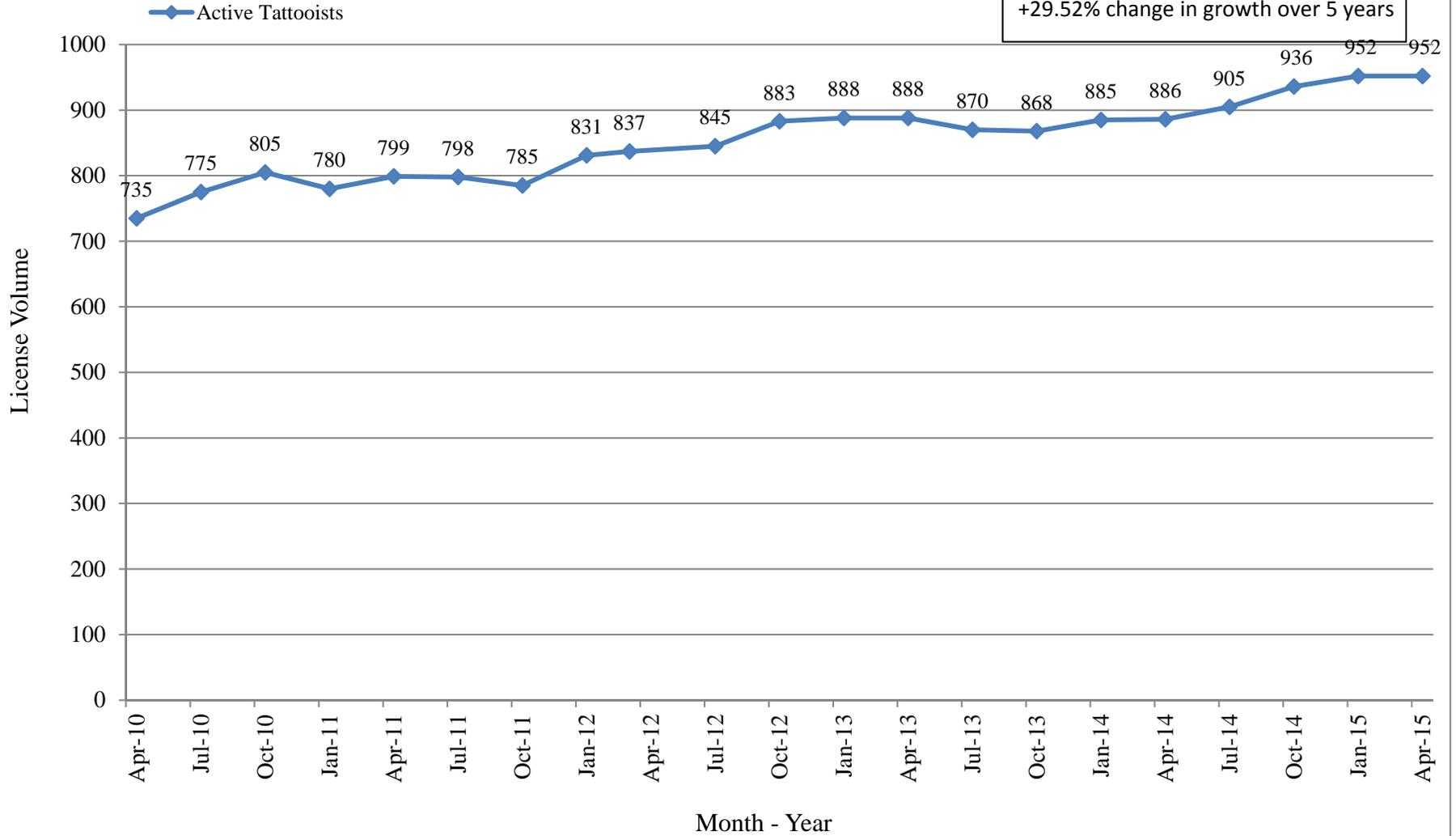
Total Volume: 76

# Board of Body Art Practitioners

5 Year Active Tattooist License Trend

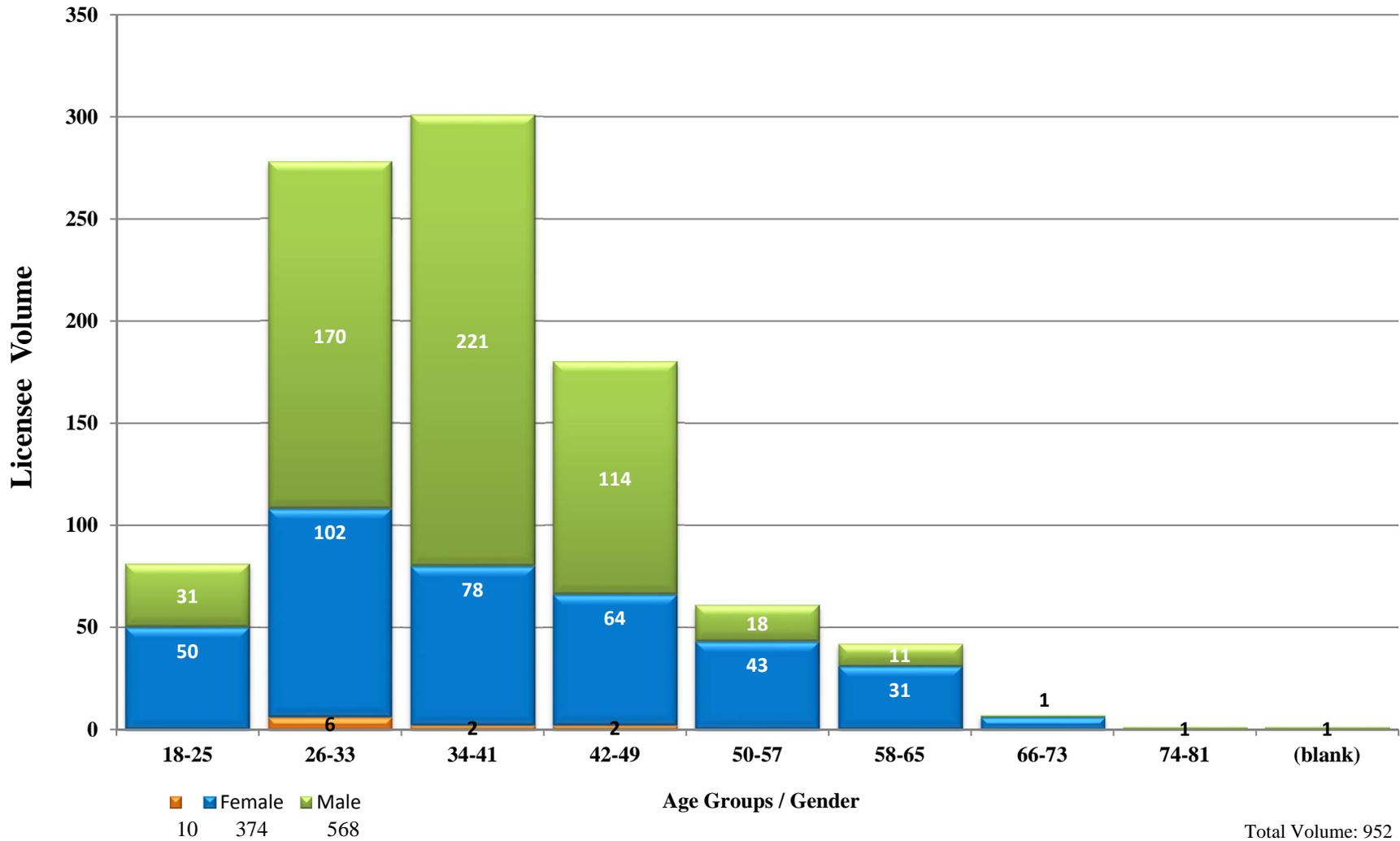
April 2010 - April 2015

+7.45% change in growth over 1 year  
+29.52% change in growth over 5 years



# Board of Body Art Practitioners

Active Tattooist Licensee Volume  
Grouped by age and gender as of April 13, 2015  
2013-2015

