



Board of Electrologists and Body Art Practitioners

OREGON ADMINISTRATIVE RULES

(UNOFFICIAL COPY)

CHAPTER 331, DIVISION 900 – 950

PERMANENT RULES EFFECTIVE

JANUARY 1, 2018



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DIVISION 900
BODY PIERCING

331-900-0000

Body Piercing Definitions

331-900-0000

Body Piercing Definitions

The following definitions apply to OAR chapter 331, division 900:

- (1) "Affidavit of Licensure" has the meaning set forth in OAR 331-030-0040.
- (2) "APP" means Association of Professional Piercers.
- (3) "Body piercing" has the definition set forth in ORS 690.350.
- (4) "Direct supervision" means the supervisor or instructor is present in the facility and actively involved in direct oversight and training of students or individuals in training.
- (5) "Disinfect" means the process that kills some but not all disease-causing microorganisms and slows regrowth.
- (6) "Earlobe piercing services" means services limited to the soft lower part of the external ear only, not to include cartilage.
- (7) "EPA" means United States Environmental Protection Agency.
- (8) "FDA" means Food and Drug Administration.
- (9) "Field of practice" has the definition set forth in ORS 690.350.
- (10) "High-level disinfectant" means a chemical agent, registered with the EPA, which has demonstrated tuberculocidal activity.
- (11) "Instruments" means equipment used during body piercing services. Types of instruments include but are not limited to needles, forceps, hemostats, tweezers, and jewelry.
- (12) "Office" mean Health Licensing Office.
- (13) "Official transcript" means:
 - (a) An original document authorized by the appropriate office in the Oregon Department of Education and certified by a career school licensed under ORS chapter 345 indicating applicant identity information, field of practice(s) enrolled under, specific hour requirements for each field of practice if applicable, enrollment information and a signature by an authorized representative on file with the Office. Original documents must be submitted directly to the Office from the educational institution by United States Postal Service mail or other recognized mail service providers in a sealed envelope; or
 - (b) A document authorized by the appropriate office in the Higher Education Coordinating Commission and certified by career school licensed under ORS chapter 345 providing applicant identity information, field(s) of practice studied and completed, specific hour requirements for each field of practice if applicable, enrollment information and a signature by an authorized representative on file with the Office. Non-original documents shall only be accepted when and in the manner approved by the Office

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(14) "Practitioner" means a person licensed to perform services included within a field of practice.

(15) "Sharps container" means a puncture-resistant, leak-proof container that can be closed for handling, storage, transportation, and disposal. The container must be labeled with the "Biohazard" symbol.

(16) "Single point piercing", also referred to as an anchor or microdermal, means a single point perforation of any body part for the purpose of inserting an anchor with a step post either protruding or flush with the skin;

(17) "Standard body piercing" includes all body piercings not listed in specialty level one piercings, including cheek piercings and non-midline tongue piercings, and specialty level two genital piercings defined under 331-905-0000 and piercings prohibited under OAR 331-900-0100.

(18) "Standard body piercing temporary trainee" means temporary trainee.

(19) "Sterilize" means the process that kills all microbial life.

(20) "Surface piercing" means any standard body piercing that is pierced on an area of the body that is generally flat and where the piercing channel is parallel to the surface of the skin and in which both exit and entry point are on the same plane.

Statutory/Other Authority: 690.390, 690.405 & 676.615

Statutes/Other Implemented: 690.390 & 690.405

History:

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HLA 16-2011, f. 12-30-11, cert. ef. 1-1-12

[331-900-0005](#)

Standard Body Piercing Education or Training

All education curriculum or training for standard body piercing must meet requirements set forth by the Office prior to beginning education or training. The theory portion of the curriculum or training must be completed prior to the practical portion of the curriculum or training.

(1) Standard body piercing career school course of study must include 750 hours of theory and practical education. The education must include a minimum of 250 hours of theory instruction, and 500 hours of practical experience. The 500 hours of practical experience must include a minimum of 300 practical procedures.

(2) The 300 practical procedures required under (1) of this rule must include:

(a) 100 practical procedures in which the student observed and participated; and

(b) 200 practical procedures performed by the student under direct supervision, but without assistance.

(3) The 250 hours of theory instruction required in (1) of this section must include the following and must have been completed within two years from the date of application for licensure:

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- (a) Anatomy, Physiology & Histology: 70 hours;
 - (b) Infection control: 50 hours;
 - (c) Jewelry: 15 hours;
 - (d) Equipment: 20 hours;
 - (e) Environment: 15 hours;
 - (f) Ethics and legalities: 15 hours;
 - (g) Emergencies: 5 hours;
 - (h) Client consultation: 30 hours.
 - (i) Oregon laws and rules: 20 hours; and
 - (j) Discretionary related to body piercing: 10 hours.
- (4) The 500 hours of practical experience required in (1) of this rule must include client consultation, cleaning, disinfection and sterilization.
- (5) The 300 practical procedures must include the content in section (4) of this rule and the standard body piercing procedures below:
- (a) 60 total body piercings: minimum of 5 of each of the following locations on the body, septum, eyebrow, bridge, male nipple, female nipple, navel, and earlobe;
 - (b) 40 total cartilage piercings: minimum of 5 of each of the following locations on the body, helix, tragus, rook, conch, daith and nostril;
 - (c) 20 total oral piercings: minimum of 5 of each of the following locations on the face, mouth, tongue (center line vertical only) and lip;
 - (d) 15 total surface piercings: minimum of 5 of each of the following surface piercings, surface bar and single point; and
 - (e) 65 additional standard body piercings.
- (6) As part of the approved course of study, all hours of theory must be completed prior to the student performing practical procedures.
- (7) Education must be conducted by a Higher Education Coordinating Commission, Private Career School.
- (8) Education must be conducted by a licensed instructor who holds an active standard body piercing license.
- (9) An instructor licensed by Higher Education Coordinating Commission must provide direct supervision, on a one-to-one student/teacher ratio when the student is performing practical procedures.
- (10) A standard body piercing student may simultaneously obtain education in specialty level 1 defined in OAR 331-905-0005 while obtaining education in standard body piercing. An applicant must first obtain a standard body piercing license prior to applying for a specialty level one piercing license.
- (11) Supervised training requirements for temporary trainees: Standard body piercing training program must include 750 hours of theory and practical training. The training must include a minimum of 250 hours of theory instruction, 500 hours of practical experience, of the 500 hours

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of practical experience a minimum of 300 practical operations must be completed.

(12) The 300 practical operations required under (9) of this rule must include:

- (a) 100 practical operations in which the student observed and participated; and
- (b) 200 practical operations performed by the student under direct supervision, but without assistance.

(13) The 250 hours of theory instruction required in (9) of this section must include the following and must have been received within two years from the date of application for licensure:

- (a) Anatomy, Physiology & Histology: 70 hours;
- (b) Infection control: 50 hours;
- (c) Jewelry: 15 hours;
- (d) Equipment: 20 hours;
- (e) Environment: 15 hours;
- (f) Ethics and legalities: 15 hours;
- (g) Emergencies: 5 hours;
- (h) Client consultation: 30 hours.
- (i) Oregon laws and rules: 20 hours; and
- (j) Discretionary related to body piercing: 10 hours.

(14) The 500 hours of practical experience required in (9) of this rule must include client consultation, cleaning, disinfection and sterilization.

(15) The 300 practical operations must include the content listed in section (12) of this rule and the standard body piercing procedures listed below:

- (a) 40 total cartilage piercings: minimum of 5 of each of the following locations on the body helix, tragus, rook, conch, daith and nostril;
- (b) 60 total body piercings: minimum of 5 of each of the following locations on the body septum, eyebrow, bridge, male nipple, female nipple, navel, and earlobe;
- (c) 20 total oral piercings: minimum of 5 of each of the following locations on the face, mouth, tongue (center line vertical only) and lip;
- (d) 15 surface piercings: minimum of 5 of each of the following surface piercings surface bar and single point; and
- (e) 65 additional standard body piercings.

(16) As part of the approved training, all hours of theory must be completed prior to practical work being performed.

(17) Training must be completed in no less than nine months from the date the Office issues the temporary trainee license.

(18) A supervisor must provide direct supervision of practical training on a one-to-one trainee to trainer ratio when the trainee is working on the general public.

(19) Supervisors of a temporary trainee must adhere to OAR 331-900-0050.

(20) A temporary trainee may have one or more approved supervisors during the standard body

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piercing training program.

(21) A temporary trainee may obtain training in specialty level one piercing defined in OAR 331-905-0005 while obtaining training in standard body piercing, if appropriate temporary licensing listed in OAR 331-905-0011 and 331-905-0012 is obtained. An applicant must first obtain a standard body piercing license prior to applying for a specialty level one piercing license.

(22) Training listed in (11) through (15) of this rule must be provided by an approved supervisor pursuant to OAR 331-900-0050.

Statutory/Other Authority: 690.365, 690.385 & 690.405

Statutes/Other Implemented: 690.385 & 690.405

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331-900-0010

Earlobe Piercing License

(1) An earlobe piercing license is valid for one year, and is eligible for renewal. An earlobe piercing license becomes inactive on the last day of the month one year from the date of issuance.

(2) An earlobe piercer must adhere to all standards within OAR 331-900-0095, 331-900-0097, 331-900-0098, 331-900-0130 and all applicable rules listed in OAR 331 division 925.

(3) An earlobe piercer, licensed under ORS 690.365, may provide earlobe piercing services only.

(4) An earlobe piercer licensed prior to January 1, 2014, is not required to meet application requirements listed in OAR 331-900-0015.

Statutory/Other Authority: 676.615, 690.405 & 690.365

Statutes/Other Implemented: 690.405 & 690.365

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331-900-0015

Application Requirements for Earlobe Piercing License

An individual applying for an earlobe piercing license must:

(1) Meet the requirements of OAR 331 division 30;

(2) Submit a completed application form prescribed by the Office, which must contain the

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information listed in OAR 331-030-0000 and be accompanied by payment of the required fees;

- (3) Submit proof of being at least 18 years of age. Documentation may include identification listed under OAR 331-030-0000;
- (4) Submit proof of having a high school diploma or equivalent;
- (5) Submit proof of current blood borne pathogens training from an Office-approved provider;
- (6) Submit proof of current basic first aid training from an Office-approved provider;
- (7) Submit passing score of Office-approved written examinations in accordance with OAR 331-900-0060(1) and (2) within two years from the date of application;
- (8) Upon passage of all required examinations and before issuance of a license, the applicant must pay all license fees.

Statutory/Other Authority: 690.365, 690.405 & 676.615

Statutes/Other Implemented: 690.365 & 690.405

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331-900-0020

Standard Body Piercing Temporary Trainee License

- (1) A standard body piercing temporary trainee license is valid for one year, and may be renewed one time. After the second renewal becomes inactive the individual may reapply for a temporary trainee license.
- (2) A temporary trainee, licensed under ORS 690.365, may provide standard piercing services under the direct supervision of an Office-approved supervisor pursuant OAR 331-900-0050 and 331-900-0055.
- (3) A temporary trainee must have an approved supervisor onsite when providing services.
- (4) Supervisors of a temporary trainee must adhere to OAR 331-900-0055.
- (5) A temporary trainee must work in a licensed facility under OAR 331, division 925.
- (6) A temporary trainee may obtain training in specialty level 1 piercing defined in OAR 331-905-0005 while obtaining training in standard body piercing, if appropriate temporary licensing listed in OAR 331-905-0011 and 331-905-0012 is obtained. An applicant must first obtain a standard body piercing license prior to obtaining specialty level one piercing license.
- (7) A temporary license trainee must notify the Office within 10 calendar days of changes in employment status or changes in supervisor status pursuant to OAR 331-010-0040.
- (8) A temporary trainee is prohibited from performing specialty level one piercing services defined under OAR 331-905-0000, unless appropriate temporary licensing is obtained, and specialty level two genital piercing services defined under OAR 331-905-0000.
- (9) A temporary trainee is prohibited from piercing the testes, deep shaft (corpus cavernosa),

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uvula, eyelids or sub-clavicle and performing horizontal tongue piercings.

(10) A temporary trainee must adhere to all standards within OAR 331-900-0100, 331-900-0105, 331-900-0110, 331-900-0115, 331-900-0120, 331-900-0125, 331-900-0130, and all applicable rules listed in OAR 331 division 925.

Statutory/Other Authority: 690.365, 690.405 & 676.615

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331-900-0025

Application Requirements for Standard Body Piercing Temporary Trainee License

An individual applying for a standard body piercing temporary trainee license must:

- (1) Meet the requirements of OAR 331 division 30;
- (2) Submit a completed application form prescribed by the Office, which must contain the information listed in OAR 331-030-0000 and be accompanied by payment of the required application fees;
- (3) Submit proof of being at least 18 years of age; documentation may include identification listed under OAR 331-030-0000;
- (4) Submit proof of having a high school diploma or equivalent;
- (5) Submit proof of current cardiopulmonary resuscitation and basic first aid training from an Office-approved provider;
- (6) Submit proof of current blood borne pathogens training from an Office-approved provider; and
- (7) Pay applicable licensing fees.

Statutory/Other Authority: 676.615, 690.365 & 690.405

Statutes/Other Implemented: 690.365 & 690.405

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HLA 16-2011, f. 12-30-11, cert. ef. 1-1-12

331-900-0030

Standard Body Piercing License

- (1) A standard body piercer, licensed under ORS 690.365, may perform standard body piercing services.
- (2) A standard body piercing license is good for one year and becomes inactive on the last day of the month one year from the date of issuance.
- (3) A standard body piercer must notify the Office within 10 calendar days of changes in employment status or work location pursuant to OAR 331-010-0040.
- (4) A standard body piercer is prohibited from performing specialty level one piercing services defined under OAR 331-905-0000 until requirements of OAR 331-905-0040 are met and specialty level two genital piercing services defined under OAR 331-905-0000 until requirements of OAR 331-905-0050 are met.
- (5) A standard body piercer is prohibited from piercing the testes, deep shaft (corpus cavernosa), uvula, eyelids or sub-clavicle and performing horizontal tongue piercings.
- (6) A standard body piercing license holder must adhere to all standards within OAR 331-900-0100, 331-900-0105, 331-900-0110, 331-900-0115, 331-900-0120, 331-900-0125, 331-900-0130, and all applicable rules listed in OAR 331 Division 925.

Statutory/Other Authority: 676.615, 690.365 & 690.405

Statutes/Other Implemented: 690.365 & 690.405

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331-900-0035

Application Requirements for Standard Body Piercing License

- (1) An individual applying for licensure to practice standard body piercing must:
 - (a) Meet the requirements of OAR 331 division 30;
 - (b) Submit a completed application form prescribed by the Office, which must contain the information listed in OAR 331-030-0000 and be accompanied by payment of the required application fees;
 - (c) Submit proof of current cardiopulmonary resuscitation and basic first aid training from an Office-approved provider;
 - (d) Submit proof of current blood borne pathogens training from an Office-approved provider;
 - (e) Submit proof of being at least 18 years of age; documentation may include identification listed under OAR 331-030-0000;
 - (f) Submit proof of having a high school diploma or equivalent; and
 - (g) Provide documentation of completing a qualifying pathway.

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(2) License Pathway 1 — A graduate from an Oregon Licensed Career School for Standard Body Piercing must:

- (a) Submit official transcript from a body piercing career school under ORS 345 showing proof of completion of required standard body piercing curriculum as approved by the Office under OAR 331-900-0005 within two years from the date of application;
- (b) Pay examination fees;
- (c) Submit passing score of an Office-approved written examination in accordance with OAR 331-900-0060(1)(c) within two years before the date of application;
- (d) Submit a passing score of an Office-approved practical examination in accordance with OAR 331-900-0060(1)(d) within two years before the date of application;
- (e) Upon passage of all required examinations and before issuance of license, applicant must pay all license fees.
- (f) An applicant is not required to provide proof of official transcripts from a body piercing career school under ORS 345 if the applicant was previously licensed as a body piercer in Oregon.

(3) License Pathway 2 — An individual qualifying for licensure as a Temporary Trainee must:

- (a) Submit documentation approved by the Office showing proof of having completed training listed under OAR 331-900-0005, verified by a supervisor approved under OAR 331-900-0055, on a form prescribed by the Office within two years from the date of application;
- (b) Pay examination fees;
- (c) Submit passing score of an Office-approved written examination for standard body piercing in accordance with OAR 331-900-0060(1)(c) within two years before the date of application;
- (d) Submit a passing score of an Office-approved practical examination in accordance with OAR 331-900-0060(1)(d) within two years before the date of application; and
- (e) Upon passage of all required examinations and before issuance of license, applicant must pay all license fees.

(4) License Pathway 3 — An individual qualifying for licensure through Reciprocity must:

- (a) Submit an affidavit of licensure pursuant to OAR 331-030-0040 demonstrating proof of current license as a body piercer, which is active with no current or pending disciplinary action. The licensing must be substantially equivalent to Oregon licensing requirements pursuant to ORS 690.365. Or if not substantially equivalent the applicant must demonstrate to the satisfaction of the Office that the applicant has been working as a body piercer with the equivalent of three years of experience that was obtained within the last five years or five years out of the last 10 years. Documentation proving experience may include but is not limited to tax documents, employer letters or business licensing;
- (b) Pay examination fees;
- (c) Submit passing score of an Office-approved written examination in accordance with OAR 331-900-0060(1)(c) within two years before the date of application;
- (d) Submit a passing score of an Office-approved practical examination in accordance with OAR 331-900-0060(1)(d) within two years before the date of application; and
- (e) Upon passage of all required examinations and before issuance of license, applicant must

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pay all license fees.

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331-900-0040

Temporary Standard Body Piercing License - Limited Basis

(1) A temporary standard body piercing license, pursuant to ORS 690.365, is a temporary license to perform standard body piercing services on a limited basis, not to exceed 30 consecutive calendar days. A temporary standard body piercing license holder:

(a) May renew the license up to two times, in a 12 month period from the date the Office receives the initial application. License renewal can be done consecutively with no lapse in active license dates;

(b) Must submit all requests to renew a license on a form prescribed by the Office.