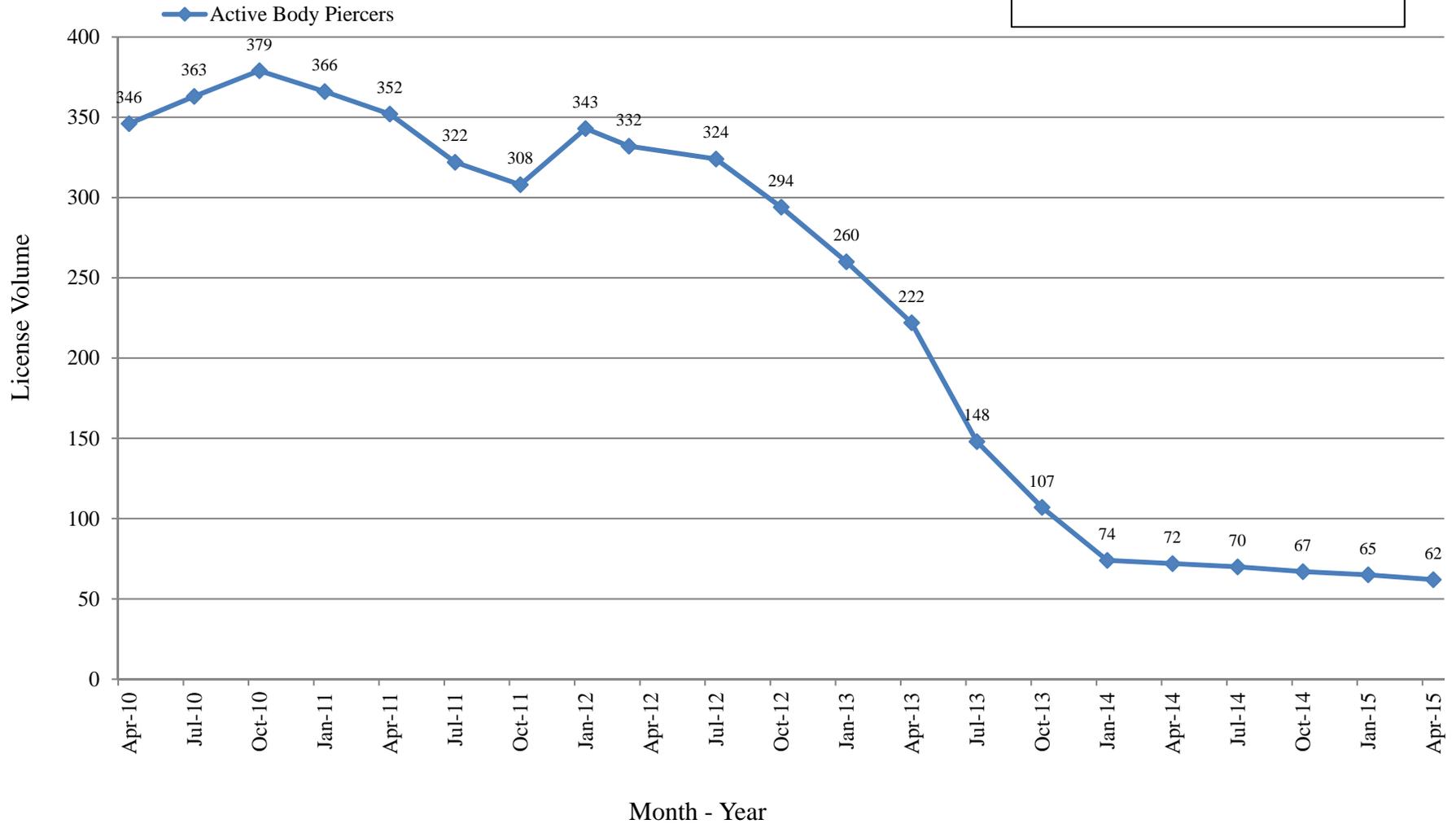


# Board of Body Art Practitioners

5 Year Active Body Piercer License Trend

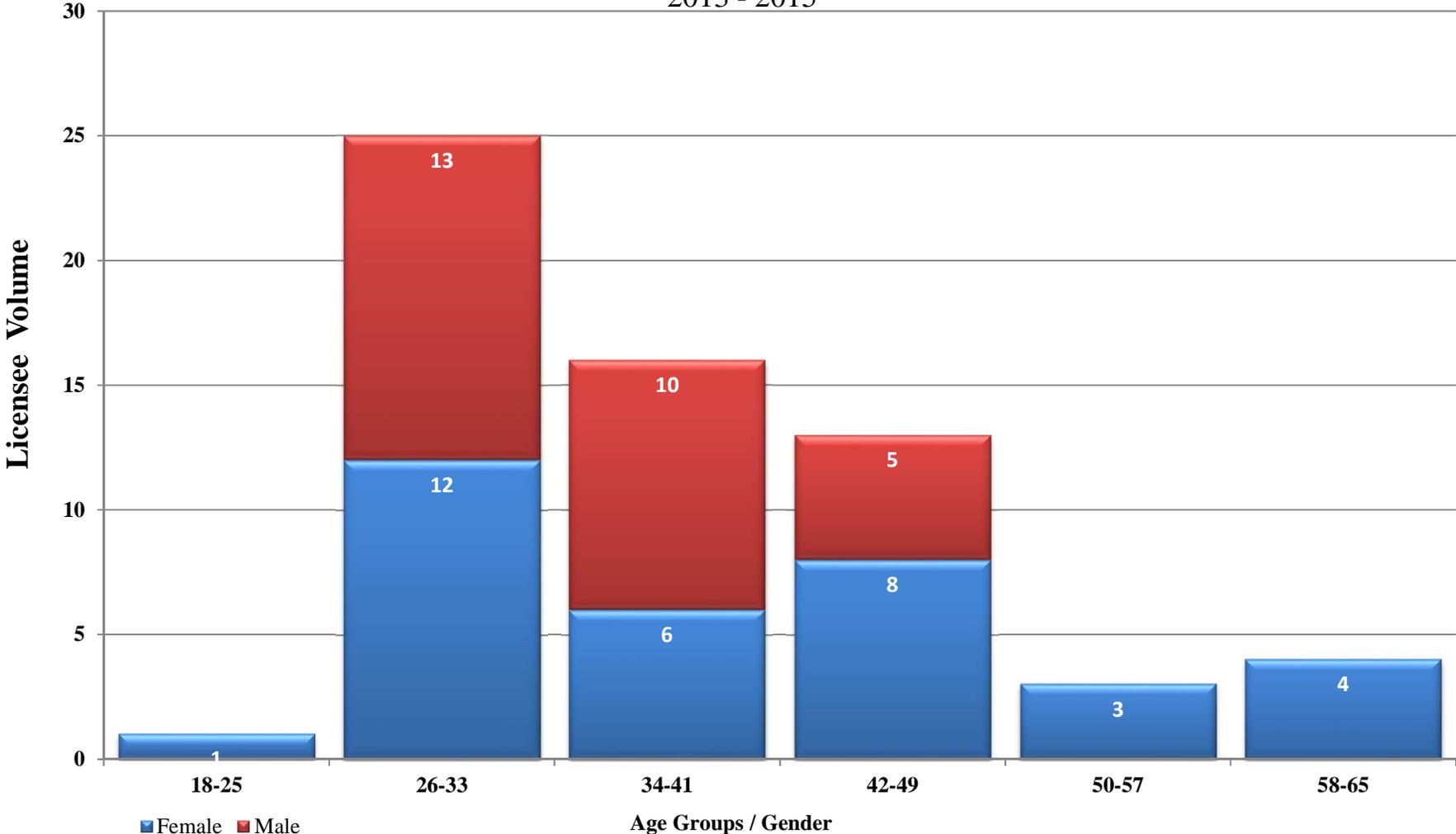
April 2010 - April 2015

-13.89% change in growth over 1 year  
-82.08% change in growth over 5 years



# Board of Body Art Practitioners

Active Body Piercing Licensee Volume  
Grouped by age and gender as of April 13, 2015  
2013 - 2015



Female Male

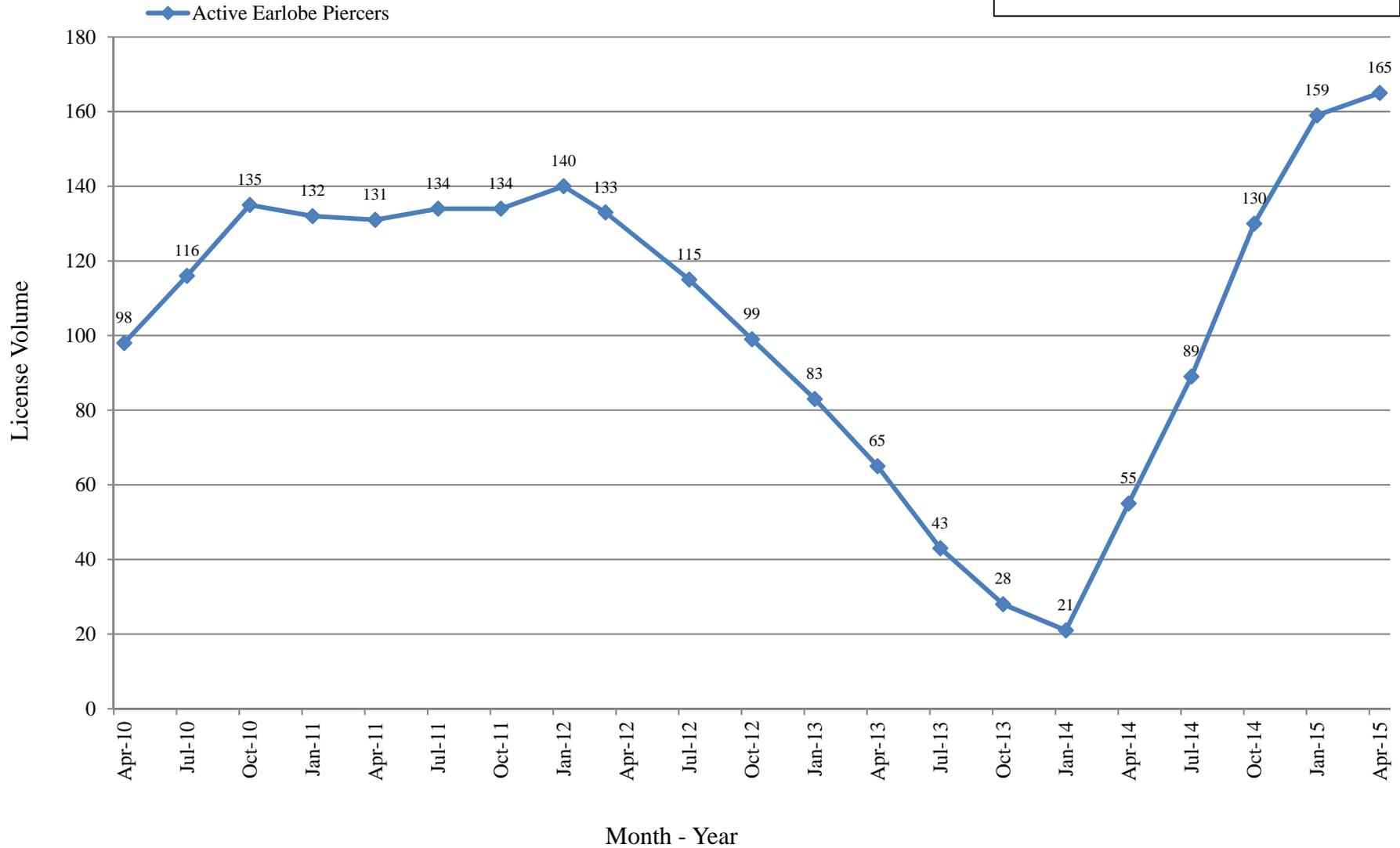
34 28

Total Volume: 62

# Board of Body Art Practitioners

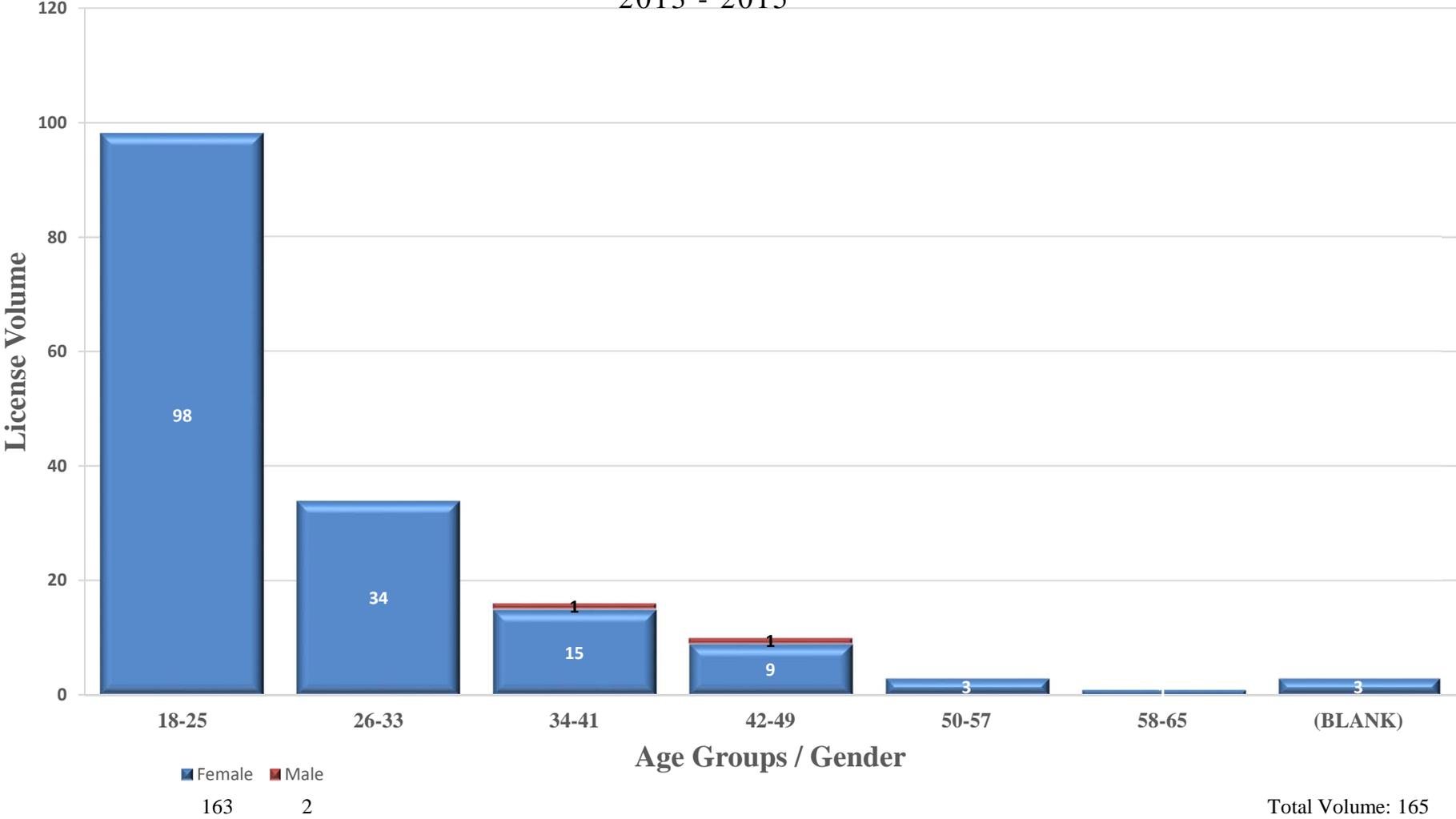
5 Year Active Earlobe Piercer License Trend  
April 2010 - April 2015

+200.00% change in growth over 1 year  
+68.37% change in growth over 5 years



# Board of Body Art Practitioners

Active Earlobe Piercing Licensee Volume  
Grouped by age and gender as of April 13, 2015  
2013 - 2015



HEALTH LICENSING OFFICE Fund 7850 - BODY ART PRACTITIONERS BOARD STATEMENT OF CASH FLOW FOR THE PERIOD 07/01/13 - 04/13/15	
CURRENT	
<b>13-15' Beginning Cash Balance</b>	\$ 313,918.31
Revenues	\$ 419,941.62
Expenditures	\$ 430,294.58
Less: Accrued Expenditures	\$ -
Less: Total Expenditures	\$ (430,294.58)
Subtotal: Resources Available	\$ 303,565.35
Change in (Current Assets)/Liabilities	\$ -
<b>Ending Cash Balance (Actual)</b>	<b>\$ 303,565.35</b>
Indirect Charges are calculated using the following rates:	
*Based on Licensee Volume as of May 20, 2013	
Shared Assessment %	2.60%
Examination %	2.60%
Small Board Qualification %	30.90%
Inspection %	7.93%

HEALTH LICENSING OFFICE Fund 7850 - BODY ART PRACTITIONERS BOARD STATEMENT OF CASH FLOW FOR THE PERIOD 07/01/13- 06/30/15	
PROJECTED	
<b>13-15' Beginning Cash Balance</b>	\$ 313,918.31
Revenues	\$ 473,664.00
Expenditures	\$ 490,063.99
Less: Accrued Expenditures	\$ -
Less: Total Expenditures	\$ (490,063.99)
Subtotal: Resources Available	\$ 297,518.32
Change in (Current Assets)/Liabilities	\$ -
<b>Ending Cash Balance (Projection)</b>	<b>\$ 297,518.32</b>
Indirect Charges are calculated using the following rates:	
*Based on Licensee Volume as of May 20, 2013	
Shared Assessment %	2.60%
Examination %	2.60%
Small Board Qualification %	30.90%
Inspection %	7.93%

# **Policy Report**

# **2015 Legislation**

# **HB 2296**

## **Board of Body Art Practitioners Name Change**

# House Bill 2296

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Health Care)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Changes name of Board of Body Art Practitioners to Board of Electrologists and Body Art Practitioners.