(c) Must submit notification of a change in work location on a form prescribed by the Office at least 24 hours before services are performed pursuant to OAR 331-010-0040; and

(d) Must work in a licensed facility under OAR 331, division 925.

(2) A temporary standard body piercing license holder may only perform standard body piercing services.

(3) A temporary standard body piercing license holder is prohibited from performing specialty level one genital piercing services defined under OAR 331-905-0000 and specialty level two genital piercing services defined under 331-905-0000.

(4) A temporary standard body piercing license holder is prohibited from piercing the testes, deep shaft (corpus cavernosa), uvula, eyelids or sub-clavicle and performing horizontal tongue piercings.

(5) A temporary standard body piercing license holder must adhere to all standards within OAR 331-900-0100, 331-900-0105, 331-900-0110, 331-900-0115, 331-900-0120, 331-900-0125, 331-900-0130, and all applicable rules listed in OAR 331 division 925.

Statutory/Other Authority: 676.615, 690.365 & 690.405

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HLA 16-2011, f. 12-30-11, cert. ef. 1-1-12

331-900-0045

Application Requirements for Temporary Standard Body Piercing License

An individual applying for a temporary standard body piercing license must:

- (1) Meet the requirements of OAR 331 division 30;
- (2) Submit a completed application form prescribed by the Office, which contains the information listed in OAR 331-030-0000, be accompanied by payment of the required application fee and must be received at least 20 days before standard body piercing services are provided to clients;.
- (3) Submit proof of being at least 18 years of age; documentation includes identification listed under OAR 331-030-0000;
- (4) Submit proof of current blood borne pathogens training from an Office-approved provider;
- (5) Attest to six months of training or experience in body piercing within the last two years on a form prescribed by the Office; or
- (6) Submit affidavit of licensure pursuant to OAR 331-030-0040.
- (7) For the purpose of this rule, training or experience includes attendance or participation at an instructional program presented, recognized, or under the sponsorship of any permanently organized institution, agency, or professional organization or association recognized by the Office.

Statutory/Other Authority: 676.615 & 690.365

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331-900-0050

Standard Body Piercing Supervisor

- (1) An approved standard body piercing supervisor may supervise one temporary trainee when a procedure is being performed by a temporary trainee. Multiple temporary trainees may observe a piercing procedure.
- (2) Supervisors must provide direct supervision to temporary trainees when standard body piercing services are being performed.
- (3) An approved standard body piercing supervisor must exercise management, guidance, and control over the activities of the trainee and must exercise professional judgment and be responsible for all matters relative to the standard body piercing.
- (4) An approved standard body piercing supervisor must document work done by the temporary trainee on a form prescribed by the Office and maintain training documentation for a minimum of two years following completion of training.
- (5) An approved supervisor must notify the Office in writing within five calendar days if a temporary trainee is no longer being supervised, and must provide the number of hours of

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training completed on a form prescribed by the Office.

(6) Notwithstanding any other disciplinary actions, an approved supervisor's authorization to supervise may be withdrawn by the Office for providing incomplete or inadequate training or falsifying documentation.

(7) An approved supervisor is not required to directly supervise a standard body piercing temporary license holder waiting to take practical examination but is required to be onsite when body piercing services are being performed.

Statutory/Other Authority: 676.615, 690.365 & 690.405

Statutes/Other Implemented: 690.365 & 690.405

History:

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HLA 2-2013(Temp), f. & cert. ef. 1-16-13 thru 7-14-13

HLA 16-2011, f. 12-30-11, cert. ef. 1-1-12

331-900-0055

Requirements for Standard Body Piercing Supervisor

To be an approved supervisor for a standard body piercing temporary trainee, an individual must:

- (1) Submit a completed form prescribed by the Office, which must contain the information listed in OAR 331-030-0000;
- (2) Hold an active, standard body piercing license, with no current or pending disciplinary action;
- (3) Submit proof of having been actively practicing standard body piercing for at least two of the last five years before the date of application.
- (4) Submit proof of current cardiopulmonary resuscitation and basic first aid training from an Office-approved provider;
- (5) Submit proof of current blood borne pathogens training from an Office-approved provider.

Statutory/Other Authority: 676.615, 690.365 & 690.405

Statutes/Other Implemented: 690.365 & 690.405

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HLA 16-2011, f. 12-30-11, cert. ef. 1-1-12

331-900-0060

Approved Body Piercing Examinations

The Office has approved the following examinations:

- (1) Oregon client care written examination for earlobe piercing; and
- (2) Oregon safety, sanitation and infection control written examination for earlobe piercing.

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- (3) Oregon standard body piercing written examination; and
- (4) Oregon standard body piercing practical examination.

Statutory/Other Authority: 676.615 & 676.575

Statutes/Other Implemented: 676.615 & 676.575

History:

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331-900-0065

General Body Piercing Examination Information

- (1) To be eligible for examination, an applicant must meet identification requirements listed under OAR 331-030-0000.
- (2) The examination is administered in English only, unless an Office-approved testing contractor or vendor provides the examination in languages other than English.
- (3) Examination candidates may be electronically monitored during the course of testing.
- (4) Examination candidates must adhere to the maximum time allowance for each section of the examination, as established by the Office.
- (5) Taking notes, textbooks or notebooks into the examination area is prohibited.
- (6) Electronic equipment and communication devices, such as personal computers, pagers and cellular telephones or any other devices deemed inappropriate by the Office, are prohibited in the examination area.
- (7) Candidate conduct that interferes with the examination may result in the candidate's disqualification during or after the examination, the candidate's examination being deemed invalid, and forfeiture of the candidate's examination fees. Such conduct includes but is not limited to:
 - (a) Directly or indirectly giving, receiving, soliciting, and attempting to give, receive or solicit aid during the examination process;
 - (b) Violations of subsections (5), (6), or (7) of this rule;
 - (c) Removing or attempting to remove any examination-related information, notes or materials from the examination site;
 - (d) Failing to follow directions relative to the conduct of the examination; and
 - (e) Exhibiting behavior that impedes the normal progress of the examination.
- (8) If the candidate is disqualified from taking the examination or the candidate's examination is deemed invalid for reasons under subsection (7) of this rule, the candidate may be required to reapply, submit additional examination fees, and request in writing to schedule a new examination date, before being considered for another examination opportunity.

Statutory/Other Authority: 676.615 & 676.575

Statutes/Other Implemented: 676.615 & 676.575

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331-900-0070

Written Examination Retake Requirements

(1) Notwithstanding OAR 331-900-0060(1)(a) and (b), failed sections of the written examination may be retaken as follows:

- (a) After first failed attempt — applicant may not retake for seven calendar days;
 - (b) After second failed attempt — applicant may not retake for seven calendar days;
 - (c) After third failed attempt — applicant may not retake for 30 calendar days, must pay all additional fees and must submit one of the following:
 - (A) An official transcript certifying completion of an additional 100 hours of instruction in theory, focused on the approved curriculum outlined in OAR 331-900-0005 from a career school licensed under ORS 345 on a form prescribed by the Office; or
 - (B) Documentation from an Office-approved supervisor certifying completion of an additional 100 hours of training in theory, focused on the approved curriculum outlined in OAR 331-900-0005 on a form prescribed by the Office.
 - (d) After fourth failed attempt — applicant may not retake for seven calendar days;
 - (e) After fifth failed attempt — applicant may not retake for seven calendar days;
 - (f) After sixth failed attempt — applicant may not retake for 30 calendar days, must pay all additional fees and must submit one of the following:
 - (A) An official transcript certifying completion of an additional 100 hours of instruction in theory, focused on the approved curriculum outlined in OAR 331-900-0005 from a career school licensed under ORS 345 on a form prescribed by the Office; or
 - (B) Documentation from an Office-approved supervisor certifying completion of an additional 100 hours of training in theory, focused on the approved curriculum outlined in OAR 331-900-0005 on a form prescribed by the Office.
 - (g) After seventh failed attempt — ability to retake, requirements for retake, or both will be determined by the Office on a case-by-case basis.
- (2) Applicants retaking the examination must meet the requirements under OAR 331-030-0000.

Statutory/Other Authority: 676.615 & 676.575

Statutes/Other Implemented: 676.615 & 676.575

History:

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331-900-0075

Practical Examination Retake Requirements

- (1) Failed practical examinations may be retaken at a date and time determined by the Office. Applicants retaking a failed practical must notify the Office within 30 days before the next scheduled examination date and pay all examination fees.
- (2) Applicants who fail to pass the practical examination for standard body piercing after three attempts (initial examination plus two retakes) may not retake an examination for 30 calendar days, must pay all additional fees and must submit an official transcript certifying completion of an additional 100 hours of instruction in theory, focused on the approved education curriculum or training program outlined in OAR 331-900-0005 on a form prescribed by the Office.
- (3) After the fourth failed attempt — ability to retake, requirements for retake, or both will be determined by the Office on a case-by-case basis.

Statutory/Other Authority: 676.615

Statutes/Other Implemented: 676.615

History:

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331-900-0077

Renewal of an Earlobe Piercing License

- (1) A licensee is subject to the provisions of OAR chapter 331, division 30 regarding the renewal of a license and provisions regarding authorization to practice, identification, and requirements for issuance of a duplicate license.
- (2) LICENSE RENEWAL:** To avoid delinquency penalties, an earlobe piercing license renewal must be made prior to the license entering inactive status. The licensee must submit the following:
 - (a) Renewal application form; and
 - (b) Payment of required renewal fee pursuant to 331-940-0000.
- (3) INACTIVE LICENSE RENEWAL:** An earlobe piercing license may be inactive for up to three years. If a license is inactive the licensee is not authorized to practice. When renewing a license after entering inactive status, the licensee holder must submit the following:
 - (a) Renewal application form; and
 - (b) Payment of delinquency and license fees pursuant to OAR 331-940-0000.
- (4) EXPIRED LICENSE:** An earlobe piercing license that has been inactive for more than three years is expired and the license holder must reapply and meet the requirements listed in OAR 331-900-0015.

Statutory/Other Authority: 676.615, 690.385 & 690.405

Statutes/Other Implemented: 690.385 & 690.405

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331-900-0080

Renewal of a Standard Body Piercing License

(1) A licensee is subject to the provisions of OAR chapter 331, division 30 regarding the renewal of a license and provisions regarding authorization to practice, identification, and requirements for issuance of a duplicate license.

(2) LICENSE RENEWAL: To avoid delinquency penalties, a standard body piercing license renewal must be made prior to the license entering inactive status. The licensee must submit the following:

- (a) Renewal application form;
- (b) Payment of required renewal fee pursuant to 331-940-0000;
- (c) Attestation of having obtained required annual continuing education under OAR 331-900-0085, on a form prescribed by the Office. Continuing education is required whether the license is current or inactive;
- (d) Attestation of current certification in cardiopulmonary resuscitation from an Office-approved provider;
- (e) Attestation of current first aid training by an Office-approved provider; and
- (f) Attestation of current certification in blood borne pathogens training from an Office-approved provider.

(3) INACTIVE LICENSE RENEWAL: A standard body piercing license may be inactive for up to three years. If a license is inactive the licensee is not authorized to practice. When renewing a license after entering inactive status, the licensee holder must submit the following:

- (a) Renewal application form;
- (b) Payment of delinquency and license fees pursuant to OAR 331-940-0000;
- (c) Attestation of having obtained required annual continuing education under OAR 331-900-0085 on a form prescribed by the Office. Continuing education is required whether the license is current or inactive;
- (d) Attestation of current certification in cardiopulmonary resuscitation from an Office-approved provider;
- (e) Attestation of current first aid training by an Office-approved provider; and
- (f) Attestation of current certification in blood borne pathogens training from an Office-approved provider.

(4) EXPIRED LICENSE: A standard body piercing license that has been inactive for more than three years is expired and the license holder must reapply and meet the requirements listed in OAR 331-900-0035.

Statutory/Other Authority: 676.615, 690.385 & 690.405

Statutes/Other Implemented: 690.385 & 690.405

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331-900-0085

Continuing Education for Standard Body Piercing License

(1) To maintain licensure, a standard or specialty body piercer license holder must complete a minimum of 10 hours of satisfactory continuing education every year.

(2) A standard or specialty body piercer license holder must document compliance with the continuing education requirement through attestation on the license renewal application. Licensees will be subject to the provisions of OAR 331-900-0090 pertaining to periodic audit of continuing education.

(3) Continuing Education may be obtained through online courses, attendance at lectures, sessions, courses, workshops, symposiums seminars or other presentations offered by:

(a) Five hours must be obtained by participation in or attendance at a course provided by:

(A) Institutions or programs accredited by a federally recognized accrediting agency;

(B) Institutions or programs approved by an agency within the Oregon Higher Education Coordinating Commission;

(C) An organization offering continuing medical education opportunities, including Accreditation Council for Continuing Medical Education, Association of Professional Piercers and Fakir Piercing Academy; and

(D) Any additional Office approved professional organization, or association, hospital, health care clinic or other training sponsor, including but not limited to body art facilities or county health departments, offering continuing education related to subject matter listed in (4) of this rule.

(b) Five hours may be self-study, where subject matter meets the requirements under subsection (4) of this rule, which may include the following:

(A) Correspondence courses including online courses through completion and certification by an approved national home study organization;

(B) Review of publications, textbooks, printed material, or audio cassette(s); and

(C) Viewing of films, videos, or slides.

(4) The subject matter of the continuing education must be specifically related to body piercing. As outlined in the approved course of study under OAR 331-900-0005 (3) and (11). Continuing education may include the laws and rules regulating licensed body piercers, health care professional concerns such as safety, emergencies, client consultation, business ethics, and business practices or legalities.

(5) In order to renew, continuing education requirements must be met every year, even if the license is inactive or suspended.

(6) Obtaining and maintaining proof of participation in required continuing education is the responsibility of the licensee. The licensee must ensure that adequate proof of attainment of required continuing education is available for audit or investigation or when otherwise requested by the Office. Adequate proof of participation is listed under OAR 331-900-0090(3).

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(7) Documentation of participation in continuing education requirements must be maintained for a period of five years following renewal, and must be available to the Office upon request.

(8) Current training and certification in CPR, first aid, and blood borne pathogens is a condition of renewal and is not eligible for continuing education credit).

(9) A licensee may carry up to 8 hours of excess continuing education hours forward to the next renewal cycle.

(10) For the purpose of this rule continuing education hours mean actual academic, classroom, or course work time, including but not limited to workshops, symposiums, or seminars. Continuing education hours do not include travel time to or from the training site, registration or check-in periods, breaks or lunch periods.

Statutory/Other Authority: 676.615, 690.385, 676.586 & 690.405

Statutes/Other Implemented: 690.385, 676.586 & 690.405

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HLA 10-2012, f. & cert. ef. 6-25-12

HLA 3-2012(Temp), f. & cert. ef. 3-1-12 thru 6-25-12

HLA 16-2011, f. 12-30-11, cert. ef. 1-1-12

331-900-0090

Continuing Education: Audit, Required Documentation and Sanctions

(1) The Office will audit a select percentage of licenses to verify compliance with continuing education requirements.

(2) Licensees notified of selection for audit of continuing education attestation must submit to the Office, within 30 calendar days from the date of issuance of the notification, satisfactory evidence of participation in required continuing education in accordance with OAR 331-900-0085.

(3) Evidence of successful completion of the required continuing education must include the following:

(a) Name of continuing education sponsor/provider;

(b) Course agenda — including the date of the training and breakdown of hours for each agenda item, lunch and breaks;

(c) Course outline — including a detailed summary of each topic discussed and the learning objective or training goal of each agenda item; The content of the course must have a direct relationship between the course training and subject matter related to body piercing as set forth in OAR 331-900-0085(4);

(d) Background resume of speakers or instructors; and

(e) Documentation of attendance or successful course completion. Examples include a certificate, transcript, sponsor statement or affidavit attesting to attendance, diploma.

(4) Documentation substantiating the completion of continuing education through self-study

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must show a direct relation to body piercing as set forth in OAR 331-900-0085(4), be submitted on forms provided by the Office and include the following:

- (a) Name of sponsor or source, type of study, description of content, date of completion and duration in clock hours;
- (b) Name of approved correspondence courses or national home study issues;
- (c) Name of publications, textbooks, printed material or audiocassette's, including date of publication, publisher, and ISBN identifier; and
- (d) Name of films, videos, or slides, including date of production, name of sponsor or producer and catalog number.
- (5) If documentation of continuing education is invalid or incomplete, the licensee has 30 calendar days from the date of the deficiency notice to correct the deficiency and submit further documentation of completion of the required continuing education.
- (6) Misrepresentations of continuing education or failure to complete continuing education requirements may result in disciplinary action, which may include, but is not limited to assessment of a civil penalty and suspension or revocation of the license.

Statutory/Other Authority: 676.615, 676.586 & 690.385

Statutes/Other Implemented: 676.586 & 690.385

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HLA 16-2011, f. 12-30-11, cert. ef. 1-1-12

331-900-0095

Earlobe Piercing Practice Standards and Prohibitions

(1) An earlobe piercing license holder must:

- (a) Use an earlobe piercing system that pierces an individual's earlobe by use of a sterile, encapsulated single-use stud with clasp;
- (b) Use an earlobe piercing system made of non-absorbent and non-porous material which can be cleaned and disinfected, using a high level disinfectant according to manufacturer's instructions;
- (c) Use single-use prepackaged sterilized ear piercing studs for each client;
- (d) Store new or disinfected earlobe piercing systems in a clean disinfected location, using a high level disinfectant according to manufacturer's instructions, and store separately from used or soiled instruments;
- (e) Ensure equipment used during an earlobe procedure is disinfected, using a high level disinfectant according to manufacturer's instructions, following service on each client.
- (f) Cover the handle of the earlobe piercing system with a new cover before a service is provided to a client.

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- (2) An earlobe piercer may only pierce with an earlobe piercing system; use of a needle is prohibited.
- (3) An earlobe piercing system may only be used to pierce the earlobe. Use of an earlobe piercing system on other parts of the body or ear is prohibited.
- (4) Piercing with a manual loaded spring operated ear piercing system is prohibited.
- (5) Piercing the earlobe with any type of piercing system which does not use the pre-sterilized encapsulated stud and clasp system is prohibited.
- (6) Earlobe Piercing is prohibited:
 - (a) On a person under 18 years of age unless the requirements of OAR 331-900-0099 are met;
 - (b) On a person who shows signs of being inebriated or appears to be incapacitated by the use of alcohol or drugs; and
 - (c) On a person with sunburn or other skin diseases or disorders of the skin such as open lesions, rashes, wounds, puncture marks in areas of treatment.