## A BILL FOR AN ACT

1  
2 Relating to the names of state boards; creating new provisions; and amending ORS 676.583, 690.401  
3 and 690.410.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 690.401 is amended to read:

6 690.401. (1) There is established within the Health Licensing Office the Board of **Electrologists**  
7 **and** Body Art Practitioners, to advise the office with regard to the regulation of fields of practice.  
8 The board consists of seven members appointed by the Governor.

9 (2) Members of the board must be residents of this state. Of the members of the board:

10 (a) Two members must be licensed under ORS 690.365 to perform body piercing, dermal im-  
11 planting or scarification;

12 (b) One member must be licensed under ORS 690.365 to practice electrolysis;

13 (c) Two members must be licensed under ORS 690.365 to perform tattooing;

14 (d) One member must be licensed under ORS chapter 677, 678 or 685; and

15 (e) One member must be a member of the public who does not possess the professional quali-  
16 fications of the other members.

17 (3) The term of office of each member of the board is four years, but a member serves at the  
18 pleasure of the Governor. The Governor shall fill vacancies by appointment for the unexpired term.  
19 A member shall hold the member's office until the appointment and qualification of a successor. A  
20 member is eligible for reappointment. If a person serves two consecutive full terms, a period of at  
21 least four years must elapse before the person is eligible for appointment to serve on the board.

22 (4) The board shall meet at least once per year.

23 (5) Members of the board are entitled to compensation and reimbursement of expenses as pro-  
24 vided in ORS 292.495.

25 **SECTION 2.** ORS 690.410 is amended to read:

26 690.410. (1) The Health Licensing Office, in accordance with ORS chapter 183 and in consulta-  
27 tion with the Board of **Electrologists and** Body Art Practitioners, shall adopt by rule minimum  
28 standards of education and training requirements for each field of practice.

29 (2) The office shall approve courses in each field of practice. To obtain approval of a course, the  
30 provider of a course must submit an outline of instruction to the office and the Department of Ed-  
31 ucation. The outline must include the approved courses, total hours of instruction, hours of lectures

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 in theory and the hours of instruction in application of practical skills.

2 (3) Schools teaching a field of practice must comply with the safety and infection control rules  
3 adopted by the office and are subject to inspection at the discretion of the office.

4 **SECTION 3.** ORS 676.583 is amended to read:

5 676.583. Pursuant to ORS 676.586, the Health Licensing Office shall provide administrative and  
6 regulatory oversight and centralized service for the following boards and councils:

7 (1) Board of Athletic Trainers, as provided in ORS 688.701 to 688.734;

8 (2) Board of Cosmetology, as provided in ORS 690.005 to 690.225;

9 (3) State Board of Denture Technology, as provided in ORS 680.500 to 680.565;

10 (4) State Board of Direct Entry Midwifery, as provided in ORS 687.405 to 687.495;

11 (5) Respiratory Therapist and Polysomnographic Technologist Licensing Board, as provided in  
12 ORS 688.800 to 688.840;

13 (6) Environmental Health Registration Board, as provided in ORS chapter 700;

14 (7) Board of **Electrologists and** Body Art Practitioners, as provided in ORS 690.350 to 690.410;

15 (8) Advisory Council on Hearing Aids, as provided in ORS 694.015 to 694.170;

16 (9) Sex Offender Treatment Board, as provided in ORS 675.360 to 675.410;

17 (10) Nursing Home Administrators Board, as provided in ORS 678.710 to 678.820; and

18 (11) Board of Licensed Dietitians, as provided in ORS 691.405 to 691.485.

19 **SECTION 4. (1) The amendments to ORS 676.583, 690.401 and 690.410 by sections 1 to 3**  
20 **of this 2015 Act are intended to change the name of the “Board of Body Art Practitioners”**  
21 **to the “Board of Electrologists and Body Art Practitioners.”**

22 **(2) For the purpose of harmonizing and clarifying statutory law, the Legislative Counsel**  
23 **may substitute for words designating the “Board of Body Art Practitioners,” wherever they**  
24 **occur in statutory law, other words designating the “Board of Electrologists and Body Art**  
25 **Practitioners.”**

# **HB 2796 A Engrossed**

**Board of Certified Advanced  
Estheticians**

**A-Engrossed**  
**House Bill 2642**

Ordered by the House April 2  
Including House Amendments dated April 2

Sponsored by Representatives HOYLE, DOHERTY, HUFFMAN (Presession filed.)

**SUMMARY**

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Establishes Board of Certified [*Laser*] **Advanced** Estheticians within Health Licensing Office. Defines "advanced nonablative esthetics procedure." Requires esthetician to be certified with board to practice advanced nonablative esthetics procedures.

Becomes operative [*January*] **July 1, 2016**.

Declares emergency, effective on passage.

**A BILL FOR AN ACT**

1  
2 Relating to nonablative procedures; creating new provisions; amending ORS 676.583 and 676.992; and  
3 declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. As used in sections 1 to 7 of this 2015 Act:**

6 (1) "Advanced nonablative esthetics procedure" means a procedure that uses a laser or  
7 other device registered with the United States Food and Drug Administration for nonablative  
8 procedures performed on the skin or hair, including, but not limited to, procedures per-  
9 formed in conjunction with one of the following modalities:

- 10 (a) Skin rejuvenation;  
11 (b) Photo rejuvenation;  
12 (c) Body contouring;  
13 (d) Dyschromia reduction;  
14 (e) Cellulite reduction;  
15 (f) Hair removal or reduction; and  
16 (g) Nonablative tattoo removal.

17 (2) "Certified advanced esthetician" means a person certified to practice advanced  
18 nonablative esthetics procedures under sections 1 to 7 of this 2015 Act.

19 (3) "Esthetician" means a person certified to practice esthetics under ORS 690.005 to  
20 690.225.

21 (4) "Nonablative" means involving an action performed on the skin or hair of a person  
22 that does not result in the wounding of skin or underlying tissue.

23 **SECTION 2. (1) A person may not practice advanced nonablative esthetics procedures or**  
24 **use a title, word or abbreviation, including the designation certified advanced esthetician,**  
25 **that indicates that the person is authorized to practice advanced nonablative esthetics pro-**  
26 **cedures unless the person is certified by the Board of Certified Advanced Estheticians under**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 section 3 of this 2015 Act.

2 (2) Notwithstanding ORS 677.080, a certified advanced esthetician may practice advanced  
3 nonablative esthetics procedures.

4 (3) This section does not apply to:

5 (a) A person who is a licensed health care professional if the person's scope of practice  
6 includes the practice of advanced nonablative esthetics procedures; or

7 (b) A student enrolled in an advanced nonablative esthetics education program or train-  
8 ing program or in an advanced nonablative esthetics program that combines education and  
9 training.

10 **SECTION 3.** (1) Except as provided in subsection (3) of this section, the Health Licensing  
11 Office shall issue a certificate to practice advanced nonablative esthetics procedures to an  
12 applicant who:

13 (a) Is at least 18 years of age;

14 (b) Is an esthetician in good standing with the Board of Cosmetology;

15 (c) Successfully completes:

16 (A) Subject to subsection (2) of this section, an advanced nonablative esthetics education  
17 program or training program, or an advanced nonablative esthetics program that combines  
18 education and training, that is approved by the Board of Certified Advanced Estheticians; or

19 (B) A nationally recognized program that is approved by the Board of Certified Advanced  
20 Estheticians and through which individuals are certified to use lasers or other devices for  
21 purposes related to practicing advanced nonablative esthetics procedures;

22 (d) Passes an examination adopted by the Board of Certified Advanced Estheticians by  
23 rule; and

24 (e) Pays the applicable fees established under ORS 676.592.

25 (2) An education program described in subsection (1)(c)(A) of this section must be:

26 (a) If the program is located in this state, licensed through the Higher Education Coor-  
27 dinating Commission; or

28 (b) If the program is not located in this state, substantially equivalent to a program li-  
29 censed through the Higher Education Coordinating Commission.

30 (3) The office shall issue a certificate to practice advanced nonablative esthetics proce-  
31 dures to an applicant who:

32 (a) Is an esthetician in good standing with the Board of Cosmetology;

33 (b) Is authorized and in good standing to practice advanced nonablative esthetics proce-  
34 dures in a state where the requirements to practice nonablative esthetics procedures are  
35 substantially similar to the requirements to practice advanced nonablative esthetics proce-  
36 dures in this state; and

37 (c) Pays the applicable fee established under ORS 676.592.

38 (4) The office shall issue a temporary certificate to perform advanced nonablative es-  
39 thetics procedures to an applicant who:

40 (a) Is an esthetician in good standing with the Board of Cosmetology;

41 (b) Meets any qualifications prescribed by the office by rule; and

42 (c) Pays the applicable fee established under ORS 676.592.

43 **SECTION 4.** (1) A certificate issued under section 3 (1) or (3) of this 2015 Act must be  
44 renewed annually. To renew a certificate under this section, a certified advanced esthetician  
45 must submit to the Health Licensing Office:

1 (a) A renewal application;

2 (b) Proof that the certified advanced esthetician has completed any continuing education  
3 requirements established by the Board of Certified Advanced Estheticians by rule; and

4 (c) The applicable renewal fee established under ORS 676.592.

5 (2) A temporary certificate issued under section 3 (4) of this 2015 Act expires as pre-  
6 scribed by the office by rule.

7 **SECTION 5.** (1) There is established the Board of Certified Advanced Estheticians within  
8 the Health Licensing Office, consisting of:

9 (a) Nine members appointed by the Governor; and

10 (b) The section manager of the Radiation Protection Services Section of the Oregon  
11 Health Authority, or the section manager's designee.

12 (2) Of the nine members appointed by the Governor:

13 (a) Five must be certified advanced estheticians;

14 (b) Two must be physicians or physician assistants licensed under ORS chapter 677 or  
15 nurse practitioners licensed under ORS 678.375 to 678.390; and

16 (c) Two must be public members who are residents of this state.

17 (3) The board member described in subsection (1)(b) of this section is a nonvoting ex  
18 officio member of the board.

19 (4) The term of office of each appointed member is four years, but a member serves at  
20 the pleasure of the Governor. Before the expiration of the term of a member, the Governor  
21 shall appoint a successor whose term begins on January 1 next following. A member is eli-  
22 gible for reappointment. If there is a vacancy for any cause, the Governor shall make an  
23 appointment to become immediately effective for the unexpired term.

24 (5) The voting members of the board shall select one of the voting members as chair-  
25 person and another voting member as vice chairperson. The board shall establish the terms  
26 of service for the chairperson and the vice chairperson and the duties and powers of the  
27 chairperson and the vice chairperson.

28 (6) A majority of the voting members of the board constitutes a quorum for the trans-  
29 action of business.

30 (7) Official action by the board requires the approval of a majority of the voting members  
31 of the board.

32 (8) The board shall meet at a place, day and hour determined by the board. The board  
33 also may meet at other times and places specified by the call of the chairperson or of a  
34 majority of the voting members of the board.

35 **SECTION 6.** (1) In addition to the powers granted to the Board of Certified Advanced  
36 Estheticians by sections 1 to 7 of this 2015 Act, the board shall have the power to:

37 (a) Adopt rules and take actions necessary to carry out the duties of the board under  
38 sections 1 to 7 of this 2015 Act.

39 (b) Adopt rules establishing sanitation and safety requirements for advanced nonablative  
40 esthetics procedures.

41 (c) Adopt rules establishing a professional code of conduct for certified advanced  
42 estheticians.

43 (d) Adopt any other rule necessary to regulate certified advanced estheticians.

44 (e) Provide advice to the Health Licensing Office on issues related to advanced  
45 nonablative esthetics procedures.

1 (f) Compile information related to advanced nonablative esthetics procedures and direct  
2 the office to disseminate the information to certified advanced estheticians.

3 (2) In adopting rules under subsection (1)(b) of this section, the board shall adopt rules:

4 (a) Requiring a certified advanced esthetician to conduct all advanced nonablative es-  
5 thetics procedures in a facility for which a license has been issued under ORS 690.055;

6 (b) Requiring a certified advanced esthetician to maintain client disclosure forms that  
7 include, at a minimum, disclosure of the existence of professional liability insurance; and

8 (c) Requiring a certified advanced esthetician to enter into an agreement with a health  
9 care professional who has the authority to prescribe drugs listed in Schedule III, IV or V to  
10 whom the certified advanced esthetician may refer a client of the certified advanced  
11 esthetician.

12 **SECTION 7.** In the manner provided by ORS chapter 183 for contested cases, and after  
13 consultation with the Board of Certified Advanced Estheticians, the Health Licensing Office  
14 may impose a form of discipline described in ORS 676.612 against any person certified under  
15 section 3 of this 2015 Act for a violation of the provisions of sections 1 to 7 of this 2015 Act  
16 or of a rule adopted under sections 1 to 7 of this 2015 Act, or for commission of a prohibited  
17 act listed in ORS 676.612.

18 **SECTION 8.** Notwithstanding the requirements listed in section 3 (1)(c) of this 2015 Act,  
19 the Health Licensing Office shall, until January 1, 2018, issue a certificate to practice ad-  
20 vanced nonablative esthetics procedures to an applicant who, in lieu of those requirements:

21 (1) Provides proof to the office of having been employed for not less than 500 hours as a  
22 laser operator under the supervision of a health care professional whose scope of practice  
23 includes the practice of advanced nonablative esthetics procedures; or

24 (2) Provides proof to the office of having completed 40 hours of education related to laser  
25 theory and fundamentals and of having completed 24 hours of practical experience perform-  
26 ing each modality listed in section 1 (1) of this 2015 Act.

27 **SECTION 9.** (1) Notwithstanding the term of office specified by section 5 of this 2015 Act,  
28 of the members first appointed to the Board of Certified Advanced Estheticians:

29 (a) Two shall serve for terms ending December 31, 2016.

30 (b) Two shall serve for terms ending December 31, 2017.

31 (c) Two shall serve for terms ending December 31, 2018.

32 (d) Three shall serve for terms ending December 31, 2019.

33 (2) Notwithstanding the requirements for board membership specified by section 5 (2)(a)  
34 of this 2015 Act, the members first appointed to the board under section 5 (2)(a) of this 2015  
35 Act may be estheticians who have at least three years' experience practicing advanced  
36 nonablative esthetics procedures.

37 **SECTION 10.** ORS 676.583 is amended to read:

38 676.583. Pursuant to ORS 676.586, the Health Licensing Office shall provide administrative and  
39 regulatory oversight and centralized service for the following boards and councils:

40 (1) Board of Athletic Trainers, as provided in ORS 688.701 to 688.734;

41 (2) Board of Cosmetology, as provided in ORS 690.005 to 690.225;

42 (3) State Board of Denture Technology, as provided in ORS 680.500 to 680.565;

43 (4) State Board of Direct Entry Midwifery, as provided in ORS 687.405 to 687.495;

44 (5) Respiratory Therapist and Polysomnographic Technologist Licensing Board, as provided in  
45 ORS 688.800 to 688.840;

- 1 (6) Environmental Health Registration Board, as provided in ORS chapter 700;
- 2 (7) Board of Body Art Practitioners, as provided in ORS 690.350 to 690.410;
- 3 (8) Advisory Council on Hearing Aids, as provided in ORS 694.015 to 694.170;
- 4 (9) Sex Offender Treatment Board, as provided in ORS 675.360 to 675.410;
- 5 (10) Nursing Home Administrators Board, as provided in ORS 678.710 to 678.820; *[and]*
- 6 (11) Board of Licensed Dietitians, as provided in ORS 691.405 to 691.485[.]; **and**
- 7 **(12) Board of Certified Advanced Estheticians, as provided in sections 1 to 7 of this 2015**
- 8 **Act.**

9 **SECTION 11.** ORS 676.992 is amended to read:

10 676.992. (1) Except as provided in subsection (3) of this section, and in addition to any other  
11 penalty or remedy provided by law, the Health Licensing Office may impose a civil penalty not to  
12 exceed \$5,000 for each violation of the following statutes and any rule adopted *[thereunder]* **under**  
13 **the following statutes:**

- 14 (a) ORS 688.701 to 688.734 (athletic training);
- 15 (b) ORS 690.005 to 690.225 (cosmetology);
- 16 (c) ORS 680.500 to 680.565 (denture technology);
- 17 (d) Subject to ORS 676.616 and 687.445, ORS 687.405 to 687.495 (direct entry midwifery);
- 18 (e) ORS 690.350 to 690.410 (tattooing, electrolysis, body piercing, earlobe piercing, dermal im-  
19 planting and scarification);
- 20 (f) ORS 694.015 to 694.170 (dealing in hearing aids);
- 21 (g) ORS 688.800 to 688.840 (respiratory therapy and polysomnography);
- 22 (h) ORS chapter 700 (environmental sanitation);
- 23 (i) ORS 675.360 to 675.410 (sex offender treatment);
- 24 (j) ORS 678.710 to 678.820 (nursing home administrators);
- 25 (k) ORS 691.405 to 691.485 (dietitians);
- 26 (L) ORS 676.612 (prohibited acts); *[and]*
- 27 (m) ORS 676.800 (applied behavior analysis)[.]; **and**
- 28 **(n) Sections 1 to 7 of this 2015 Act (advanced nonablative esthetics procedure).**

29 (2) The office may take any other disciplinary action that it finds proper, including but not  
30 limited to assessment of costs of disciplinary proceedings, not to exceed \$5,000, for violation of any  
31 statute listed in subsection (1) of this section or any rule adopted under any statute listed in sub-  
32 section (1) of this section.