Statutory/Other Authority: 690.390

Statutes/Other Implemented: 676.615 & 690.390

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331-900-0097

General Standards for Earlobe Piercing

- (1) The cleanliness of any common area in a facility is the responsibility of each license holder. All license holders may be cited for violations found in the common area.
- (2) An earlobe piercing license holder licensed to perform earlobe piercing services or a licensed facility owner must:
 - (a) Use and maintain appropriate equipment and instruments for providing services in the facility;
 - (b) Use all equipment, instruments and supplies in a manner described in the manufacturer's instructions which is consistent with the manufacturer's intended use of the device by the FDA;
 - (c) Use equipment and instruments that are not prohibited by the Office or the FDA for use by earlobe piercing license holders;
 - (d) Ensure a high-level disinfectant is used in accordance with manufacturer's instructions to disinfect surfaces where services are performed;
 - (e) Ensure chemicals are stored in labeled, closed containers;
 - (f) Ensure that new single-use disposable paper products are used for each client. Use of towels and linens are prohibited;

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- (g) Ensure lavatories located within the facility are kept clean and in good working order at all times. Air blowers within lavatories can be substituted for disposable hand towels;
- (h) Ensure pets or other animals not be permitted in the facility. This prohibition does not apply to service animals recognized by the American with Disabilities Act or to fish in aquariums or nonpoisonous reptiles in terrariums;
- (i) Ensure all disinfecting solutions or agents be kept at adequate strengths to maintain effectiveness, be free of foreign material and be available for immediate use at all times the facility is open for business;
- (j) Ensure all waste or garbage is disposed of in a covered container with a garbage liner;
- (k) Ensure all waste which contains blood or other potentially infectious materials be enclosed and secured in a glove or bag then disposed of in a covered container with a garbage liner immediately following the service;
- (l) Ensure sharp objects that come in contact with blood or other potentially infectious materials be disposed of in a sharps container;
- (m) Ensure biohazard labels or red biohazard bags are available on the facility premises;
- (n) Adhere to all Centers for Disease Control Standards;
- (o) Ensure all surfaces in procedure area are nonporous and disinfected with a high level disinfectant;
- (3) An earlobe piercing licensee must wear eye goggles, shields or a mask if spattering is possible while providing services.
- (4) All substances used on clients must be single use to prevent contamination of the unused portion.
- (5) Single use tubes or containers and applicators shall be discarded following the service.
- (6) As of January 1, 2019, all new facilities licensed under OAR Chapter 331, Division 925 must have unrestricted access to a sink with hot and cold running water within the facility premises but separate from a restroom. This may include, but is not limited to, portable handwashing stations or sinks. This rule does not apply to electrologists licensed under OAR Chapter 331 Division 910.
- (7) Cross contamination from touch or air particulates in any procedure area that comes in direct contact with client is prohibited.
- (8) All tools and instruments used to mark earlobe piercing locations must be disposed of after use on a client.

Statutory/Other Authority: 676.615 & 690.390

Statutes/Other Implemented: 690.390

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331-900-0098

Standards for Client Services for Earlobe Piercing Licensees

(1) An earlobe piercing license holder must observe and adhere to the following hand washing and disposable glove standards when servicing clients:

(a) Wash hands with soap and water before and after a service is provided to a client. Use of antibacterial hand sanitizer before and after a service on a client is prohibited.

(b) Hand washing must include thoroughly washing the hands in warm, running water with liquid soap using friction on all surfaces of the hands and wrists, then rinsing hands and drying hands with a clean, disposable paper towel. Use of bar soap is prohibited.

(c) Notwithstanding the requirements of subsection (1)(a) of this rule, when using an antibacterial hand sanitizer, friction must be applied on all surfaces of the hands and wrists.

(2) An earlobe piercing license holder must observe and adhere to the following protective disposable glove standards when servicing clients:

(a) New disposable gloves must be worn during the treatment of each client;

(b) Hands must be washed in accordance with hand washing instructions listed in subsection (1) of this rule before putting on disposable gloves and immediately after disposable gloves are removed;

(c) When a treatment session is interrupted, disposable gloves must be removed and discarded. Hand washing instructions listed in subsection (1) of this rule must be followed and a new pair of gloves put on when returning to the procedure service area;

(d) When a licensee leaves the procedure area in the middle of an earlobe piercing procedure, gloves must be removed before leaving the procedure area, hand washing instructions listed in subsection (1) of this rule must be followed and a new pair of gloves put on when returning to the procedure area;

(e) Disposable gloves must be removed and discarded before leaving the procedure area;

(f) Torn or perforated gloves must be removed immediately, and hand washing instructions listed in subsection (1) of this rule must be followed and gloves changed following hand washing; and

(g) The use of disposable gloves does not preclude or substitute for hand washing instructions listed in subsection (1) of this rule.

(3) Disposable gloves must be worn during pre-cleaning, cleaning, rinsing, disinfecting and drying of equipment and instruments;

(4) A client's skin must be thoroughly cleaned with an antiseptic solution.

(5) A licensee is prohibited from wearing jewelry under gloves.

Statutory/Other Authority: 676.615 & 690.390

Statutes/Other Implemented: 690.390

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331-900-0099

Client Records and Information for Earlobe Piercing License Holder

(1) An earlobe piercing license holder is responsible for maintaining and keeping copies of all client records. If client records are maintained by the facility, the facility owner must provide the licensee with copies of those client records upon request. The record must include the following for each client:

- (a) Name, address, telephone number and date of birth of client;
- (b) Date of each service;
- (c) Name and license number of the licensee providing service;
- (d) Special instructions or notations relating to the client's medical or skin conditions including but not limited to diabetes, cold sores and fever blisters, psoriasis or eczema, pregnancy or breast-feeding/nursing.
- (e) Complete list of the client's sensitivities to medicines or topical solutions;
- (f) History of the client's bleeding disorders;
- (g) Description of complications during procedure(s);
- (h) Signature from the client that they have received the following information in writing and verbally:
 - (A) All information related to the earlobe piercing service including possible reactions, side effects and potential complications of the service and consent to obtaining the earlobe piercing service; and
 - (B) After care instructions including care following service, possible side effects and complications and restrictions.
- (i) Signature from the client that they have been informed, both verbally and in writing, of all information related to the earlobe piercing services including possible reactions, side effects and potential complications of the service and consent to obtaining the earlobe piercing service;
- (j) Signature that the client has received the Office contact information and how to make a complaint.
- (k) Proof of age or consent consisting of one of the following:
 - (A) If the client is of older than 18, a copy of a government issued photographic identification. A copy of the government issued photographic identification must be included in the client record;
 - (B) If the client is a minor written parental or legal guardian consent is required. The written parental or legal guardian consent must be submitted to the licensee by the parent or legal guardian prior to piercing the minor. The consenting parent or legal guardian must be 18 years of age and present government issued photographic identification at time of written consent. A copy of the government issued photographic identification must be included in the client record; or
 - (C) If the client is an emancipated minor, copies of legal court documents proving emancipation

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and government issued photographic identification is required.

(2) A licensee may obtain advice from a physician regarding medical information needed to safeguard client and licensee. Advice from a physician must be documented in the client record.

(3) Documentation must be legibly written or computerized. Client documentation, written or archived electronically by computer, must be retained for a minimum of three years and available upon request by the Office.

Statutory/Other Authority: 676.615 & 690.390

Statutes/Other Implemented: 690.390

History:

[HLO 1-2018, amend filed 01/04/2018, effective 01/04/2018](#)

HLA 15-2013, f. 12-30-13, cert. ef. 1-1-14

HLA 10-2012, f. & cert. ef. 6-25-12

331-900-0100

Standard Body Piercing Practice Standards and Prohibitions

(1) Piercing is prohibited:

(a) On a person younger than 18 years of age unless the requirements of OAR 331-900-0130 are met.

(b) On the genital or nipple of a person younger than 18 years of age regardless of parental consent.

(c) On a person's testes, deep shaft (corpus cavernosa), uvula, eyelids and sub-clavicle; horizontal tongue piercings also are prohibited;

(d) On a person who shows signs of being inebriated or appears to be incapacitated by the use of alcohol or drugs; and

(e) On a person with sunburn or other skin diseases or disorders of the skin such as open lesions, rashes, wounds, puncture marks in areas of treatment.

(2) A standard body piercing licensee is prohibited from using an earlobe piercing gun unless a license for earlobe piercing is obtained.

(3) The Office adopts the Association of Professional Piercers 2013 Procedure Manual by reference which must be used by licensees as a standard of care for body piercing best practices. The procedure manual can be located at <http://www.safepiercing.org/publications/procedure-manual/>

Statutory/Other Authority: 676.615 & 690.390

Statutes/Other Implemented: 690.390

History:

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HLA 16-2011, f. 12-30-11, cert. ef. 1-1-12

331-900-0105

Initial Jewelry for Standard Body Piercing

- (1) A standard body piercer must meet the following jewelry grade standards for initial piercings unless requirements listed in subsection (5) of this rule are met.
- (a) Steel that is ASTM F138 compliant or ISO 5832-1 compliant;
 - (b) Steel that is ISO 10993-6, 10993-10, and/or 10993-11 compliant [Note: The EEC Nickel Directive is a regulation that requires a low rate of nickel release for all materials used for costume or fine jewelry, belt buckles, watches, or other metallic accessories with direct skin contact. It does not specify nor prove that a material is safe to wear in the body; therefore, compliance with this directive alone is not sufficient for meeting the APP initial jewelry standards;
 - (c) Titanium (Ti6Al4V ELI) that is ASTM F136 compliant or ISO 5832-3 compliant;
 - (d) Titanium that is ASTM F67 compliant;
 - (e) Solid 14 karat or higher nickel and cadmium free yellow, white, or rose gold;
 - (f) Solid nickel-free platinum alloy;
 - (g) Niobium (Nb);
 - (h) Fused quartz glass, lead-free borosilicate or lead-free soda-lime glass; or
 - (i) Polymers (plastics) as follows:
 - (A) Any plastic material that is ISO 10993-6, 10993-10 and/or 10993-11 compliant and/or meets the United States Pharmacopeia (USP) Class VI material classification;
 - (B) Tygon® Medical Surgical Tubing ND 100-65 or ND 100-80;
 - (C) Polytetrafluoroethylene (PTFE) that is ASTM F754 compliant;
 - (D) All threaded or press-fit jewelry must have internal tapping (no threads on posts);
 - (E) For body jewelry purposes, surfaces and ends must be smooth, free of nicks, scratches, burrs, polishing compounds and metals must have a consistent mirror finish.
- (2) A licensee must have a “Mill Test Certificate” for all jewelry used for initial piercings which provides evidence of a specific grade of metal with a code designation from the ASTM or ISO, which must be available on the facility premises.
- (3) Jewelry used for initial piercings must be disassembled and sterilized before use on each client in accordance with OAR 331-900-0125.
- (4) Jewelry used during earlobe piercing services defined under OAR 331-900-0000 for an initial earlobe piercing is not required to meet the jewelry grade standards of this rule.
- (5) The Office may approve other documentation regarding jewelry used for initial piercings which do not meet the requirements of subsection (1) through (3) of this rule. The approved documentation must be available on the facility premises.

Statutory/Other Authority: 676.615 & 690.390

Statutes/Other Implemented: 690.390

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331-900-0110

Informed Consent for Certain Standard Body Piercing Procedures

(1) A licensee must document the verbal explanation and the written informed consent process in the client's record. Informed consent information must include the following:

- (a) Definition of procedure or process;
- (b) Risk(s) of procedure or process;
- (c) Description and risk of adverse outcomes;
- (d) Alternative procedures and their risks;
- (e) Documentation of questions asked by the client;
- (f) Aftercare instructions; and
- (g) Signature from the licensee and the client.

(2) Informed consent including signatures from the licensee may be electronically signed and stored in accordance with (1) of this rule.

Statutory/Other Authority: 676.615 & 690.405

Statutes/Other Implemented: 690.405

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331-900-0115

General Standards for Standard Body Piercing

(1) The cleanliness of any common area in a facility is the responsibility of each license holder. All license holders may be cited for violations found in the common area.

(2) An individual licensed to perform services in a field of practice or a licensed facility owner must:

- (a) Use and maintain appropriate equipment and instruments for providing services in a field of practice at the place of business;
- (b) Use all equipment, instruments and supplies, including but not limited to marking instruments, in a manner described in the manufacturer's instructions which is consistent with the manufacturer's intended use of the device by the FDA;
- (c) Ensure a high-level disinfectant is used in accordance with manufacturer's instructions to disinfect surfaces where services are performed;
- (d) Ensure all chemicals are stored in labeled, closed containers;
- (e) Ensure that single-use disposable paper products, single-use needles, sterilized jewelry and protective gloves are used for each client. Use of towels and linens are prohibited;

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- (f) Have unrestricted access to a sink with hot and cold running water on the facility premises and separate from a restroom.
 - (g) Ensure restrooms located within the facility are kept clean and in good working order at all times. Air blowers within restrooms can be substituted for disposable hand towels;
 - (h) Ensure all waste material related to a service, be enclosed in a glove or bag, disposed of in a covered container with a garbage liner following a service on a client. Service-related waste is prohibited from being disposed of in non-service related areas, such as lobby or waiting areas;
 - (i) Ensure all sharp objects that come in contact with blood or other potentially infectious materials be disposed of in a sharps container;
 - (j) Ensure biohazard labels or red biohazard bags are available on the facility premises;
 - (k) Adhere to all Centers for Disease Control and Prevention Standards;
 - (l) Ensure pets or other animals are not on the premises of the body art facility unless they service animals recognized by the American with Disabilities Act or to fish in aquariums or nonpoisonous reptiles in terrariums;
 - (m) Ensure all disinfecting solutions or agents be kept at adequate strengths to maintain effectiveness, be free of foreign material and be available for immediate use at all times the facility is open for business;
 - (n) Ensure that all instruments that come in contact with blood or other potentially infectious materials be either disposed of or sterilized; and
 - (o) Ensure that all jewelry used for initial piercings is sterilized before use on a client in accordance with OAR 331-900-0125.
- (3) A licensee must wear eye goggles, shields or a mask if spattering is possible while providing services.
- (4) All substances must be dispensed in a single-use container and discarded at the end of each procedure to prevent cross contamination.
- (5) Cross contamination from touch or air particulates in any procedure area that comes in direct contact with client is prohibited.
- (6) Between each service area there must be a clean nonporous barrier unless services are being provided under an event facility license in which five feet must be between each client to prevent contact with blood or other potentially infectious materials.

Statutory/Other Authority: 690.405, 676.615 & 690.390

Statutes/Other Implemented: 690.405 & 690.390

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331-900-0120

Standards for Client Services for Standard Body Piercing

- (1) A licensee must use a minimum of one pair of disposable gloves for each of the following:
 - (a) Set-up of instruments and skin preparation;
 - (b) During the body piercing procedure;
 - (c) During the post-procedure teardown;
 - (d) During cleaning and disinfection of the procedure area; and
 - (e) During the sterilization process.
- (2) For the purpose of subsection (2) and (3) of this rule the process for hand washing includes thoroughly washing the hands in warm, running water with liquid soap using friction on all surfaces of the hands and wrists, then rinsing hands and drying hands with a clean, disposable paper towel.
- (3) A licensee must wash hands before and after a service is provided. Use of antibacterial hand sanitizer before and after a service is prohibited.
- (4) A licensee must perform hand washing standards including by not limited to when:
 - (a) Leaving the work area;
 - (b) Coming in contact with blood or other potentially infectious materials; and
 - (c) Hands are visibly soiled.
- (5) Notwithstanding the requirements of subsection (2) and (3) of this rules when using an antibacterial hand sanitizer friction must be applied on all surfaces of the hands and wrists.
- (6) Use of bar soap is prohibited.

Statutory/Other Authority: 690.405 & 676.615

Statutes/Other Implemented: 690.405 & 690.390

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331-900-0125

Approved Sterilization Standards for Standard Body Piercing

331-900-0125

Approved Sterilization Standards for Standard Body Piercing

- (1) Needles must be single use, used on one client, then properly disposed of in an approved sharps container defined under OAR 331-900-0000.
- (2) All non-sterilized or reusable instruments that come in direct contact with a client's skin or are exposed to blood or other potentially infectious materials must be cleaned and sterilized before use on a client or re-use on another client.
- (3) New gloves must be worn during any cleaning or sterilization procedure.

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- (4) The cleaning and sterilization process listed in subsection (5) of this rule is not required if single-use prepackaged sterilized instruments, obtained from suppliers or manufacturers are used.
- (5) Approved cleaning and sterilization process for non-sterilized or reusable instruments includes the following ordered method after each use:
- (a) Clean instruments by manually brushing or swabbing visible foreign matter and rinsing the instruments with warm water and an appropriate detergent solution to remove blood and other potentially infectious materials;
 - (b) Place instruments in an ultrasonic cleaner filled with an appropriate ultrasonic solution including but not limited to an enzymatic cleaner. The ultrasonic unit must be used according to the manufacturer's instructions. The ultrasonic unit must operate at 40 to 60 kilohertz. The ultrasonic cleaner must remain covered when in use. Self-contained instrument washers used to decontaminate instruments prior to sterilization may be used in place of an ultrasonic cleaner and used according to manufacturer instructions;
 - (c) Remove instruments from the ultrasonic unit or self-contained instrument washer. All instruments must be rinsed, air dried, and individually packaged in sterilization pouches that include use of a color change indicator strip to assure sufficient temperature during each sterilization cycle. The date the sterilization was performed must be applied to the sterilization pouch; OR instruments which are sterilized in an autoclave that do not require packaging or use of a color change indicator strip must be sterilized after use on a client, stored in a clean disinfected location and resterilized immediately before performing a service on a client;
 - (d) Instruments must be sterilized by using an autoclave sterilizer, steam, chemical or gas, registered and listed with the FDA;
 - (e) A steam sterilization integrator must be used to monitor the essential conditions of steam sterilization for each autoclaved cycle. Results must be recorded in a log book for each sterilization cycle. Each steam sterilization integrator must indicate the date the sterilization cycle took place. Steam sterilization integrators must be kept for a minimum of sixty days; and
 - (f) After sterilization, the sterilized instruments must be stored in individually packaged sterilization pouches that include a color change indicator strip listed under (5)(c) of this rule and in a dry, disinfected, closed cabinet or other tightly-covered container reserved for the storage of such instruments.
- (6) Use of a biological monitoring system ("spore tests") must be done at least once a month, verified through an independent laboratory, to assure all microorganisms have been destroyed and sterilization achieved.
- (7) The ultrasonic unit listed in subsection (5)(b) of this rule must be used, cleaned, and maintained in accordance with manufacturer's instructions and a copy of the manufacturer's recommended procedures for the operation of the ultrasonic unit must be kept on file at the body art facility.
- (8) All sterilization pouches with color change indicator strips listed in subsection (5)(c) of this rule must contain a chemical/temperature and/or humidity sensitive tapes, strips or pellets for monitoring each sterilization cycle.
- (9) Sterilization pouches with color change indicator strips listed in subsection (5)(c) of this rule and steam sterilization integrators listed in (5)(e) of this rule must be available at all times for

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inspection by the Office.