33 (3) Subsection (1) of this section does not limit the amount of the civil penalty resulting from a  
34 violation of ORS 694.042.

35 (4) In imposing a civil penalty *[pursuant to]* **under** this section, the office shall consider the  
36 following factors:

- 37 (a) The immediacy and extent to which the violation threatens the public health or safety;
- 38 (b) Any prior violations of statutes, rules or orders;
- 39 (c) The history of the person incurring a penalty in taking all feasible steps to correct any vio-  
40 lation; and
- 41 (d) Any other aggravating or mitigating factors.
- 42 (5) Civil penalties under this section shall be imposed as provided in ORS 183.745.

43 (6) The moneys received by the office from civil penalties under this section shall be deposited  
44 in the Health Licensing Office Account and are continuously appropriated to the office for the ad-  
45 ministration and enforcement of the laws the office is charged with administering and enforcing that

1 govern the person against whom the penalty was imposed.

2 **SECTION 12.** (1) Sections 1 to 9 of this 2015 Act and the amendments to ORS 676.583 and  
3 **676.992 by sections 10 and 11 of this 2015 Act become operative on July 1, 2016.**

4 (2) The Health Licensing Office may take any action before the operative date specified  
5 in subsection (1) of this section that is necessary to enable the office to exercise, on or after  
6 the operative date specified in subsection (1) of this section, all the duties, functions and  
7 powers conferred on the office by sections 1 to 9 of this 2015 Act and the amendments to  
8 ORS 676.583 and 676.992 by sections 10 and 11 of this 2015 Act.

9 **SECTION 13.** This 2015 Act being necessary for the immediate preservation of the public  
10 peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect  
11 on its passage.

12

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# **Body Piercing Training Program**

## DEFINITIONS

**“Standard body piercing”** includes all body piercings including cheek piercings and single point piercings defined under Subsection (15) of this rule. A standard body piercer may not perform specialty level one genital piercings and specialty level two genital piercings defined under 331-905-0000. Standard body piercing services do not include testes, deep shaft (corpus cavernosa), uvula, eyelids, or sub-clavicle piercings.

**“Specialty level one genital piercing”** includes the following:

Male genital piercings including the scrotum, frenum, foreskin, or the perineum behind the scrotum, and the piercing of the penis through the urethra, perineum behind the scrotum (Guiche) and exiting on the underside of the penis (called a “Prince Albert”); and

Female genital piercing including the labia majora, labia minors, piercings of the clitoral hood, and perineum between the vagina and the anus (fourchette).

**“Specialty level two genital piercing”** includes the following:

Male genital piercings including: a vertical piercing through the glans of the penis (called an “apadravya”), horizontal piercing through the glans of the penis (called an “ampallang”), a piercing through the corona or ridge of the glans of the penis (called a “dydoe”), a piercing of the penis entering through the urethra and exiting on the upper side of the penis (called a “reverse Prince Albert”); and

Female genital piercings including the clitoris, a piercing in which jewelry is inserted below the hood behind the clitoris (called a “triangle”), and a piercing of the vagina through the urethra and exiting on the upper side of the vagina (called a “Princess Albertina”).

## LICENSING STATISTICS

April 2010 = 346 registered body piercers  
April 2015 = 62 licensed body piercers  
April 2015 = 16 specialty level 1 body piercer  
April 2015 = 13 specialty level 2 body piercer

## REGULATORY STATISTICS

March 2015 = 3 open specialty level 1 and 2 complaints



# Oregon

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## Standard Body Piercing Training - Program Information

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The State of Oregon, Board of Body Art Practitioners (BAP) requires that all Licensed Standard Body Piercers complete 1150 hours of training in a comprehensive Standard Body Piercing Training (SBPT) Program; the SBPT program includes 250 hours of training in theory and 900 hours of practical experience with a minimum of 400 specific body piercing procedures required.

The 400 practical procedures required must include:

- 100 practical procedures in which the trainee observes the supervisor;
- 100 practical procedures in which the trainee assists the supervisor; and
- 200 practical procedures performed by the trainee under direct supervision, but without assistance.

The SBPT must be completed under the direct supervision of an approved supervisor. Prior approval must be obtained from the Oregon Health Licensing Agency (agency) for individuals to act as a supervisor according to Oregon Administrative Rule 331-900-0050; Oregon Administrative Rule 331-900-0000; "Direct supervision" means the supervisor is physically present with, and engaged in, active training of a Temporary Body Piercing License holder.

The SBPT program has been derived from several sources including The Association of Professional Piercers, Procedures Manual 2005; Barron's E-Z Anatomy and Physiology, 2010; Atlas of Human Anatomy 4<sup>th</sup> Edition, Frank H. Netter, MD; The Occupational Safety and Health Administration (OSHA), Blood Borne Pathogens; and the Centers for Disease Control and Prevention (CDC), Body Art.

The SBPT program contains specified training categories for each training segment; theory, practical and procedures. The amount of training within each category is **required**, in addition to completion of the theory portion being completed **prior** to commencing the specified practical experience and procedure training; however, the sequence of training within the theory segment will be determined by the supervisor. It is the responsibility of the trainee and supervisor to ensure all training requirements have been completed

All training forms must be completed, by the supervisor, during the SBPT. The Certification of Training Form\* must be submitted, to the agency, by the supervisor upon completion of the SBPT. In addition, all forms must be maintained by the supervisor for a period of two years after the trainee has completed the SBPT. The training forms must be kept on file by the supervisor and made available for inspection by the agency upon request.

The SBPT must be completed within no less than (9) nine months according to OAR 331-900-0005(15).

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# Standard Body Piercing Training Program Information, continued

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## Role of the Supervisor

1. Construct a training plan with the trainee, with appropriate sequence, using the basic building blocks of the training categories.
2. Identify, establish, and revise, as needed, the training plan with the trainee.
3. Assess, with the trainee, his/her learning needs on the basis of knowledge and understanding of the training program.
4. Actively guide the trainee through the training program by providing:
  - a. A training program orientation.
  - b. Clarification and information regarding expectations.
  - c. Frequent progress and evaluation meetings; restructuring the planned program, if desired, upon newly identified learning needs as the training progresses.

## Role of the Trainee

1. Assist the supervisor in identifying, establishing, and revising as needed the training plan based on knowledge and training.
2. Engage in the training program in a professional manner.

## SBPT Packet

The packet contains information and forms that will guide the approved supervisor and the trainee through the SBPT. The packet includes the following:

1. **Training Information** - Explains what the SBPT entails and the requirements within the SBPT.
2. **Training Objectives** – Provides detailed information about the subject matter within the SBPT.
3. **Training Tracking Forms** - Lists the required training categories which must be completed during the SBPT.
  - a. **Theory Training Tracking Forms**
  - b. **Practical Training Tracking Forms**
  - c. **Procedures Training Tracking Form**
4. **Certification of Training Form\*** – Used to certify the trainee has completed the SBPT.
5. **Examination Information** - Provides information regarding the practical and written examination requirements to obtain a Standard Body Piercing License.

# BOARD OF BODY ART PRACTITIONERS

## Standard Body Piercing Training Procedures Training - Tracking Form

Trainee Name (Print - Last, First, MI) \_\_\_\_\_ Temporary License # \_\_\_\_\_

Supervisor Name (Print - Last, First, MI) \_\_\_\_\_ Supervisor License # \_\_\_\_\_

Start Date \_\_\_\_\_ End Date \_\_\_\_\_

<b>400 Required Procedures :</b>	<b>Category Codes: Observed = O Assisted = A Performed = P</b>
~ 10 Procedures Required From Each Category; 15 from Single Point and 2 Cheek  ~ 33 Piercings of Choice - Piercings of Choice Exclude: (Piercings not defined as Standard Body Piercing in OAR 331-900-0000(12))	The 400 practical procedures required must include:
	100 practical procedures in which the trainee observes (O) the supervisor;
	100 practical procedures in which the trainee assists (A) the supervisor; and
	~200 practical procedures performed (P) by the trainee
	under direct supervision, but without assistance.

<b>Categories:</b>	Earlobe	Helix	Conch	Industrial	Rook	Tragus	Tongue	Navel	Nipple - Male	Nipple - Female	Eyebrow	Upper Lip	Lower Lip	Septum	Nostril	Single Point	Cheek
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Total Observed "O" Piercings																	
Total Assisted "A" Piercings:																	
Total Performed "P" Piercings:																	

400 Procedures; 100 observed "O", 100 assisted "A" and ~200 performed under direct Supervision "P"																
~200 "P" to include: 10 from each category, 15 single point, 2 cheek and 33 of choice														"O"	"A"	"P"
Prior Training Tracking Forms Total <u>Required</u> Procedures Completed:																
This Training Tracking Form Total <u>Required</u> Procedures Completed:																
Prior Training Tracking Forms Total <u>Piercings of Choice</u> Procedures Completed:																
This Training Tracking Form Total <u>Piercings of Choice</u> Procedures Completed:																
Total Overall Procedures Completed:																

# **Specialty Body Piercing Training Program**



# Oregon

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## Specialty Level 1 - Genital Body Piercing Training Program Information

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The State of Oregon, Body Art Program (BAP) requires that all Specialty Level 1 Genital Body Piercers complete 36 hours of training in a comprehensive Specialty Level 1 Genital Body Piercing Training (SL1GBPT) Program; the SL1GBPT program includes 36 hours of practical experience with a minimum of 36 specific body piercing procedures required.

The 36 practical procedures required must include:

- 6 practical procedures in which the trainee observes the supervisor; the trainee must observe 3 male and 3 female procedures with at least 4 different types of piercings as listed in OAR 331-905-0005;
- 10 practical procedures in which the trainee assists the supervisor; the trainee must assist a minimum of 3 male and 3 female procedures with at least 4 different types of piercings as listed in OAR 331-905-0005; and
- 20 practical procedures performed by the trainee under direct supervision, but without assistance; the trainee must perform a minimum of 3 male and 3 female procedures with at least 3 different types of piercings as listed in OAR 331-905-0005.

Individuals must obtain a Specialty Level 1 Genital Body Piercing Temporary Trainee Licensee and receive written approval by the agency prior to commencing training.

The SL1GBPT must be completed under the direct supervision of an approved supervisor. Prior approval must be obtained from the Oregon Health Licensing Agency (agency) for individuals to act as a supervisor according to Oregon Administrative Rule 331-900-0052; Oregon Administrative Rule 331-900-0000; "Direct supervision" means the supervisor is physically present with and engaged in active training of a body piercing temporary licensee for whom the supervisor is approved.

The SL1GBPT program has been derived from several sources including the Association of Professional Piercers, Procedures Manual 2005; The Occupational Safety and Health Administration (OSHA), Blood Borne Pathogens; and the Centers for Disease Control and Prevention (CDC), Body Art.

The SL1GBPT program contains specified training for each training segment; practical and procedures. The amount of training within each category is ***required*** in addition to the specified sequence of the practical experience and procedure training: 1) the trainee must first "observe" the supervisor during the required number of piercing procedures and types of piercings; 2) after the trainee has completed the required observation procedures, the trainee must "assist" the supervisor during the required number of piercing procedures and types of piercings; 3) after the trainee has completed the required assisted procedures, the trainee must "perform, under direct supervision", the required number of piercing procedures and types of piercings.

It is the responsibility of the trainee and supervisor to ensure all training requirements have been completed

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# Specialty Level 1 Genital Body Piercing Training Program Information, continued

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All SL1GBPT forms must be completed, by the supervisor, during the SL1GBPT. The Certification of Training Form\* must be submitted, to the agency, by the supervisor upon completion of the SL1GBPT. In addition, all forms must be maintained by the supervisor for a period of two years after the trainee has completed the SL1GBPT. The training forms must be kept on file by the supervisor and made available for inspection by the agency upon request.

The SL1GBPT must be completed within no less than (2) two months according to OAR 331-905-0005(15).

## **Role of the Supervisor**

1. Construct a SL1GBPT plan with the trainee, with appropriate sequence, using the basic building blocks of the SL1GBPT categories.
2. Identify, establish, and revise, as needed, the SL1GBPT plan with the trainee.
3. Assess, with the trainee, his/her learning needs on the basis of knowledge and understanding of the SL1GBPT program.
4. Actively guide the trainee through the SL1GBPT program by providing:
  - a. A SL1GBPT program orientation.
  - b. Clarification and information regarding expectations.
  - c. Frequent progress and evaluation meetings; restructuring the planned SL1GBPT program, if desired, upon newly identified learning needs as the SL1GBPT progresses.

## **Role of the Trainee**

1. Assist the supervisor in identifying, establishing, and revising as needed the SL1GBPT plan based on knowledge and training.
2. Engage in the SL1GBPT program in a professional manner.

## **SL1GBPT Program Packet**

The SL1GBPT packet contains information and forms that will guide the approved supervisor and the trainee through the SL1GBPT program. The packet includes the following:

1. **Training Program Information** - Explains what the SL1GBPT program entails and the requirements within the SL1GBPT program.
2. **Training Objectives** – Provides detailed information about the subject matter within the SL1GBPT program.
3. **Training Tracking Forms** - Lists the required training categories which must be completed during the SL1GBPT program.
  - a. **Practical Training Tracking Forms**
  - b. **Procedures Training Tracking Form**
4. **Certification of Training Form\*** – Used to certify the trainee has completed the SL1GBPT program.

# BOARD OF BODY ART PRACTITIONERS

## Specialty Level 1 Genital Body Piercing Training

### Procedures Training - Tracking Form

Trainee Name (Print - Last, First, MI) \_\_\_\_\_ Temporary License # \_\_\_\_\_

Supervisor Name (Print - Last, First, MI) \_\_\_\_\_ Supervisor License # \_\_\_\_\_

Start Date \_\_\_\_\_ End Date \_\_\_\_\_

<b>36 Required Procedures :</b>	<b>Category Codes: Observed = O Assisted = A Performed = P</b>
~ 6 - The trainee must observe 3 male and 3 female procedures with at least 4 different types of piercings.	The 36 practical procedures required must include:
~ 10 - The trainee must assist at least 3 male and 3 female procedures and 4 different types of piercings.	~ 6 practical procedures in which the trainee observes (O) the supervisor;
~ 20 - The trainee must perform at least 3 male and 3 female procedures and 3 different types of piercings.	~ 10 practical procedures in which the trainee assists (A) the supervisor; and
	~ 20 practical procedures performed (P) by the trainee, under direct supervision.

<b>Categories (Type):</b>		Scrotum	Frenum	Foreskin	Perineum - Behind the Scrotum	Penis Through the Urethra - Exiting through the underside	Labia Majora	Labia Minora	Perineum - Between Vagina and Anus	Clitoral Hood
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Total Observed "O" Piercings										
Total Assisted "A" Piercings:										
Total Performed "P" Piercings:										

36 Procedures; 6 Observed "O", 10 Assisted "A" and ~20 Performed Under Direct Supervision "P"			
~20 "P" to include: 6 male / 6 female and 4 different (types) of piercings	"O"	"A"	"P"
Prior Training Tracking Forms Total <u>Required</u> Procedures Completed:			
This Training Tracking Form Total <u>Required</u> Procedures Completed:			
Prior Training Tracking Forms Total <u>Piercings of Choice</u> Procedures Completed:			
This Training Tracking Form Total <u>Piercings of Choice</u> Procedures Completed:			
Total Overall Procedures Completed:			



# Oregon

John A. Kitzhaber, MD, Governor

*Health Licensing Agency*

700 Summer St. NE, Suite 320

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## Specialty Level 2 Genital Body Piercing Training Program Information

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The State of Oregon, Board of Body Art Practitioners (BAP) requires that all Specialty Level 2 Genital Body Piercers complete 26 hours of training in a comprehensive Specialty Level 2 Genital Body Piercing Training Program (SL2GBPT); the SL2GBPT program 26 hours of practical experience with a minimum of 26 specific body piercing procedures required.