(10) Biological spore test results listed in subsection (6) of this rule must be immediately available at all times for inspection by the Office and kept at facility premises for a minimum of two years.

(11) The autoclave listed in subsection (5)(d) must be used, cleaned, and maintained in accordance with manufacturer's instructions and a copy of the manufacturer's recommended procedures for the operation of the autoclave must be kept on file at the body art facility.

(12) The expiration date for sterilized instruments is one year from the date of sterilization unless the integrity of the package is compromised.

(13) Sterilized instruments may not be used if the package integrity has been breached, is wet or stained, or the expiration date has passed without first meeting the requirements listed in Subsection (5) of this rule.

(14) All sterilized instruments used in body piercing procedures must remain stored in sterile packages and in a dry, disinfected, closed cabinet or other tightly-covered container reserved for the storage of such instruments until just prior to the performance of a body piercing procedure.

(15) If a biological spore test listed in subsection (6) of this rule, result is positive, a licensee must discontinue the use of that sterilizer (autoclave) until it has been serviced and a negative spore test has been recorded before putting the sterilizer back into service. Until a negative spore test has been received, the licensee must:

(a) Use an alternative sterilizer (autoclave); or

(b) Use only single use instruments.

(16) If a positive spore test has been received, all instruments sterilized prior to the positive spore test must be repackaged and sterilized pursuant to subsection (5) of this rule, before use.

(17) Following the receipt of a positive spore test, the licensee or facility must notify all clients in writing stating a positive spore test had been received during the time they received their body piercing procedure. The licensee or facility must provide the client with the risks of having a body piercing procedure with instruments that may not have been sterilized pursuant to (5)(c) and (d) of this rule.

Statutory/Other Authority: 690.405, 676.615 & 690.390

Statutes/Other Implemented: 690.405 & 690.390

History:

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331-900-0130

Client Records and Information for Standard Body Piercing

(1) A licensee is responsible for maintaining and keeping copies of all client records. If client records are maintained by the facility and not by the individual licensee, the facility owner must provide the licensee with copies of those client records upon request. The record must include the following for each client:

(a) Name, address, telephone number and date of birth of client;

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- (b) Date of each service, procedure location on the body and type of service performed on client;
 - (c) Name and license number of the licensee providing service;
 - (d) Special instructions or notations relating to the client's medical or skin conditions including but not limited to diabetes, cold sores and fever blisters, psoriasis or eczema, pregnancy or breast-feeding/nursing;
 - (e) Complete list of the client's sensitivities to medicines or topical solutions;
 - (f) History of the client's bleeding disorders;
 - (g) Type of jewelry; and
 - (h) Description of complications during procedure(s).
- (2) Signature from the client that they have received the following information in writing or electronically and verbally:
- (a) All information related to the body piercing service including possible reactions, side effects and potential complications of the service and consent to obtaining the body piercing service;
 - (b) Information listed in OAR 331-905-0065 regarding informed consent for specialty body piercing procedures; and
 - (c) After care instructions including care following service, possible side effects and complications and restrictions.
- (3) The licensee must obtain proof of age or consent consisting one of the following:
- (A) If the client is older than 18, a copy of a government issued photographic identification must be obtained and included in the client record;
 - (B) If the client is a minor written parental or legal guardian consent is required. The written parental or legal guardian consent must be submitted to the licensee by the parent or legal guardian prior to piercing the minor. The consenting parent or legal guardian must be at least 18 years of age and present government issued photographic identification at time of written consent. A copy of the government issued photographic identification must be included in the client record; or
 - (C) If the client is an emancipated minor, copies of legal court documents proving emancipation and government issued photographic identification is required.
- (3) A licensee may obtain advice from a physician regarding medical information needed to safeguard client. Advice from the physician must be documented in the client record.
- (4) For the purpose of (1) and (2) of this rule, records must be maintained at facility premises for 90 days records older than 90 days must be made available to the Office upon request within seven days. Records must be kept for a minimum of three years and may be stored electronically.
- (5) Client records must be typed or printed in a legible format. Client records that are not readable by the Office will be treated as incomplete.

Statutory/Other Authority: 690.405, 676.615 & 690.390

Statutes/Other Implemented: 690.405 & 690.390

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Division 905

SPECIALTY BODY PIERCING

331-905-0000

Specialty Body Piercing Definitions

The following definitions apply to OAR chapter 331, division 900:

- (1) "Affidavit of Licensure" has the meaning set forth in OAR 331-030-0040.
- (2) "APP" means Association of Professional Piercers.
- (3) "Body piercing" has the definition set forth in ORS 690.350.
- (4) "Direct supervision" means the supervisor or instructor is present in the facility and actively involved in direct oversight and training of students.
- (5) "Disinfect" means the process that kills some but not all disease-causing microorganisms and slows regrowth.
- (6) "EPA" means United States Environmental Protection Agency.
- (7) "FDA" means Food and Drug Administration.
- (8) "Field of practice" has the definition set forth in ORS 690.350.
- (9) "High-level disinfectant" means a chemical agent, registered with the EPA, which has demonstrated tuberculocidal activity.
- (10) "Instruments" means equipment used during body piercing services. Types of instruments include but are not limited to needles, forceps, hemostats, tweezers, and jewelry.
- (11) "Office" means Health Licensing Office.
- (12) "Official transcript" means: An original document authorized by the appropriate office in the Higher Education Coordinating Commission and certified by an educational institution indicating applicant identity information, field of practice(s) enrolled under, specific hour requirements for each field of practice if applicable, final practical examination scores for each field of practice, enrollment information and a signature by an authorized representative on file with the Office. Original documents must be submitted directly to the Office from the educational institution by United States Postal Service mail or other recognized mail service providers in a sealed envelope;
- (13) "Practitioner" means a person licensed to perform services included within a field of practice.
- (14) "Sharps container" means a puncture-resistant, leak-proof container that can be closed for handling, storage, transportation, and disposal. The container must be labeled with the "Biohazard" symbol.
- (15) "Specialty level one genital piercing" includes the following:
 - (a) 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

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

(c) Cheek piercing is a piercing outside the nasal labia fold that goes from outside to the inside of cheek.

(16) “Specialty level two genital piercing” includes the following:

(a) Male genital piercings: 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

(b) Female genital piercings: 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”).

(17) “Sterilize” means the process that kills all microbial life.

Statutory/Other Authority: 676.615 & 690.405

Statutes/Other Implemented: 690.405

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331-905-0005

Specialty Level One Piercing Education or Training

An education curriculum or training for specialty level one piercing must meet requirements set forth by the Office prior to beginning training or education.

(1) Education Requirements for a Specialty Level One Piercing Student: A specialty level one piercing career school course of study must include 36 26 hours of practical education and a minimum of 26 practical procedures.

(2) The 26 practical procedures required must include:

(a) 10 practical procedures in which the trainee observes and participates; the trainee must observe (4) four male and (4) four female procedures, with at least (2) two cheek piercings, and (4) four different types of piercings as listed in subsection (3) of this rule; and

(b) 16 practical procedures performed by the trainee under direct supervision, but without assistance; the trainee must perform a minimum of (4) four male and (4) four female procedures, with at least (2) two cheek piercings, and (4) four different types of piercings as listed in subsection (3) of this rule.

(3) The 26 practical procedures under subsection (2) of this rule must include at least (4) four piercings procedures listed in subsection (a) through (l) below of this rule:

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- (a) Scrotum;
 - (b) Frenum;
 - (c) Foreskin;
 - (d) Perineum behind the scrotum;
 - (e) Piercing of the penis through the urethra and exiting on the underside of the penis;
 - (f) Labia majora;
 - (g) Labia minora;
 - (h) Piercing of the perineum between the vagina and the anus;
 - (i) Piercing of the clitoral hood;
 - (j) Vulva;
 - (k) Non midline vertical tongue; and
 - (l) Cheek.
- (4) Education must be conducted by a Higher Education Coordinating Commission, Private Career School and by a licensed instructor who holds an active specialty level one piercing license.
- (5) Education must be conducted by a Higher Education Coordinating Commission, Private Career School.
- (6) An instructor licensed by Higher Education Coordinating Commission must provide direct supervision, on a one-to-one student/teacher ratio when the student is performing practical procedures.
- (7) Supervised Training Requirements for Specialty Level One Piercing Temporary Trainee: An individual must obtain a standard body piercing license prior to beginning training for specialty level one piercing. The specialty level one piercing training program must include 26 hours of practical training and a minimum of 26 practical procedures.
- (8) The 26 practical procedures required must include:
- (a) 10 practical procedures in which the trainee observes and participates; the trainee must observe (4) four male and (4) four female procedures, with at least (2) two cheek piercings, and (4) four different types of piercings as listed in subsection (9) of this rule; and
 - (b) 16 practical procedures performed by the trainee under direct supervision, but without assistance; the trainee must perform a minimum of (4) four male and (4) four female procedures, with at least (2) two cheek piercings, and (4) four different types of piercings as listed in subsection (9) of this rule.
- (9) The 26 piercings procedures under subsection (8) of this rule must include at least (4) four different piercings procedures listed in subsection (a) through (l) below of this rule:
- (a) Scrotum;
 - (b) Frenum;
 - (c) Foreskin;
 - (d) Perineum behind the scrotum;

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- (e) Piercing of the penis through the urethra and exiting on the underside of the penis;
 - (f) Labia majora;
 - (g) Labia minora;
 - (h) Piercing of the perineum between the vagina and the anus;
 - (i) Piercing of the clitoral hood;
 - (j) Vulva;
 - (k) Non midline vertical tongue; and
 - (l) Cheek.
- (10) Training must be completed in no less than (2) two months from the date the Office issues a specialty level one piercing temporary trainee license.
- (11) A supervisor must provide direct supervision of practical training on a one-to-one trainee to trainer ratio when the trainee is working on the general public.
- (12) Supervisors of a specialty level one temporary trainee must adhere to OAR 331-905-0052.
- (13) A specialty level one temporary trainee may have (1) one or more approved supervisors during the specialty level one training program.
- (14) Training listed in (7) through (9) this rules must be provided by an approved supervisor pursuant to OAR 331-905-0052.

Statutory/Other Authority: 690.405, 690.365 & 676.615

Statutes/Other Implemented: 690.405 & 690.365

History:

[HLA 11-2013, f. & cert. ef. 7-1-13](#)
[HLA 6-2013\(Temp\), f. 3-20-13, cert. ef. 4-1-13 thru 9-28-13](#)
[HLA 1-2013, f. & cert. ef. 1-16-13](#)
[HLA 10-2012, f. & cert. ef. 6-25-12](#)
[HLA 3-2012\(Temp\), f. & cert. ef. 3-1-12 thru 6-25-12](#)
[HLA 14-2011\(Temp\), f. 12-30-11, cert. ef. 1-1-12 thru 6-25-12](#)

331-905-0010

Specialty Level Two Genital Piercing Education or Training

An education curriculum or training for specialty level two genital piercing must meet requirements set forth by the Office prior to beginning training or education.

- (1) Education requirements for specialty level two genital piercing student: An individual must obtain a standard body and specialty level one piercing license prior to beginning education for specialty level two genital piercing. The specialty level two genital piercing career school course of study must include 16 hours of practical education and a minimum of 16 practical procedures.
- (2) The 16 practical procedures required must include:
 - (a) (8) eight practical procedures in which the student observes and participates, with at least (3) three different piercing procedures listed in subsection (3) of this rule.
 - (b) (8) eight practical procedure performed by the student under direct supervision, but without

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assistance. The student must perform a minimum of (3) three different piercing procedures listed in subsection (3) of this rule.

(3) The 16 piercings procedures under subsection (2) of this rule must include least (3) three different piercings procedures listed below:

- (a) Piercing of the penis entering through the urethra and exiting on the upper side of the penis;
- (b) Piercing through the corona or ridge of the glans of the penis;
- (c) Horizontal piercing through the glans of the penis;
- (d) Vertical piercing through the glans of the penis;
- (e) Clitoris;
- (f) Piercing in which jewelry is inserted below the hood behind the clitoris;
- (g) Any piercing of the female genitals through the urethra; and
- (h) Any other genital piercings not listed in specialty level one genital piercing.

(4) Education must be conducted by a Higher Education Coordinating Commission Private Career School and by a licensed instructor who holds an active specialty level two genital piercing license.

(5) An instructor licensed by Higher Education Coordinating Commission must provide direct supervision, on a one-to-one student/teacher ratio when the student is performing practical procedures.

(6) Supervised training requirements for specialty level two genital piercing temporary trainee: An individual must obtain a standard body and specialty level one piercing license prior to beginning training for specialty level two genital piercing. The specialty level two genital piercing training program must include 16 hours of practical training and a minimum of 16 practical procedures. The training must include a minimum of:

(7) The 16 practical procedures required must include:

- (a) (8) eight practical procedures in which the trainee observes and participates with at least (3) three different procedures listed in subsection (8) of this rule.
- (b) (8) eight practical procedure performed by the trainee under direct supervision, but without assistance. The trainee must perform a minimum of (3) three different piercing procedures listed in subsection (8) of this rule.

(8) The 16 piercings procedures under subsection (7) of this rule must include least (3) three different piercings procedures listed below:

- (a) Piercing of the penis entering through the urethra and exiting on the upper side of the penis;
- (b) Piercing through the corona or ridge of the glans of the penis;
- (c) Horizontal piercing through the glans of the penis;
- (d) Vertical piercing through the glans of the penis;
- (e) Clitoris;
- (f) Piercing in which jewelry is inserted below the hood behind the clitoris ;
- (g) Any piercing of the female genitals through the urethra; and

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- (h) Any other genital piercings not listed in specialty level one genital piercing.
- (9) Training must be completed in no less than (2) two months from the date the Office issues a specialty level two genital piercing temporary trainee license.
- (10) A supervisor must provide direct supervision of practical training on a one-to-one trainee to trainer ratio when the trainee is working on the general public.
- (11) A specialty level two genital temporary trainee may have one or more approved supervisors during the specialty level two genital training program.
- (12) Supervisors of a specialty level two genital temporary trainee must adhere to OAR 331-905-0058.
- (13) Training listed in (6) through (8) this rules must be provided by an approved supervisor pursuant to OAR 331-905-0060.

Statutory/Other Authority: 676.615, 690.405 & 690.365

Statutes/Other Implemented: 690.405 & 690.365

History:

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HLA 11-2013, f. & cert. ef. 7-1-13

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HLA 10-2012, f. & cert. ef. 6-25-12

HLA 3-2012(Temp), f. & cert. ef. 3-1-12 thru 6-25-12

HLA 14-2011(Temp), f. 12-30-11, cert. ef. 1-1-12 thru 6-25-12

331-905-0011

Specialty Level One Piercing Trainee License

- (1) A specialty level one piercing temporary trainee license is valid for one year and may be renewed one time. After the second renewal becomes inactive the individual may reapply for a specialty level one piercing temporary trainee license.
- (2) A specialty level one piercing temporary trainee license holder may perform services defined under OAR 331-905-0000(14).
- (3) A specialty level one genital piercing temporary trainee license holder, licensed under ORS 690.365, may provide specialty level one piercing services under the direct supervision of an Office approved supervisor pursuant OAR 331-905-0052 and 331-905-0055.
- (4) Supervisors of a specialty level one genital piercing temporary trainee must adhere to OAR 331-905-0055.
- (5) A temporary trainee license holder must adhere to all standards within OAR 331-905-0090, 331-905-0095, 331-905-0100, 331-905-0105, 331-905-110, 331-905-0115, 331-905-0120 and all applicable rules listed in OAR 331 division 925.

Statutory/Other Authority: 676.615, 690.365 & 690.405

Statutes/Other Implemented: 690.365 & 690.405

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HLA 2-2013(Temp), f. & cert. ef. 1-16-13 thru 7-14-13
HLA 10-2012, f. & cert. ef. 6-25-12

331-905-0012

Application Requirements for Specialty Level One Piercing Temporary Trainee License

An individual applying for a Specialty Level One Piercing Temporary Trainee License must:

- (1) Meet the requirements of OAR 331 division 30;
- (2) Submit a completed application form prescribed by the Office, which must contain the information listed in OAR 331-030-0000 and be accompanied by payment of the required application fees;
- (3) Submit proof of being at least 18 years of age; documentation may include identification listed under OAR 331-030-0000;
- (4) Submit proof of having a high school diploma or equivalent;
- (5) Submit proof of current cardiopulmonary resuscitation and basic first aid training from an Office-approved provider;
- (6) Submit proof of current blood borne pathogens training from an Office-approved provider;
- (7) Submit proof of having a current, active standard body piercing license that has no current or pending disciplinary actions; and
- (8) Pay applicable licensing fees.

Statutory/Other Authority: 676.615, 690.365 & 690.405

Statutes/Other Implemented: 690.365 & 690.405

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331-905-0013

Specialty Level Two Genital Piercing Temporary Trainee

- (1) A specialty level two genital piercing temporary trainee license is valid for one year and may be renewed one time. After the second renewal becomes inactive the individual may reapply for a specialty level one piercing temporary trainee license.
- (2) A specialty level two genital piercing temporary trainee license holder may perform services defined under OAR 331-905-0000(15).
- (3) A specialty level two genital piercing temporary trainee license holder, licensed under ORS 690.365, may provide specialty level two genital piercing services under the direct supervision of an Office-approved supervisor pursuant OAR 331-905-0058 and 331-905-0060.
- (4) Supervisors of a specialty level two genital piercing temporary trainee must adhere to OAR 331-905-0060.
- (5) A specialty level two genital piercing temporary trainee license holder must adhere to all

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standards within OAR 331-905-0090, 331-905-0095, 331-905-0100, 331-905-0105, 331-905-110, 331-905-0115, 331-905-0120 and all applicable rules listed in OAR 331 division 925.

Statutory/Other Authority: 676.615, 690.365 & 690.365

Statutes/Other Implemented: 690.365 & 690.365

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HLA 1-2013, f. & cert. ef. 1-16-13

HLA 10-2012, f. & cert. ef. 6-25-12

[331-905-0014](#)

Application Requirements for Specialty Level Two Genital Piercing Temporary Trainee License

An individual applying for a Specialty Level Two Genital Piercing Temporary Trainee License must:

- (1) Meet the requirements of OAR 331 division 30;
- (2) Submit a completed application form prescribed by the Office, which must contain the information listed in OAR 331-030-0000 and be accompanied by payment of the required application fees;
- (3) Submit proof of being at least 18 years of age; documentation may include identification listed under OAR 331-030-0000;
- (4) Submit proof of having a high school diploma or equivalent;
- (5) Submit proof of current cardiopulmonary resuscitation and basic first aid training from an Office-approved provider;
- (6) Submit proof of current blood borne pathogens training from an Office-approved provider;
- (7) Submit proof of having a current specialty level one piercing license that is active with no current or pending disciplinary action; and
- (8) Pay applicable licensing fees.

Statutory/Other Authority: 676.615, 690.365 & 690.405

Statutes/Other Implemented: 690.365 & 690.405

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[331-905-0035](#)

Specialty Level One Piercing License

- (1) A specialty level one piercing license holder may perform standard body piercing services defined under OAR 331-900-0000(14).

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(2) A specialty level one piercing license holder may perform specialty level one services defined under OAR 331-905-0000(14).

(3) A specialty level one piercing license is valid for one year and becomes inactive on the last day of the month one year from the date of issuance.

(4) A specialty level one license holder must adhere to all standards within OAR 331-905-0090, 331-905-0095, 331-905-0100, 331-905-0105, 331-905-110, 331-905-0115, 331-905-0120 and all applicable rules listed in OAR 331 Division 925.

Statutory/Other Authority: 676.615, 690.365 & 690.405

Statutes/Other Implemented: 690.365 & 690.405

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331-905-0040

Application Requirements for Specialty Level One Piercing License

(1) An individual applying for licensure to practice specialty level one piercing must:

(a) Meet the requirements of OAR 331 division 30;

(b) Submit a completed application form prescribed by the Office, which must contain the information listed in OAR 331-030-0000 and be accompanied by payment of the required application fees;

(c) Submit proof of current cardiopulmonary resuscitation and basic first aid training from an Office approved provider;

(d) Submit proof of current blood borne pathogens training from an Office approved provider;

(e) Submit proof of being at least 18 years of age; documentation may include identification listed under OAR 331-030-0000;

(f) Submit proof of having a high school diploma or equivalent;

(g) Submit proof of having a standard body piercing license for at least 6 months; and

(h) Provide documentation of completing a qualifying pathway.

(2) License Pathway 1 — Graduate from a Higher Education Coordinating Commission Private Career School for Specialty Level One Piercing must:

(a) Submit official transcript from a specialty level one piercing career school under ORS 345 showing proof of completion of required specialty level one piercing curriculum as approved by the Office under OAR 331-905-0005 (1) through (5);

(b) If applicable, pay examination fees;

(c) Submit passing score of the Office-approved standard body piercing written examinations in accordance with OAR 331-900-0060 (3) and (4). Completion of the written examination is not required if the applicant has passed the examinations listed under OAR 331-900-0060 (3) and (4) within two years before the date of application; and

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(d) Upon passage of all required examinations, if applicable, and before issuance of license, applicant must pay all license fees.

(3) License Pathway 2 — Qualification through Specialty Level One Piercing Temporary Trainee License:

(a) Submit documentation approved by the Office showing proof of having completed required specialty level one training listed under OAR 331-905-0005 (6) through (10), and verified by a supervisor approved under OAR 331-905-0055, on a form prescribed by the Office;

(b) If applicable, pay examination fees;

(c) Submit passing score of the Office-approved standard body piercing written examinations in accordance with OAR 331-900-0060 (3) and (4). Completion of the written examination is not required if the applicant has passed the examinations listed under OAR 331-900-0060 (3) and (4) within two years before the date of application; and

(d) The applicant must pay all license fees before issuance of a license.

Statutory/Other Authority: 676.615, 690.365 & 690.405

Statutes/Other Implemented: 690.365 & 690.405

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HLA 1-2013, f. & cert. ef. 1-16-13

HLA 10-2012, f. & cert. ef. 6-25-12

HLA 3-2012(Temp), f. & cert. ef. 3-1-12 thru 6-25-12

HLA 14-2011(Temp), f. 12-30-11, cert. ef. 1-1-12 thru 6-25-12

331-905-0045

Specialty Level Two Genital Piercing License

(1) A specialty level two genital piercing license may perform standard body piercings services defined under OAR 331-900-0000(16).

(2) A specialty level two genital piercing license may perform specialty level one services defined under OAR 331-905-0000(14).

(3) A specialty level two genital piercing license may perform specialty level two services defined under OAR 331-905-0000(15).

(4) A specialty level two genital piercing license is valid for one year and becomes inactive on the last day of the month one year from the date of issuance.

(5) A specialty level two genital license holder must adhere to all standards within OAR 331-905-0090, 331-905-0095, 331-905-0100, 331-905-0105, 331-905-110, 331-905-0115, 331-905-0120 and all applicable rules listed in OAR 331 division 925.

Statutory/Other Authority: 676.615, 690.365 & 690.405

Statutes/Other Implemented: 690.365 & 690.405

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HLA 14-2011(Temp), f. 12-30-11, cert. ef. 1-1-12 thru 6-25-12

331-905-0050

Application Requirements for Specialty Level Two Genital Piercing License

(1) An individual applying for licensure to practice specialty level two genital piercing must:

- (a) Meet the requirements of OAR 331 division 30;
- (b) Submit a completed application form prescribed by the Office, which must contain the information listed in OAR 331-030-0000 and be accompanied by payment of the required application fees;
- (c) Submit proof of current cardiopulmonary resuscitation and basic first aid training from an Office-approved provider;
- (d) Submit proof of current blood borne pathogens training from an Office-approved provider;
- (e) Submit proof of being at least 18 years of age; documentation may include identification listed under OAR 331-030-0000;
- (f) Submit proof of having a high school diploma or equivalent; and
- (g) Provide documentation of completing a qualifying pathway;

(2) License Pathway 1 — Graduate from an Higher Education Coordinating Commission Private Career School for Specialty Level Two Genital Piercing:

- (a) Submit official transcript from a specialty level two genital piercing career school under ORS 345 and showing proof of completion of required specialty level two genital piercing curriculum as approved by the Office under OAR 331-905-0010 (1) through (6);
- (b) If applicable, pay examination fees;
- (c) Submit passing score of the Office-approved standard body piercing written examinations in accordance with OAR 331-900-0060 (3) and (4). Completion of the written examination is not required if the applicant has passed the examinations listed under OAR 331-900-0060 (3) and (4) within two years before the date of application; and
- (d) Upon passage of all required examinations, if applicable, and before issuance of license, applicant must pay all license fees.

(3) License Pathway 2 — Qualification through Specialty Level Two Genital Piercing Temporary Trainee License:

- (a) Submit documentation approved by the Office showing proof of having completed required specialty level two genital training listed under OAR 331-905-0010 (6) through (12) verified by a supervisor approved under OAR 331-905-0060 on a form prescribed by the Office;
- (b) If applicable, pay examination fees;
- (c) Submit passing score of the Office-approved standard body piercing written examinations in accordance with OAR 331-900-0060 (3) and (4). Completion of the written examination is not required if the applicant has passed the examinations listed under OAR 331-900-0060 (3) and (4) within two years before the date of application; and

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(d) The applicant must pay all license fees before issuance of a license.

Statutory/Other Authority: 676.615, 690.405 & 690.365

Statutes/Other Implemented: 690.405 & 690.365

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HLA 3-2012(Temp), f. & cert. ef. 3-1-12 thru 6-25-12

HLA 14-2011(Temp), f. 12-30-11, cert. ef. 1-1-12 thru 6-25-12

331-905-0052

Specialty Level One Piercing Supervisor

- (1) An approved supervisor may supervise one specialty level one piercing trainee per shift.
- (2) An approved supervisor must exercise management, guidance, and control over the activities of the specialty level one piercing and must exercise professional judgment and be responsible for all matters relative to the specialty level one piercing trainee.
- (3) Supervisors must document work done by the specialty level one piercing trainee on a form prescribed by the Office and maintain training documentation for a minimum of two years following completion of training.
- (4) An approved supervisor must notify the Office in writing within five calendar days if a specialty level one piercing trainee is no longer being supervised, and must provide the number of hours of training completed on a form prescribed by the Oregon.
- (5) Notwithstanding any other disciplinary actions, an approved supervisor's authorization to supervise may be withdrawn by the Office for providing incomplete or inadequate training or falsifying documentation.
- (6) Supervisors must provide direct supervision to specialty level one piercing trainees.

Statutory/Other Authority: 690.405, 676.615 & 690.365

Statutes/Other Implemented: 690.405 & 690.365

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331-905-0055

Application Requirements for Specialty Level One Piercing Supervisor

- (1) To be an approved supervisor for a specialty level one piercing temporary trainee an individual must:
 - (a) Submit a completed form prescribed by the Office, which must contain the information listed in OAR 331-030-0000;

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- (b) Submit proof of having a specialty level one piercing license that is active with no current or pending disciplinary action;
 - (c) Submit proof of having been actively practicing standard body piercing for at least two of the last five years before the date of application.
 - (d) Submit proof of current cardiopulmonary resuscitation and basic first aid training from an Office-approved provider; and
 - (e) Submit proof of current blood borne pathogens training from an Office-approved provider.
- (2) A specialty level one piercing supervisor must adhere to all standards within OAR 331-905-0090, 331-905-0095, 331-905-0100, 331-905-0105, 331-905-110, 331-905-0115, 331-905-0120 and all applicable rules listed in OAR 331 division 925.

Statutory/Other Authority: 676.615, 690.365 & 690.405

Statutes/Other Implemented: 690.365 & 690.405

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[331-905-0058](#)

Responsibilities of Specialty Level Two Genital Piercing Supervisors

- (1) An approved supervisor may supervise one specialty level two genital piercing temporary trainee per shift.
- (2) An approved supervisor must exercise management, guidance, and control over the activities of the specialty level two genital piercing temporary trainee and must exercise professional judgment and be responsible for all matters relative to the specialty level two genital piercing trainee.
- (3) Supervisors must document work done by the specialty level two genital piercing temporary trainee on a form prescribed by the Office and maintain training documentation for a minimum of two years following completion of training..
- (4) An approved supervisor must notify the Office in writing within five calendar days if a specialty level two genital piercing temporary trainee is no longer being supervised, and must provide the number of hours of training completed on a form prescribed by the Office.
- (5) Notwithstanding any other disciplinary actions, an approved supervisor's authorization to supervise may be withdrawn by the Office for providing incomplete or inadequate training or falsifying documentation.
- (6) Supervisors must provide direct supervision to specialty level two genital piercing temporary trainees.

Statutory/Other Authority: 676.615, 690.365 & 690.405

Statutes/Other Implemented: 690.365 & 690.405

History:

[HLO 1-2018, amend filed 01/04/2018, effective 01/04/2018](#)

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HLA 1-2013, f. & cert. ef. 1-16-13

HLA 10-2012, f. & cert. ef. 6-25-12

331-905-0060

Application Requirements for Specialty Level Two Genital Piercing Supervisor

(1) To be an approved supervisor for a specialty level two genital piercing temporary trainee, an individual must:

(a) Submit a completed form prescribed by the Office, which must contain the information listed in OAR 331-030-0000;

(b) Submit proof of having a specialty level one piercing license that is active with no current or pending disciplinary action;

(c) Submit proof of having a specialty level two genital piercing license that is active with no current or pending disciplinary action;

(d) Submit proof of having been actively practicing standard body piercing for at least two of the last five years before the date of application.

(e) Submit proof of current cardiopulmonary resuscitation and basic first aid training from an Office-approved provider; and

(f) Submit proof of current blood borne pathogens training from an Office-approved provider.

(2) A specialty level two genital piercing supervisor must adhere to all standards within OAR 331-905-0090, 331-905-0095, 331-905-0100, 331-905-0105, 331-905-110, 331-905-0115, 331-905-0120 and all applicable rules listed in OAR 331 Division 925.

Statutory/Other Authority: 676.615, 690.365 & 690.405

Statutes/Other Implemented: 690.365 & 690.405

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HLA 14-2011(Temp), f. 12-30-11, cert. ef. 1-1-12 thru 6-25-12

331-905-0085

Renewal of a Specialty Level One or Specialty Level Two Genital Piercing License

(1) A licensee is subject to the provisions of OAR chapter 331, division 30 regarding the renewal of a license and provisions regarding authorization to practice, identification, and requirements for issuance of a duplicate license.

(2) LICENSE RENEWAL: To avoid delinquency penalties, specialty level one or specialty level two genital piercing license renewal must be made prior to the license entering inactive status. The licensee must submit the following:

(a) Renewal application form;

(b) Payment of required renewal fee pursuant to 331-940-0000;

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- (c) Attestation of having obtained required annual continuing education under OAR 331-900-0085, on a form prescribed by the Office. Continuing education is required whether the license is current or inactive;
- (d) Attestation of current certification in cardiopulmonary resuscitation from an Office-approved provider;
- (e) Attestation of current first aid training by an Office-approved provider; and
- (f) Attestation of current certification in blood borne pathogens training from an Office-approved provider.

NOTE: A licensee is not required to renew the standard body piercing license if renewing a specialty level one or specialty level two genital piercing license.

NOTE: A licensee is not required to renew the specialty level one license if renewing the specialty level two genital piercing license.

(3) **INACTIVE LICENSE RENEWAL:** A specialty level one or specialty level two genital piercing license may be inactive for up to three years. If a license is inactive the licensee is not authorized to practice. When renewing a license after entering inactive status, the licensee holder must submit the following:

- (a) Renewal application form;
 - (b) Payment of delinquency and license fees pursuant to OAR 331-940-0000;
 - (c) Attestation of having obtained required annual continuing education under OAR 331-900-0085 on a form prescribed by the Office. Continuing education is required whether the license is current or inactive;
 - (d) Attestation of current certification in cardiopulmonary resuscitation from an Office-approved provider;
 - (e) Attestation of current first aid training by an Office-approved provider; and
 - (f) Attestation of current certification in blood borne pathogens training from an Office-approved provider.
- (4) **EXPIRED LICENSE:** A specialty level one or specialty level two genital piercing license that has been inactive for more than three years is expired and the license holder must reapply and meet the requirements listed in OAR 331-905-0040 or 331-905-0050.

Statutory/Other Authority: 676.615, 690.405 & 690.390

Statutes/Other Implemented: 690.405 & 690.390

History:

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[331-905-0090](#)

Specialty Body Piercing Practice Standards and Prohibitions

- (1) Piercing is prohibited:
 - (a) On the genital or nipple of a person younger than 18 regardless of parental consent;

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- (b) On testes, deep shaft (corpus cavernosa), uvula, eyelids, and sub-clavicle; horizontal tongue piercings also are prohibited;
 - (c) On a person who shows signs of being inebriated or appears to be incapacitated by the use of alcohol or drugs;
 - (d) On a person with sunburn or other skin diseases or disorders of the skin such as open lesions, rashes, wounds, or puncture marks in areas of treatment
- (2) A specialty body piercing licensee is prohibited from using an earlobe piercing gun unless a license for earlobe piercing is obtained.
- (3) The Office adopts the Association of Professional Piercers 2013 Procedure Manual by reference which must be used by licensees as a standard of care for body piercing best practices. The procedure manual can be located at <http://www.safepiercing.org/publications/procedure-manual/>

Statutory/Other Authority: 676.615, 690.390 & 690.405

Statutes/Other Implemented: 690.390 & 690.405

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[331-905-0095](#)

General Standards for Specialty Body Piercing

- (1) The cleanliness of any common area in a facility is the responsibility of each license holder. All license holders may be cited for violations found in the common area.
- (2) An individual licensed to perform services in a field of practice or a licensed facility owner must:
 - (a) Use and maintain appropriate equipment and instruments for providing services in a field of practice at the place of business;
 - (b) Use all equipment, instruments and supplies, including but not limited to marking instruments, in a manner described in the manufacturer's instructions which is consistent with the manufacturer's intended use of the device by the FDA;
 - (c) Ensure a high-level disinfectant is used in accordance with manufacturer's instructions to disinfect surfaces where services are performed;
 - (d) Ensure all chemicals are stored in labeled, closed containers;
 - (e) Ensure that single-use disposable paper products, single-use needles, sterilized jewelry and protective gloves are used for each client. Use of towels and linens are prohibited;
 - (f) Have unrestricted access to a sink with hot and cold running water on the facility premises and separate from a restroom.
 - (g) Ensure restrooms located within the facility are kept clean and in good working order at all times. Air blowers within restrooms can be substituted for disposable hand towels;
 - (h) Ensure all waste material related to a service, be enclosed in a glove or bag, disposed of in a covered container with a garbage liner following a service on a client. Service-related waste is

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- prohibited from being disposed of in non-service related areas, such as lobby or waiting areas;
- (i) Ensure all sharp objects that come in contact with blood or other potentially infectious materials be disposed of in a sharps container;
 - (j) Ensure biohazard labels or red biohazard bags are available on the facility premises;
 - (k) Adhere to all Centers for Disease Control and Prevention Standards;
 - (l) Ensure pets or other animals are not on the premises of the body art facility unless they service animals recognized by the American with Disabilities Act or to fish in aquariums or nonpoisonous reptiles in terrariums;
 - (m) Ensure all disinfecting solutions or agents be kept at adequate strengths to maintain effectiveness, be free of foreign material and be available for immediate use at all times the facility is open for business;
 - (n) Ensure that all instruments that come in contact with blood or other potentially infectious materials be either disposed of or sterilized; and
 - (o) Ensure that all jewelry used for initial piercings is sterilized before use on a client in accordance with OAR 331-900-0125.
- (3) A licensee must wear eye goggles, shields or a mask if spattering is possible while providing services.
- (4) All substances must be dispensed in a single-use container and discarded at the end of each procedure to prevent cross contamination.
- (5) Cross contamination from touch or air particulates in any procedure area that comes in direct contact with client is prohibited.
- (6) Between each service area there must be a clean nonporous barrier unless services are being provided under an event facility license in which five feet must be between each client to prevent contact with blood or other potentially infectious materials.