The 26 practical procedures required must include:

- 6 practical procedures in which the trainee observes the supervisor; the trainee must observe a minimum of 3 different piercing procedures as listed in OAR 331-905-0010;
- 10 practical procedures in which the trainee assists the supervisor; the trainee must assist a minimum of 3 different piercing procedures as listed in OAR 331-905-0010; and
- 10 practical procedures performed by the trainee under direct supervision, but without assistance; the trainee must perform a minimum of 3 different piercing procedures as listed in OAR 331-905-0010.

Individuals must obtain a Specialty Level 2 Genital Body Piercing Temporary Trainee Licensee and receive written approval by the agency prior to commencing training.

The SL2GBPT must be completed under the direct supervision of an approved supervisor. Prior approval must be obtained from the Oregon Health Licensing Agency (agency) for individuals to act as a supervisor according to Oregon Administrative Rule 331-900-0058; Oregon Administrative Rule 331-900-0000; "Direct supervision" means the supervisor is physically present with and engaged in active training of a body piercing trainee licensee.

The SL2GBPT program has been derived from several sources including the Association of Professional Piercers, Procedures Manual 2005; The Occupational Safety and Health Administration (OSHA), Blood Borne Pathogens; and the Centers for Disease Control and Prevention (CDC), Body Art.

The SL2GBPT program contains specified training for each training segment; practical and procedures. The amount of training within each category is **required** in addition to the specified sequence of the practical experience and procedure training: 1) the trainee must first "observe" the supervisor during the required number of piercing procedures and types of piercings; 2) after the trainee has completed the required observation procedures, the trainee must "assist" the supervisor during the required number of piercing procedures and types of piercings; 3) after the trainee has completed the required assisted procedures, the trainee must "perform, under direct supervision", the required number of piercing procedures and types of piercings.

It is the responsibility of the trainee and supervisor to ensure all training requirements have been completed

All training forms must be completed, by the supervisor, during the SL2GBPT. The Certification of Training Form\* must be submitted, to the agency, by the supervisor upon completion of the SL2GBPT. In addition, all forms must be maintained by the supervisor for a period of two years after the trainee has completed the SL2GBPT. The SL2GBPT forms must be kept on file by the supervisor and made available for inspection by the agency upon request.

The SL2GBPT must be completed within no less than (2) two months according to OAR 331-905-0010.

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# Specialty Level 2 Genital Body Piercing Training Program Information, continued

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## Role of the Supervisor

1. Construct a SL2GBPT plan with the trainee, with appropriate sequence, using the basic building blocks of the SL2GBPT categories.
2. Identify, establish, and revise, as needed, the SL2GBPT plan with the trainee.
3. Assess, with the trainee, his/her learning needs on the basis of knowledge and understanding of the SL2GBPT program.
4. Actively guide the trainee through the SL2GBPT program by providing:
  - a. A SL2GBPT program orientation.
  - b. Clarification and information regarding expectations.
  - c. Frequent progress and evaluation meetings; restructuring the planned SL2GBPT program, if desired, upon newly identified learning needs as the SL2GBPT progresses.

## Role of the Trainee

1. Assist the supervisor in identifying, establishing, and revising as needed the SL2GBPT training plan based on knowledge and training.
2. Engage in the training of the SL2GBPT program in a professional manner.

## SL2GBPT Packet

The SL2GBPT packet contains information and forms that will guide the approved supervisor and the trainee through the SL2GBPT program. The packet includes the following:

1. **Training Program Information** - Explains what the SL2GBPT program entails and the requirements within the SL2GBPT program.
2. **Training Objectives** – Provides detailed information about the subject matter within the SL2GBPT program.
3. **Training Tracking Forms** - Lists the required training categories which must be completed during the SL2GBPT program.
  - a. **Practical Training Tracking Forms**
  - b. **Procedures Training Tracking Form**
4. **Certification of Training Form\*** – Used to certify the trainee has completed the SL2GBPT program.





# Oregon

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October 7, 2011

Dr. Ralph Yates, Chair  
Oregon Medical Board  
1500 SW 1<sup>st</sup> Ave, Suite 620  
Portland, OR 97201

Dear Dr. Yates,

During the 2011 Legislative Session the House Health Care Committee introduced House Bill 2013 which creates a Board of Body Art Practitioners (Board) within the Oregon Health Licensing Agency (Agency), beginning January 1, 2012. Under the Board's regulation are several fields of practice including body piercing, dermal implants and scarification. Among these practices the legislature specifically designated "genital piercings" and "dermal implants" as practices which require consideration and recommendations from the Oregon Medical Board (OMB) before the Agency adopts rules regulating those practices.

In addition to genital piercings and dermal implants, the legislature has authorized the Agency to consult with the OMB regarding any of the other body art procedures. The Agency would, therefore, request that the OMB discuss genital piercings, dermal implants, scarification and the following piercing services:

- Single point (anchor or microdermals);
- Cheek;
- Corset;
- Nape; and
- Uvula.

The Agency would request that the OMB please provide written guidance and opinions on the following questions, regarding *all* of these procedures and practices:

- Are any of these practices or procedures the practice of medicine?
- If not, what type of education or training, beyond that appropriate for standard body art practices, is necessary to provide these services safely to the public?
- Should any of the practices or procedures listed above be prohibited or limited (e.g., scarification by branding versus scarification by cutting)?

Except for these issues being considered by the OMB, permanent administrative rules regulating body art will be filed and effective on January 1, 2012. Thus, if possible, the Agency would appreciate a response from the OMB on the body art issues and questions it is addressing by June 1, 2012. If this proposed date is problematic, please let us know. Further, please do not hesitate to contact our Policy Analyst, Samantha Patnode, should you have any additional questions, concerns, or requests for information.

Sincerely

Sylvie McMillan  
Licensing and Business Services, Manager  
Oregon Health Licensing Agency



# Oregon

John A. Kitzhaber, MD, Governor

## Oregon Medical Board

1500 SW 1st Ave. Ste 620

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November 23, 2011

Sylvie McMillan  
Licensing and Business Services, Manager  
Oregon Health Licensing Agency  
700 Summer St. NE, Suite 300  
Salem, Oregon 97301-1287

Dear Ms. McMillan,

I am in receipt of your letter asking for the Board's consultation on dermal implantation, scarification through branding, scarification through cutting, corseting, genital piercing, single point or anchor piercing, cheek piercing, nape piercing and uvula piercing. Katharine Lozano, AAG and Samantha Patnode, Policy Analyst, also presented this request at the October 7, 2011, Board meeting.

On behalf of the Board, Jim Peck, MD, Medical Director, reviewed each of the listed procedures. He has deemed that each procedure contains significant risks of harm, primarily morbidity. The common complications include infections and nerve damage. For uvula piercings, the possible complications include respiratory compromise or potential aspiration. A male genitalia piercing includes the possibility of injury to the urethra with fistulization, or the formation of an abnormal opening between an organ and the surface of the skin.

He has deemed all procedures as surgical procedures that require a formal Procedures, Alternates, Risks and Questions (PARQ) conference and an informed consent. Due to the lack of formal training for these procedures, Dr. Peck recommends recording and implementing best practices.

Thank you for consulting the Oregon Medical Board in the interest of public safety. Please feel free to call me at 971-673-2700, should you have any questions.

Sincerely,

Kathleen Haley  
Executive Director

KH/bit

# **Tattoo Video**

# **Regulatory Report**

# Health Licensing Office



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## *Board of Body Art Practitioners*

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*April 27, 2015*

### *2011 – 2013 Biennium*

Between July 1, 2011 and June 30, 2013, 193 complaints were received by the Office. Total open 14. Total closed 179.

<b>ANONYMOUS</b>	<b>CLIENTS</b>	<b>OTHER</b>
45	37	111

### *2013 – 2015 Biennium*

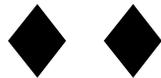
Between July 1, 2013 and March 31, 2015, 119 complaints were received by the Office. Total open 41. Total closed 78.

<b>ANONYMOUS</b>	<b>CLIENTS</b>	<b>OTHER</b>
9	11	99

Other: Licensees  
General Public  
Internal  
Law Enforcement

# **Interested Parties Feedback**

# Executive Session



ORS 192.660(2)(f) for the purpose of considering  
information or records exempt from public inspection.

# **Other Board Business**

# Oregon Health Authority

Health Licensing Office  
Board of Body Art Practitioner  
April 27, 2015

**\*\*PLEASE PRINT\*\***

Name (First, Last)	Representing	Request to Comment (yes/no)
Jaimee Bloom	OALE	yes
Sheila Ahern Sheila Ahern	OALE	yes
Deborah Ludwig	OALE	NO
<del>Sheila Ahern</del>		