Statutory/Other Authority: 676.615, 690.390 & 690.405

Statutes/Other Implemented: 690.390 & 690.405

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HLA 10-2012, f. & cert. ef. 6-25-12

[331-905-0100](#)

Standards for Client Services for Specialty Body Piercing

- (1) A licensee must use a minimum of one pair of disposable gloves for each of the following:
- (a) Set-up of instruments and skin preparation;
 - (b) During the body piercing procedure;
 - (c) During the post-procedure teardown;
 - (d) During cleaning and disinfection of the procedure area; and

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- (e) During the sterilization process.
- (2) For the purpose of subsection (2) and (3) of this rule the process for hand washing includes thoroughly washing the hands in warm, running water with liquid soap using friction on all surfaces of the hands and wrists, then rinsing hands and drying hands with a clean, disposable paper towel.
- (3) A licensee must wash hands before and after a service is provided. Use of antibacterial hand sanitizer before and after a service is prohibited.
- (4) A licensee must perform hand washing standards including by not limited to when:
 - (a) Leaving the work area;
 - (b) Coming in contact with blood or other potentially infectious materials; and
 - (c) Hands are visibly soiled.
- (5) Notwithstanding the requirements of subsection (2) and (3) of this rules when using an antibacterial hand sanitizer friction must be applied on all surfaces of the hands and wrists.
- (6) Use of bar soap is prohibited.

Statutory/Other Authority: 676.615, 690.390 & 690.405

Statutes/Other Implemented: 690.390 & 690.405

History:

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Approved Sterilization for Specialty Body Piercing

- (1) Needles must be single-use, used on one client, then properly disposed of in an approved sharps container defined under OAR 331-900-0000.
- (2) All non-sterilized or reusable instruments that come in direct contact with a client's skin or are exposed to blood or other potentially infectious materials must be cleaned and sterilized before use on a client or re-use on another client.
- (3) New gloves must be worn during any cleaning or sterilization procedure.
- (4) The cleaning and sterilization process listed in subsection (5) of this rule is not required if single-use prepackaged sterilized instruments, obtained from suppliers or manufacturers are used.
- (5) Approved cleaning and sterilization process for non-sterilized or reusable instruments includes the following ordered method after each use:
 - (a) Clean instruments by manually brushing or swabbing visible foreign matter and rinsing the instruments with warm water and an appropriate detergent solution to remove blood and other potentially infectious materials;
 - (b) Place instruments in an ultrasonic cleaner filled with an appropriate ultrasonic solution including but not limited to an enzymatic cleaner. The ultrasonic unit must be used according to the manufacturer's instructions. The ultrasonic unit must operate at 40 to 60 kilohertz. The ultrasonic cleaner must remain covered when in use. Self-contained instrument washers used to

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decontaminate instruments prior to sterilization may be used in place of an ultrasonic cleaner and used according to manufacturer instructions;

(c) Remove instruments from the ultrasonic unit or self-contained instrument washer. All instruments must be rinsed, air dried, and individually packaged in sterilization pouches that include use of a color change indicator strip to assure sufficient temperature during each sterilization cycle. The date the sterilization was performed must be applied to the sterilization pouch; OR instruments which are sterilized in an autoclave that do not require packaging or use of a color change indicator strip must be sterilized after use on a client, stored in a clean disinfected location and resterilized immediately before performing a service on a client;

(d) Instruments must be sterilized by using an autoclave sterilizer, steam, chemical or gas, registered and listed with the FDA;

(e) A steam sterilization integrator must be used to monitor the essential conditions of steam sterilization for each autoclaved cycle. Results must be recorded in a log book for each sterilization cycle. Each steam sterilization integrator must indicate the date the sterilization cycle took place. Steam sterilization integrators must be kept for a minimum of sixty days; and

(f) After sterilization, the sterilized instruments must be stored in individually packaged sterilization pouches that include a color change indicator strip listed under (5)(c) of this rule and in a dry, disinfected, closed cabinet or other tightly-covered container reserved for the storage of such instruments.

(6) Use of a biological monitoring system (“spore tests”) must be done at least once a month, verified through an independent laboratory, to assure all microorganisms have been destroyed and sterilization achieved.

(7) The ultrasonic unit listed in subsection (5)(b) of this rule must be used, cleaned, and maintained in accordance with manufacturer’s instructions and a copy of the manufacturer’s recommended procedures for the operation of the ultrasonic unit must be kept on file at the body art facility.

(8) All sterilization pouches with color change indicator strips listed in subsection (5)(c) of this rule must contain a chemical/temperature and/or humidity sensitive tapes, strips or pellets for monitoring each sterilization cycle.

(9) Sterilization pouches with color change indicator strips listed in subsection (5)(c) of this rule and steam sterilization integrators listed in (5)(e) of this rule must be available at all times for inspection by the Office.

(10) Biological spore test results listed in subsection (6) of this rule must be immediately available at all times for inspection by the Office and kept at facility premises for a minimum of two years.

(11) The autoclave listed in subsection (5)(d) must be used, cleaned, and maintained in accordance with manufacturer’s instructions and a copy of the manufacturer’s recommended procedures for the operation of the autoclave must be kept on file at the body art facility.

(12) The expiration date for sterilized instruments is one year from the date of sterilization unless the integrity of the package is compromised.

(13) Sterilized instruments may not be used if the package integrity has been breached, is wet or stained, or the expiration date has passed without first meeting the requirements listed in Subsection (5) of this rule.

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(14) All sterilized instruments used in body piercing procedures must remain stored in sterile packages and in a dry, disinfected, closed cabinet or other tightly-covered container reserved for the storage of such instruments until just prior to the performance of a body piercing procedure.

(15) If a biological spore test listed in subsection (6) of this rule, result is positive, a licensee must discontinue the use of that sterilizer (autoclave) until it has been serviced and a negative spore test has been recorded before putting the sterilizer back into service. Until a negative spore test has been received, the licensee must:

- (a) Use an alternative sterilizer (autoclave); or
- (b) Use only single use instruments.

(16) If a positive spore test has been received, all instruments sterilized prior to the positive spore test must be repackaged and sterilized pursuant to subsection (5) of this rule, before use.

(17) Following the receipt of a positive spore test, the licensee or facility must notify all clients in writing stating a positive spore test had been received during the time they received their body piercing procedure. The licensee or facility must provide the client with the risks of having a body piercing procedure with instruments that may not have been sterilized pursuant to (5)(c) and (d) of this rule.

Statutory/Other Authority: 690.350, 676.615 & 690.405

Statutes/Other Implemented: 690.350 & 690.405

History:

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[331-905-0110](#)

Client Records and Information for Specialty Body Piercing

(1) A licensee is responsible for maintaining and keeping copies of all client records. If client records are maintained by the facility and not by the individual licensee, the facility owner must provide the licensee with copies of those client records upon request. The record must include the following for each client:

- (a) Name, address, telephone number and date of birth of client;
- (b) Date of each service, procedure location on the body and type of service performed on client;
- (c) Name and license number of the licensee providing service;
- (d) Special instructions or notations relating to the client's medical or skin conditions including but not limited to diabetes, cold sores and fever blisters, psoriasis or eczema, pregnancy or breast-feeding/nursing;
- (e) Complete list of the client's sensitivities to medicines or topical solutions;
- (f) History of the client's bleeding disorders;
- (g) Type of jewelry; and
- (h) Description of complications during procedure(s).

(2) Signature from the client that they have received the following information in writing or

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electronically and verbally:

- (a) All information related to the body piercing service including possible reactions, side effects and potential complications of the service and consent to obtaining the body piercing service;
 - (b) Information listed in OAR 331-905-0065 regarding informed consent for specialty body piercing procedures; and
 - (c) After care instructions including care following service, possible side effects and complications and restrictions.
- (3) The licensee must obtain proof of age or consent consisting one of the following:
- (a) If the client is older than 18, a copy of a government issued photographic identification must be obtained and included in the client record;
 - (b) If the client is a minor written parental or legal guardian consent is required. The written parental or legal guardian consent must be submitted to the licensee by the parent or legal guardian prior to piercing the minor. The consenting parent or legal guardian must be at least 18 years of age and present government issued photographic identification at time of written consent. A copy of the government issued photographic identification must be included in the client record; or
 - (c) If the client is an emancipated minor, copies of legal court documents proving emancipation and government issued photographic identification is required.
- (4) A licensee may obtain advice from a physician regarding medical information needed to safeguard client. Advice from the physician must be documented in the client record.
- (5) For the purpose of (1) and (2) of this rule, records must be maintained at facility premises for 90 days records older than 90 days must be made available to the Office upon request within seven days. Records must be kept for a minimum of three years and may be stored electronically.
- (6) Client records must be typed or printed in a legible format. Client records that are not readable by the Office will be treated as incomplete.

Statutory/Other Authority: 676.615, 690.390 & 690.405

Statutes/Other Implemented: 690.390 & 690.405

History:

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331-905-0115

Informed Consent for Specialty Body Piercing Procedures

- (1) A licensee must document the verbal explanation and the written informed-consent process in the client's record. Informed-consent information must include the following:
- (a) Definition of procedure or process;
 - (b) Risk(s) of procedure or process;
 - (c) Description and risk of adverse outcomes;
 - (d) Alternative procedures and their risks;

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- (e) Documentation of questions asked by the client;
 - (f) Aftercare instructions; and
 - (g) Signature from the licensee and the client.
- (2) Informed consent, including signatures from the licensee, must be kept in the client record and may be electronically signed and stored.

Statutory/Other Authority: 676.615, 690.390 & 690.405

Statutes/Other Implemented: 690.390 & 690.405

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331-905-0120

Initial Jewelry for Specialty Piercing Services

- (1) A specialty body piercer must meet the following jewelry grade standards for initial piercings unless requirements listed in subsection (2) of this rule are met:
- (a) Steel that is ASTM F138 compliant or ISO 5832-1 compliant;
 - (b) Steel that is ISO 10993-6, 10993-10, and/or 10993-11 compliant [Note: The EEC Nickel Directive is a regulation that requires a low rate of nickel release for all materials used for costume or fine jewelry, belt buckles, watches, or other metallic accessories with direct skin contact. It does not specify nor prove that a material is safe to wear in the body; therefore, compliance with this directive alone is not sufficient for meeting the APP initial jewelry standards;
 - (c) Titanium (Ti6Al4V ELI) that is ASTM F136 compliant or ISO 5832-3 compliant;
 - (d) Titanium that is ASTM F67 compliant;
 - (e) Solid 14 karat or higher nickel and cadmium free yellow, white, or rose gold;
 - (f) Solid nickel-free platinum alloy;
 - (g) Niobium (Nb);
 - (h) Fused quartz glass, lead-free borosilicate or lead-free soda-lime glass; or
 - (i) Polymers (plastics) as follows:
 - (A) Any plastic material that is ISO 10993-6, 10993-10 and/or 10993-11 compliant and/or meets the United States Pharmacopeia (USP) Class VI material classification;
 - (B) Tygon® Medical Surgical Tubing ND 100-65 or ND 100-80;
 - (C) Polytetrafluoroethylene (PTFE) that is ASTM F754 compliant;
 - (D) All threaded or press-fit jewelry must have internal tapping (no threads on posts); or
 - (E) For body jewelry purposes, surfaces and ends must be smooth, free of nicks, scratches, burrs, polishing compounds and metals must have a consistent mirror finish.
- (2) A licensee must have a "Mill Test Certificate" for all jewelry used for initial piercings which

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provides evidence of a specific grade of metal with a code designation from the ASTM or ISO, which must be available on the facility premises.

(3) Jewelry used for initial piercings must be disassembled and sterilized before use on each client in accordance with OAR 331-900-0125.

(4) Jewelry used during earlobe piercing services defined under OAR 331-900-0000 for an initial earlobe piercing is not required to meet the jewelry grade standards of this rule.

(5) The Office may approve other documentation regarding jewelry used for initial piercings that do not meet the requirements of subsection (1) through (3) of this rule. The approved documentation must be available on the facility premises.

Statutory/Other Authority: 676.615, 690.390 & 690.405

Statutes/Other Implemented: 690.390 & 690.405

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Division 910
ELECTROLOGY

331-910-0000

Definitions

The following definitions apply to OAR chapter 331, division 910:

- (1) "Affidavit of Licensure" has the meaning set forth in OAR 331-030-0040.
- (2) "Direct supervision" means the supervisor or instructor is present in the facility and actively involved in direct oversight and training of students.
- (3) "EPA" means United States Environmental Protection Agency.
- (4) "FDA" means Food and Drug Administration.
- (5) "Field of practice" has the definition set forth in ORS 690.350.
- (6) "High-level disinfectant" means a chemical agent, registered with the EPA, which has demonstrated tuberculocidal activity.
- (7) "Instruments" means equipment used during electrology services. Types of instruments include but are not limited to needles (filaments) and tweezers.
- (8) "Office" means Health Licensing Office
- (9) "Official transcript" means: An original document authorized by the appropriate office in the Higher Education Coordinating Commission (HECC) and certified by a career school licensed under ORS 345 indicating applicant identity information, field of practice(s) enrolled under, specific hour requirements for each field of practice if applicable, enrollment information and a signature by an authorized representative on file with the Office. Original documents must be submitted directly to the Office from the educational institution by United States Postal Service mail or other recognized mail service providers in a sealed envelope or by other means approved by the Office.
- (10) "Practitioner" means a person licensed to perform services included within a field of practice.

Statutory/Other Authority: ORS 345, 676.607, 676.615, 676.625, 690.365, 690.370, 690.385, 690.390, 690, 405, 690.407, 690.410 & 690.415

Statutes/Other Implemented: ORS 676.607, 676.608, 676.612, 676.615, 676.625, 690.350, 690.360, 690.365, 690.370, 690.380, 390.385, 690.390, 690.405, 690.407, 690.410, 690.415, 2011 OL Ch. 346 § 22 & 35

History:

HLO 1-2017, f. & cert. ef. 1-6-17

HLA 10-2012, f. & cert. ef. 6-25-12

HLA 16-2011, f. 12-30-11, cert. ef. 1-1-12

331-910-0005

Approved Course of Study for Electrology

To be approved by the Office, a course of study must include, at least 600 hours of training instruction. The course must include at least 235 hours of theory and at least 365 hours of practical experience in the following areas:

- (1) Oregon Laws and rules: 15 hours of training in theory.
- (2) Bacteriology: 20 hours of training in theory.
- (3) Infection control, safety and sterilization: 20 hours of training in theory and 15 hours of practical training.
- (4) Anatomy and physiology: 20 hours of training in theory.
- (5) Endocrinology: 20 hours of training in theory.
- (6) Structure, dynamics and diseases of skin and hair: 30 hours of training in theory.
- (7) Circulatory and nervous system: 20 hours of training in theory.
- (8) Electricity: 15 hours of training in theory.
- (9) Electrolysis (galvanic): 20 hours of training in theory and 115 hours of practical training.
- (10) Thermolysis: 20 hours of training in theory and 115 hours of practical training.
- (11) Combinations of electrolysis and thermolysis (blend): 20 hours of training in theory and 110 hours of practical training.
- (12) Draping and positioning: 5 hours of training in theory and 5 hours of practical training.
- (13) Professional ethics and business practices: 10 hours of training in theory and 5 hours of practical training.
- (14) As part of the approved course of study, all hours of theory must be completed prior to practical work being performed on the general public.
- (15) Training must be conducted by an Oregon licensed electrologist registered as a teacher by the Higher Education Coordinating Commission.
- (16) A registered teacher must provide direct supervision of practical training on a one-to-one student/teacher ratio for students performing practical training while the student is working on the general public.
- (17) For the purpose of this rule direct supervision means the teacher is present and actively involved in direct oversight and training of students.

Statutory/Other Authority: ORS 345, 676.607, 676.615, 676.625, 690.365, 690.370, 690.385, 690.390, 690, 405, 690.407, 690.410 & 690.415

Statutes/Other Implemented: ORS 676.607, 676.608, 676.612, 676.615, 676.625, 690.350, 690.360, 690.365, 690.370, 690.380, 390.385, 690.390, 690.405, 690.407, 690.410, 690.415, 2011 OL Ch. 346 § 22 & 35

History:

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HLA 15-2013, f. 12-30-13, cert. ef. 1-1-14

HLA 16-2011, f. 12-30-11, cert. ef. 1-1-12

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331-910-0010

Electrology Temporary License

(1) An electrology temporary license pursuant to ORS 690.365 is a temporary license to perform electrology services on a limited basis, not to exceed 30 consecutive calendar days. An electrology temporary license holder;

(a) May renew the license up to two times in a 12 month period from the date the Office receives the initial application. License renewals can be done consecutively with no lapse in active license dates;

(b) Must submit all requests to renew a license on a form prescribed by the Office and received 20 days before electrology services are provided;

(c) Must submit notification of a change in work location at least 24 hours before services are performed on a form prescribed by the Office; and

(d) Must work in a licensed facility.

(2) An electrology temporary license holder must adhere to standards within OAR 331-910-0065, 331-910-0070, 331-910-0075, 331-910-0080, 331-910-0085 and all applicable rules listed in OAR 331 division 925.

Statutory/Other Authority: ORS 345, 676.607, 676.615, 676.625, 690.365, 690.370, 690.385, 690.390, 690, 405, 690.407, 690.410 & 690.415

Statutes/Other Implemented: ORS 676.607, 676.608, 676.612, 676.615, 676.625, 690.350, 690.360, 690.365, 690.370, 690.380, 390.385, 690.390, 690.405, 690.407, 690.410, 690.415, 2011 OL Ch. 346 § 22 & 35

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HLA 15-2013, f. 12-30-13, cert. ef. 1-1-14

HLA 1-2013, f. & cert. ef. 1-16-13

HLA 15-2012(Temp), f. & cert. ef. 10-15-12 thru 4-12-13

HLA 10-2012, f. & cert. ef. 6-25-12

HLA 2-2012(Temp), f. & cert. ef. 3-1-12 thru 6-25-12

HLA 16-2011, f. 12-30-11, cert. ef. 1-1-12

331-910-0015

Application Requirements for Electrology Temporary License

An individual applying for a Electrology Temporary License must:

(1) Meet the requirements of OAR 331 division 30;

(a) Submit a completed application form prescribed by the Office, which must contain the information listed in OAR 331-030-0000, including one form of government issued identification which must be photographic and show proof of being 18 years of age. The completed application must be accompanied by payment of the required application and license fees and must be received at least 20 days before electrology services are provided to clients;

(b) Submit proof of current training in blood-borne pathogens; and

(c) Attest to six months of training or experience, within the last two years, performing

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electrology on a form prescribed by the Office; or

(2) For the purpose of this rule training or experience includes attendance or participation at an instructional program presented, recognized, or under the sponsorship of any permanently organized institution, agency, or professional organization or association recognized by the Office.

(3) All applications received after the required 20th day deadline will not be accepted by the Office.

Statutory/Other Authority: ORS 345, 676.607, 676.615, 676.625, 690.365, 690.370, 690.385, 690.390, 690, 405, 690.407, 690.410 & 690.415

Statutes/Other Implemented: ORS 676.607, 676.608, 676.612, 676.615, 676.625, 690.350, 690.360, 690.365, 690.370, 690.380, 390.385, 690.390, 690.405, 690.407, 690.410, 690.415, 2011 OL Ch. 346 § 22 & 35

History:

HLO 1-2017, f. & cert. ef. 1-6-17

HLA 10-2012, f. & cert. ef. 6-25-12

HLA 2-2012(Temp), f. & cert. ef. 3-1-12 thru 6-25-12

HLA 16-2011, f. 12-30-11, cert. ef. 1-1-12

331-910-0020

Electrology License

(1) An electrologist, licensed under ORS 690.365, may perform electrology services.

(2) An electrologist license is good for one year and becomes inactive on the last day of the month one year from the date of issuance.

(3) An electrology license holder must adhere to standards within OAR 331-910-0065, 331-910-0070, 331-910-0075, 331-910-0080, 331-910-0085 and all applicable rules listed in OAR 331 division 925.

Statutory/Other Authority: ORS 345, 676.607, 676.615, 676.625, 690.365, 690.370, 690.385, 690.390, 690, 405, 690.407, 690.410 & 690.415

Statutes/Other Implemented: ORS 676.607, 676.608, 676.612, 676.615, 676.625, 690.350, 690.360, 690.365, 690.370, 690.380, 390.385, 690.390, 690.405, 690.407, 690.410, 690.415, 2011 OL Ch. 346 § 22 & 35

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HLA 16-2011, f. 12-30-11, cert. ef. 1-1-12

331-910-0025

Application Requirements for Electrology License

(1) An individual applying for licensure to practice electrology must:

(a) Meet the requirements of OAR 331 division 30;

(b) Submit a completed application form prescribed by the Office, which must contain the information listed in OAR 331-030-0000 and be accompanied by payment of the required

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application fees;

(c) Submit documentation showing proof of being 18 years of age documentation which may include identification listed under OAR 331-030-0000;

(d) Submit proof of having a high school diploma or equivalent; and

(e) Provide documentation of completing a qualifying pathway.

(2) License Pathway 1 — Graduate from an Oregon Licensed Career School for Electrology must:

(a) Submit official transcript from a licensed electrology school under ORS 345 showing proof of completion of required electrology curriculum as determined by the Office under OAR 331-910-0005;

(b) Pay examination fees;

(c) Submit passing score of an Office approved written examination in accordance with OAR 331-910-0030(1)(a) within two years from the date of application;

(d) Submit passing score of an Office approved practical examination in accordance with OAR 331-910-0030(1)(b) within two years from the date of application; and

(e) Upon passage of all required examinations and before issuance of license, applicant must pay all license fees.

(f) An applicant is not required to provide proof of official transcripts in a field of practice if the applicant was previously licensed as an electrologist in Oregon.

(3) License Pathway 2 — Individual Qualifying for Licensure Through Reciprocity must:

(a) Submit an affidavit of licensure pursuant to OAR 331-030-0040 demonstrating proof of holding a current electrology license, which is active with no current or pending disciplinary. The licensing requirements must be substantially equivalent to Oregon licensing requirements pursuant to ORS 690.365 or if not substantially equivalent the applicant must demonstrate to the satisfaction of the Office that the applicant has been employed or working as an electrologist full time for three of the last five years;

(b) Pay examination fees;

(c) Submit passing score of an Office approved written examination in accordance with OAR 331-910-0030(1)(a) within two years from the date of application;

(d) Submit passing score of an Office approved practical examination in accordance with OAR 331-910-0030(1)(b) within two years from the date of application; and

(e) Upon passage of all required examinations and before issuance of license, applicant must pay all license fees.

Statutory/Other Authority: ORS 345, 676.607, 676.615, 676.625, 690.365, 690.370, 690.385, 690.390, 690, 405, 690.407, 690.410 & 690.415

Statutes/Other Implemented: ORS 676.607, 676.608, 676.612, 676.615, 676.625, 690.350, 690.360, 690.365, 690.370, 690.380, 390.385, 690.390, 690.405, 690.407, 690.410, 690.415, 2011 OL Ch. 346 § 22 & 35

History:

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HLA 16-2011, f. 12-30-11, cert. ef. 1-1-12

331-910-0030

Approved Examination for Electrology

The Office has selected the following examinations for electrology:

- (1) Written examination for electrology; and
- (2) Oregon electrology practical examination.

Statutory/Other Authority: ORS 345, 676.607, 676.615, 676.625, 690.365, 690.370, 690.385, 690.390, 690, 405, 690.407, 690.410 & 690.415

Statutes/Other Implemented: ORS 676.607, 676.608, 676.612, 676.615, 676.625, 690.350, 690.360, 690.365, 690.370, 690.380, 390.385, 690.390, 690.405, 690.407, 690.410, 690.415, 2011 OL Ch. 346 § 22 & 35

History:

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HLA 16-2011, f. 12-30-11, cert. ef. 1-1-12

331-910-0035

General Examination Information

- (1) To be eligible for examination, an applicant must meet identification requirements listed under OAR 331-030-0000.
- (2) The examination is administered in English only, unless an Office approved testing contractor or vendor provides the examination in languages other than English.
- (3) Examination candidates may be electronically monitored during the course of testing.
- (4) Examination candidates must adhere to the maximum time allowance for each section of the examination, as established by the Office.
- (5) Examination candidates are prohibited from taking items and devices into examination areas which include but are not limited to notes, textbooks, notebooks, electronic equipment communication devices or any other items or devices the Office deems inappropriate.
- (6) Candidate conduct that interferes with the examination may result in the candidate's disqualification during or after the examination, the candidate's examination being deemed invalid, and forfeiture of the candidate's examination fees. Such conduct includes but is not limited to:
 - (a) Directly or indirectly giving, receiving, soliciting, and attempting to give, receive or solicit aid during the examination process;
 - (b) Violations of subsections (5) of this rule;
 - (c) Removing or attempting to remove any examination-related information, notes or materials from the examination site;
 - (d) Failing to follow directions relative to the conduct of the examination; and

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(e) Exhibiting behavior that impedes the normal progress of the examination.

(7) If the candidate is disqualified from taking the examination or the candidate's examination is deemed invalid for reasons under subsection (6) of this rule, the candidate may be required to reapply, submit additional examination fees, and request in writing to schedule a new examination date, before being considered for another examination opportunity.

Statutory/Other Authority: ORS 345, 676.607, 676.615, 676.625, 690.365, 690.370, 690.385, 690.390, 690, 405, 690.407, 690.410 & 690.415

Statutes/Other Implemented: ORS 676.607, 676.608, 676.612, 676.615, 676.625, 690.350, 690.360, 690.365, 690.370, 690.380, 390.385, 690.390, 690.405, 690.407, 690.410, 690.415, 2011 OL Ch. 346 § 22 & 35

History:

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HLA 1-2013, f. & cert. ef. 1-16-13

HLA 16-2011, f. 12-30-11, cert. ef. 1-1-12

331-910-0040

Written Examination Retake Requirements

(1) Failed sections of a written or examination may be retaken as follows:

(a) After first failed attempt — applicant may not retake for seven calendar days;

(b) After second failed attempt — applicant may not retake for seven calendar days;

(c) After third failed attempt — applicant may not retake for 30 calendar days, must pay all additional fees and must submit an official transcript certifying completion of an additional 100 hours of instruction in theory, focused on the approved curriculum outlined in OAR 331-910-0005 from a career school licensed under ORS 345 on a form prescribed by the Office;

(d) After fourth failed attempt — applicant may not retake for seven calendar days;

(e) After fifth failed attempt — applicant may not retake for seven calendar days;

(f) After sixth failed attempt — applicant may not retake for 30 calendar days, must pay all additional fees and must submit an official transcript certifying completion of an additional 100 hours of instruction in theory, focused on the approved curriculum outlined in OAR 331-910-0005 from a career school licensed under ORS 345 on a form prescribed by the Office;

(g) After seventh failed attempt — ability to retake, requirements for retake, or both will be determined by the Office on a case-by-case basis.

(2) Applicants retaking the examination must meet the requirements under OAR 331-030-0000.

Statutory/Other Authority: ORS 345, 676.607, 676.615, 676.625, 690.365, 690.370, 690.385, 690.390, 690, 405, 690.407, 690.410 & 690.415

Statutes/Other Implemented: ORS 676.607, 676.608, 676.612, 676.615, 676.625, 690.350, 690.360, 690.365, 690.370, 690.380, 390.385, 690.390, 690.405, 690.407, 690.410, 690.415, 2011 OL Ch. 346 § 22 & 35

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HLA 16-2011, f. 12-30-11, cert. ef. 1-1-12

331-910-0045

Practical Examination Retake Requirements

- (1) Failed practical examinations may be retaken at a date and time determined by the Office. Applicants retaking a failed practical must notify the Office within 30 days before the next scheduled examination date and pay all examination fees.
- (2) Applicants who fail to pass the practical examination for electrology after three attempts (initial examination plus two retakes):
 - (a) Must wait 30 calendar days to retake the practical examination;
 - (b) Must pay all additional fees;
 - (c) Must submit an official transcript certifying completion of an additional 100 hours of instruction in theory, focused on the approved curriculum outlined in OAR 331-910-0005 from a career school licensed under ORS 345 on a form prescribed by the Office;
- (3) After third failed attempt — ability to retake, requirements for retake, or both will be determined by the Office on a case-by-case basis.

Statutory/Other Authority: ORS 345, 676.607, 676.615, 676.625, 690.365, 690.370, 690.385, 690.390, 690, 405, 690.407, 690.410 & 690.415

Statutes/Other Implemented: ORS 676.607, 676.608, 676.612, 676.615, 676.625, 690.350, 690.360, 690.365, 690.370, 690.380, 390.385, 690.390, 690.405, 690.407, 690.410, 690.415, 2011 OL Ch. 346 § 22 & 35

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HLA 16-2011, f. 12-30-11, cert. ef. 1-1-12

331-910-0050

Renewal of Electrology License

- (1) A licensee is subject to the provisions of OAR chapter 331, division 30 regarding the renewal of a license and provisions regarding authorization to practice, identification, and requirements for issuance of a duplicate license.
- (2) Electrology renewal under this rule is valid for one year.
- (3) LICENSE RENEWAL: To avoid delinquency penalties, an electrology license renewal must be made prior to the license entering inactive status. The licensee must submit the following:
 - (a) Renewal application form;
 - (b) Payment of required renewal fee pursuant to 331-940-0000; and
 - (c) Attestation of having obtained required annual continuing education under OAR 331-910-0055, on a form prescribed by the Office. Continuing education is required whether the license is current or inactive;
- (4) INACTIVE LICENSE RENEWAL: An electrology license may be inactive for up to three

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years. A licensee who is inactive is not authorized to practice. When renewing after entering inactive status, the license holder must submit the following:

- (a) Renewal application form;
- (b) Payment of delinquency and license fees pursuant to OAR 331-940-0000; and
- (c) Attestation of having obtained required annual continuing education under OAR 331-910-0055, on a form prescribed by the Office. Continuing education is required whether the license is current or inactive;
- (5) EXPIRED LICENSE: An electrology license that has been inactive for more than three years is expired and the license holder must reapply and meet the requirements listed in OAR 331-910-0025.

Statutory/Other Authority: ORS 345, 676.607, 676.615, 676.625, 690.365, 690.370, 690.385, 690.390, 690, 405, 690.407, 690.410 & 690.415

Statutes/Other Implemented: ORS 676.607, 676.608, 676.612, 676.615, 676.625, 690.350, 690.360, 690.365, 690.370, 690.380, 390.385, 690.390, 690.405, 690.407, 690.410, 690.415, 2011 OL Ch. 346 § 22 & 35

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HLA 16-2011, f. 12-30-11, cert. ef. 1-1-12

331-910-0055

Continuing Education for Electrology License

- (1) To maintain licensure, a licensed electrologist must complete a minimum of eight hours of satisfactory continuing education every year.
- (2) A licensee must document compliance with the continuing education requirement through attestation on the license renewal application. Licensees will be subject to the provisions of OAR 331-910-0060 pertaining to periodic audit of continuing education.
- (3) Satisfactory continuing education must be obtained as follows and meet the subject matter requirements listed in (4) of this rule:
 - (a) Four hours must be obtained by participation in or attendance at a course provided by:
 - (A) Institutions or programs accredited by a federally recognized accrediting agency;
 - (B) Institutions or programs approved by an agency within the Oregon Higher Education Coordinating Commission;
 - (C) An organization offering continuing medical education opportunities, including Accreditation Council for Continuing Medical Education, American Medical Association, Oregon Association of Licensed Electrologists and American Electrology Association
 - (D) Any additional board approved professional organization, or association, hospital, or health care clinic offering continuing education.
 - (b) Four hours may be self-study including online courses, where subject matter meets the requirements under subsection (4) of this rule, which may include the following:
 - (A) Correspondence courses including online courses through completion and certification by an

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approved national home study organization;

(B) Review of publications, textbooks, printed material, or audio cassette(s);

(C) Viewing of films, videos, or slides;

(4) The subject matter of the continuing education must be related to electrology and as outlined in the approved course of study under OAR 331-910-0005 (1) through (13). Continuing education may include the laws and rules regulating licensed electrologists, infection control and sterilization, and professional ethics and business practices.

(5) In order to renew, continuing education requirements must be met every year, even if the license is inactive or suspended.

(6) Obtaining and maintaining proof of participation in required continuing education is the responsibility of the licensee. The licensee must ensure that adequate proof of attainment of required continuing education is available for audit or investigation or when otherwise requested by the Office. Adequate proof of participation is listed under OAR 331-910-0060(3).

(7) Documentation of participation in continuing education requirements must be maintained for a period of five years following renewal, and must be available to the Office upon request.

(8) A licensee may carry up to 8 hours of excess continuing education hours forward to the next renewal cycle.

(9) For the purpose of this rule continuing education hours mean actual academic, classroom, or course work time, including but not limited to workshops, symposiums, or seminars. Continuing education hours do not include travel time to or from the training site, registration or check-in periods, breaks or lunch periods.

Statutory/Other Authority: ORS 345, 676.607, 676.615, 676.625, 690.365, 690.370, 690.385, 690.390, 690, 405, 690.407, 690.410 & 690.415

Statutes/Other Implemented: ORS 676.607, 676.608, 676.612, 676.615, 676.625, 690.350, 690.360, 690.365, 690.370, 690.380, 390.385, 690.390, 690.405, 690.407, 690.410, 690.415, 2011 OL Ch. 346 § 22 & 35

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HLA 16-2011, f. 12-30-11, cert. ef. 1-1-12

[331-910-0060](#)

Continuing Education: Audit, Required Documentation and Sanctions

(1) The Office will audit a select percentage of licenses to verify compliance with continuing education requirements.

(2) Licensees notified of selection for audit of continuing education attestation must submit to the Office, within 30 calendar days from the date of the issuance of the notification, satisfactory evidence of participation in required continuing education in accordance with OAR 331-910-0055.

(3) Evidence of successful completion of the required continuing education must include the

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following:

- (a) Name of continuing education sponsor/provider;
 - (b) Course agenda — including the date of the training and breakdown of hours for each agenda item, lunch and breaks;
 - (c) Course outline — including a detailed summary of each topic discussed and the learning objective or training goal of each agenda item; The content of the course must have a direct relationship between the course training and subject matter related to electrology as set forth in OAR 331-910-0055(4);
 - (d) Background resume of speakers or instructors; and
 - (e) Documentation of attendance or successful course completion. Examples include a certificate, transcript, sponsor statement or affidavit attesting to attendance, diploma.
- (4) Documentation substantiating completion of continuing education through self-study, must show a direct relation to electrology as set forth in OAR 331-910-0055(4), be submitted on forms provided by the Office and include the following:
- (a) Name of sponsor or source, type of study, description of content, date of completion and duration in clock hours;
 - (b) Name of approved correspondence courses or national home study issues;
 - (c) Name of publications, textbooks, printed material or audio-recorded material, including date of publication, publisher, and ISBN Identifier; and
 - (d) Name of films, videos, or slides, including date of production, name of sponsor or producer and catalog number.
- (5) If documentation of continuing education is invalid or incomplete, the licensee has 30 calendar days from the date of the deficiency notice to correct the deficiency and submit further documentation of completion of the required continuing education.
- (6) Misrepresentations of continuing education or failure to complete continuing education requirements may result in disciplinary action, which may include, but is not limited to assessment of a civil penalty and suspension or revocation of the license.

Statutory/Other Authority: ORS 345, 676.607, 676.615, 676.625, 690.365, 690.370, 690.385, 690.390, 690, 405, 690.407, 690.410 & 690.415

Statutes/Other Implemented: ORS 676.607, 676.608, 676.612, 676.615, 676.625, 690.350, 690.360, 690.365, 690.370, 690.380, 390.385, 690.390, 690.405, 690.407, 690.410, 690.415, 2011 OL Ch. 346 § 22 & 35

History:

HLO 1-2017, f. & cert. ef. 1-6-17
HLA 15-2013, f. 12-30-13, cert. ef. 1-1-14
HLA 1-2013, f. & cert. ef. 1-16-13
HLA 16-2011, f. 12-30-11, cert. ef. 1-1-12

331-910-0065

Electrology Practice Standards and Prohibitions

- (1) Electrologists are prohibited from performing services on treatment areas with high propensity towards bacterial colonization, such as nostrils and ear canals.
- (2) Electrologists must first obtain written authorization from a physician licensed under ORS 677 when any of the following exists:
 - (a) Request for hair removal from moles;
 - (b) Removal of eyelashes; or
 - (c) The client has a pacemaker, implantable neuromodulators or other implantable electronic devices;
- (4) An electrologist may use towels and linens when providing electrology services. When using towels and linens the following standards must be met:
 - (a) Clean linens must be used for each client;
 - (b) Use of a common towel is prohibited;
 - (c) Clean towels and linens must be enclosed in a clean storage area or in a closed container until needed;
 - (d) Used linens must be disposed of or stored in a closed or covered container until laundered; and
 - (e) Used linens must be laundered either by a regular commercial laundering or by a noncommercial laundering process which includes use of commercial laundry detergent manufactured for the specific purpose of cleaning clothes, linens or other washable fabric, and immersion in hot water during the wash cycle.

Statutory/Other Authority: ORS 345, 676.607, 676.615, 676.625, 690.365, 690.370, 690.385, 690.390, 690, 405, 690.407, 690.410 & 690.415

Statutes/Other Implemented: ORS 676.607, 676.608, 676.612, 676.615, 676.625, 690.350, 690.360, 690.365, 690.370, 690.380, 390.385, 690.390, 690.405, 690.407, 690.410, 690.415, 2011 OL Ch. 346 § 22 & 35

History:

HLA 10-2012, f. & cert. ef. 6-25-12
HLA 2-2012(Temp), f. & cert. ef. 3-1-12 thru 6-25-12
HLA 16-2011, f. 12-30-11, cert. ef. 1-1-12

331-910-0070

Standards for Client Services for Electrology

- (1) An electrologist must observe and adhere to the following hand washing and disposable glove standards when servicing clients:
 - (a) **HAND WASHING:** Hands must be washed before and after treatment of each client, and before putting on disposable gloves and immediately after disposable gloves are removed. Antibacterial hand sanitizer may be used between the first and last hand washing; and
 - (b) Hand washing must include thoroughly washing the hands in warm, running water with liquid

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soap using friction on all surfaces of the hands and wrists for at least 20 seconds, then rinsing hands and drying hands with a clean, disposable paper towel, or by using an antibacterial hand sanitizer by using friction on all surfaces of the hands and wrists. Use of bar soap is prohibited.

(2) An electrologist must observe and adhere to the following protective disposable glove standards when servicing clients:

(a) **PROTECTIVE DISPOSABLE GLOVES:** A new pair of disposable gloves must be worn during the treatment of each client;

(b) Hands must be washed in accordance with hand washing instructions listed in Subsection (1) of this rule before putting on disposable gloves and immediately after disposable gloves are removed;

(c) When a licensee leaves the electrology procedure area in the middle of an electrology procedure, gloves must be removed before leaving the procedure area, hand washing instructions listed in Subsection (1) of this rule must be followed and a new pair of gloves put on when returning to the procedure area;

(d) Disposable gloves must be removed before leaving the area where electrology services are performed;

(e) Torn or perforated gloves must be removed immediately, and hand washing instructions listed in Subsection (1) of this rule must be followed and gloves changed following hand washing; and

(f) The use of disposable gloves does not preclude or substitute for hand washing instructions listed in subsection (1) of this rule.

(3) Disposable gloves must be worn during pre-cleaning, cleaning, rinsing, sterilizing and drying of equipment and instruments and disinfecting of surfaces;

(4) A client's skin must be thoroughly cleaned with an antiseptic or astringent.

(5) A licensee is prohibited from wearing jewelry under gloves.

Statutory/Other Authority: ORS 676.607 & 676.615

Statutes/Other Implemented: ORS 676.606, 676.607, 690.350, 690.365, 690.390 & 690.405

History:

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HLA 1-2013, f. & cert. ef. 1-16-13

HLA 15-2012(Temp), f. & cert. ef. 10-15-12 thru 4-12-13

HLA 10-2012, f. & cert. ef. 6-25-12

HLA 2-2012(Temp), f. & cert. ef. 3-1-12 thru 6-25-12

331-910-0075

Sterilization Standards for Electrology

(1) Needles (filaments) must be single use, used on one client, then properly disposed of in an approved sharps container defined under OAR 331-910-0000.

(2) All non-sterilized instruments or reusable instruments that come in blood or potentially infectious materials must be cleaned, disinfected and sterilized before use on a client or re-use on another client.

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- (3) New gloves must be worn during any sterilization procedure.
- (4) The cleaning, disinfection and sterilization process listed in Subsection (5) of this rule is not required if single-use prepackaged sterilized instruments, obtained from suppliers or manufacturers are used.
- (5) Approved cleaning, disinfection and sterilization process for non-sterilized instruments or reusable instruments includes the following ordered method after each use:
- (a) Clean non-sterilized instruments or reusable instruments by manually brushing or swabbing visible foreign matter and rinsing the instruments with warm water and an appropriate detergent solution to remove blood or potentially infectious materials.
- (b) Clean non-sterilized instruments or reusable instruments must be rinsed and placed in either:
- (A) An ultrasonic unit that operates at 40 to 60 hertz which is filled with an appropriate ultrasonic solution including but not limited to an enzymatic cleaner. The ultrasonic cleaner must remain covered when in use; Self-contained equipment used to decontaminate instruments prior to sterilization may be used in place of an ultrasonic cleaner and used according to manufacturer instructions. OR
- (B) Rinsed, patted dry and submerged and soaked in a protein dissolving detergent or enzyme cleaner, followed by a thorough rinse.
- (c) Disinfect non-sterilized instruments or reusable instruments by immersing instruments in a high level disinfectant. Instruments must be fully submerged to ensure contact with all surfaces for an amount of time specified in the manufacturer's instructions. If the electrologist is using an autoclave listed in subsection (e) of this rule the electrologist is not required to immerse instruments in a high level disinfectant.
- (d) Remove non-sterilized instruments or reusable instruments from the ultrasonic unit or self-contained instrument washer or high level disinfectant. All instruments must be rinsed, air dried, and individually packaged in sterilization pouches that include use of a chemical indicator strip to assure sufficient temperature during each sterilization cycle or other method is used to determine sterilization has been reached. The date the sterilization was performed must be applied to the sterilization pouch;
- (e) Individually packaged non-sterilized instruments or reusable instruments must be sterilized by using autoclave sterilizer (steam or chemical), or dry heat sterilizer registered and listed with the FDA;
- (f) After sterilization, the sterilized instruments must be stored in a dry, disinfected, closed cabinet or other tightly-covered container reserved for the storage of such instruments.
- (6) Use of a biological monitoring system ("spore tests") must be done at least once a month, verified through an independent laboratory, to assure all microorganisms have been destroyed and sterilization achieved.
- (7) All sterilization pouches listed in Subsection (5)(d) of this rule must contain a color indicator strip which measures temperature control and general functioning of the equipment.
- (8) The ultrasonic unit or other self-contained equipment listed in subsection (5)(c) of this rule must be used, cleaned, and maintained in accordance with manufacturer's instructions and a copy of the manufacturer's recommended procedures for the operation of the ultrasonic unit

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must be kept on file at the body art facility.

(9) The autoclave sterilizer (steam or chemical), or dry heat sterilizer listed in Subsection (5)(e) of this rule must be used, cleaned, and maintained in accordance with manufacturer's instructions and a copy of the manufacturer's recommended procedures for the operation of the autoclave sterilizer (steam or chemical), or dry heat sterilizer must be kept on file at the facility.

(10) Biological spore test results listed in subsection (6) of this rule must be immediately available at all times for inspection by the Office and kept at facility premises for a minimum of two years. Biological spore test results must be on laboratory letterhead and must contain the test date, and the name, model and serial number (if applicable) of the sterilizer tested.

(11) The expiration date for sterilized instruments is one year from the date of sterilization unless the integrity of the package is compromised.

(12) Sterilized instruments may not be used if the package integrity has been breached is wet or stained, or the expiration date has exceeded without first meeting the requirements listed in Subsection (5) of this rule.

(13) All sterilized instruments used during electrology services must remain stored in sterile packages and in a dry, disinfected, closed cabinet or other tightly covered container reserved for the storage of such instruments until just prior to the performance of an electrology procedure.

(14) If a biological spore test listed in subsection (6) of this rule, result is positive, a licensee must discontinue the use of that autoclave sterilizer (steam or chemical), or dry heat sterilizer until it has been serviced and a negative spore test has been recorded before putting that sterilizer back into service. Until a negative spore test has been received, the licensee must:

- (a) Use an alternative autoclave sterilizer (steam or chemical), or dry heat sterilizer;
- (b) Use only sterilized instruments that have a sterilization date before the date the last negative spore test was recorded; or
- (c) Use only single use instruments.

(15) Following a positive biological spore test reusable instruments which were sterilized following the receipt of the positive spore test must be repackaged and sterilized pursuant to Subsection (5) of this rule, before use.

(17) Following a positive spore test the licensee or facility must contact all clients in writing who may have received services prior to receiving the negative spore test results.

Statutory/Other Authority: ORS 676.607 & 676.615

Statutes/Other Implemented: ORS 676.606, 676.607, 690.350, 690.365, 690.390 & 690.405

History:

HLO 1-2017, f. & cert. ef. 1-6-17

HLA 10-2012, f. & cert. ef. 6-25-12

HLA 2-2012(Temp), f. & cert. ef. 3-1-12 thru 6-25-12

331-910-0080

General Standards

- (1) The cleanliness of any common in a facility is the responsibility of each license holder. All license holders may be cited for violations found in the common area.
- (2) An electrologist licensed to perform services or a licensed facility owner must:
 - (a) Use and maintain appropriate equipment and instruments for providing services in a field of practice at the place of business;
 - (b) Use equipment and instruments in a manner described in the manufacturer's instructions which is consistent with the manufacturer's intended use of the device by the FDA;
 - (c) Use equipment and instruments that are not prohibited for use in a field of practice by the Office or the FDA;
 - (d) Ensure a high-level disinfectant is used in accordance with manufacturer's instructions to disinfect surfaces where services are performed;
 - (e) Ensure chemicals are stored in labeled, closed containers;
 - (f) Ensure that single-use disposable paper products, single-use needles (filaments) and protective gloves are used for each client;
 - (g) Ensure lavatories located within the facility are kept clean and in good working order at all times. Air blowers within lavatories can be substituted for disposable hand towels;
 - (h) Ensure all waste material related to a service in a field of practice be deposited in a covered container following service for each client;
 - (i) Ensure pets or other animals not be permitted in the business facility. This prohibition does not apply to service animals recognized by the American with Disabilities Act or to fish in aquariums or nonpoisonous reptiles in terrariums;
 - (j) Ensure all disinfecting solutions or agents be kept at adequate strengths to maintain effectiveness, be free of foreign material and be available for immediate use at all times the facility is open for business;
 - (k) Ensure all waste or garbage is disposed of in a covered container with a garbage liner;
 - (l) Ensure all waste which contains blood or other potentially infectious materials be enclosed and secured in a glove or bag then disposed of in a covered container with a garbage liner immediately following the service;
 - (m) Ensure disposable sharp objects that come in contact with blood or other potentially infectious materials must be disposed of in a sharps container;
 - (n) Ensure biohazard labels or red biohazard bags are available on the facility premises;
 - (o) Adhere to all Centers for Disease Control and Prevention Standards;
 - (p) Have unrestricted access or availability to a sink with hot and cold running water, as part of surrounding premises or adjacent to the facility. If the sink is located within a restroom the licensee must ensure that the sink is disinfected with a high level disinfectant upon completion of a electrology procedure or following the sterilization of equipment; All body art facilities licensed after June 1, 2017 must have unrestricted access or availability to a sink with hot and

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cold running water, as part of the surrounding premises or adjacent to the facility but separate from a restroom. Body art facilities licensed as of May 31, 2017 are allowed to have sinks located within a restrooms if electrology is the only practice being performed; and

(q) Ensure that all instruments that come in direct contact with client's skin are handled using gloves.

(3) An electrologist licensee must wear eye goggles, shields or a mask if spattering is possible while providing services.

(4) Cross contaminating from touch or air particulates in any procedure area which comes in direct contact with client is prohibited.

Statutory/Other Authority: ORS 676.607 & 676.615

Statutes/Other Implemented: ORS 676.606, 676.607, 690.350, 690.365, 690.390 & 690.405

History:

HLO 1-2017, f. & cert. ef. 1-6-17

HLA 1-2013, f. & cert. ef. 1-16-13

HLA 10-2012, f. & cert. ef. 6-25-12

HLA 2-2012(Temp), f. & cert. ef. 3-1-12 thru 6-25-12

331-910-0085

Client Records

(1) A licensee is responsible for maintaining and keeping copies of all client records. If client records are maintained by the facility the facility owner must provide the licensee with copies of those client records upon request. The record must include the following for each client:

(a) Name, address, telephone number and date of birth of client;

(b) Date of each service, procedure location on the body;

(c) Name and license number of the licensee providing service. If more than one licensee is providing services on one client the licensee must initial the date of each service performed;

(d) Special instructions or notations relating to the client's medical or skin conditions including but not limited to diabetes, cold sores and fever blisters, psoriasis or eczema, pregnancy or breast-feeding/nursing;

(e) Complete list of the client's sensitivities to medicines or topical solutions;

(f) History of the client's bleeding disorders;

(g) Description of complications during procedure(s); and

(h) Signature from the client that they have received the following information in writing and verbally:

(A) All information related to the electrology service including possible reactions, side effects and potential complications of the service and consent to obtaining the electrology service; and

(B) After care instructions including care following service, possible side effects and complications and restrictions.

(2) A licensee may obtain advice from a physician regarding medical information needed to safeguard client and licensee. Advice from the physician must be documented in the client record.

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(3) For the purpose of (1) and (2) of this rule records must be maintained at facility premises for a minimum of three years and must be made immediately available to the Office upon request.

(4) Client records must be typed or printed in a legible format or be electronically stored. Client records, which are not legible to the Office, will be treated as incomplete.

Statutory/Other Authority: ORS 676.607 & 676.615

Statutes/Other Implemented: ORS 676.606, 676.607, 690.350, 690.365, 690.390 & 690.405

History:

HLO 1-2017, f. & cert. ef. 1-6-17

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HLA 2-2012(Temp), f. & cert. ef. 3-1-12 thru 6-25-12

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Division 915

TATTOO

331-915-0000

Tattoo Definitions

The following definitions apply to OAR chapter 331, division 915:

- (1) "Affidavit of Licensure" has the meaning set forth in OAR 331-030-0040.
- (2) "EPA" means United States Environmental Protection Agency.
- (3) "FDA" means Food and Drug Administration.
- (4) "Field of practice" has the definition set forth in ORS 690.350.
- (5) "High-level disinfectant" means a chemical agent, registered with the EPA, which has demonstrated tuberculocidal activity.
- (5) "Instruments" means equipment used during tattooing services. Types of instruments include but are not limited to needles and tubes.
- (7) "Office" means Health Licensing Office.
- (8) "Official transcript" means: An original document authorized by the appropriate office in the Higher Education Coordinating Commission and certified by a career school licensed under ORS 345 indicating applicant identity information, field of practice(s) enrolled under, specific hour requirements for each field of practice if applicable, enrollment information and a signature by an authorized representative on file with the Office. Original documents must be submitted directly to the Office from the educational institution by United States Postal Service mail or other recognized mail service provider in a sealed envelope or by other means approved by the Office.
- (9) "Sharps container" means a puncture-resistant, leak-proof container that can be closed for handling, storage, transportation, and disposal. The container must be labeled with the "Biohazard" symbol.

Statutory/Other Authority: ORS 345, 676.607, 676.615, 676.625, 690.365, 690.370, 690.385, 690.390, 690, 405, 690.407, 690.410 & 690.415

Statutes/Other Implemented: ORS 676.607, 676.608, 676.612, 676.615, 676.625, 690.350, 690.360, 690.365, 690.370, 690.380, 390.385, 690.390, 690.405, 690.407, 690.410, 690.415, 2011 OL Ch. 346 § 22 & 35

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HLA 10-2012, f. & cert. ef. 6-25-12
HLA 16-2011, f. 12-30-11, cert. ef. 1-1-12

331-915-0005

Approved Course of Study for Tattooing

- (1) To be approved by the Office, a course of study must include at least 360 hours of instruction. The course must include at least 210 hours of theory and at least 150 hours of practical tattooing experience.
- (2) For the purposes of determining qualification for licensure, practical tattooing must include a minimum of 50 completed procedures. "Completed procedure" means a tattoo which has been finished on a live human being, including any touchups or additional work following initial healing, and the client is released from service.
- (3) All practical tattooing procedures performed during training in the subject areas listed in subsection (4) of this rule are counted toward meeting the minimum 150 hours of practical tattooing experience.
- (4) Until June 30, 2017 a course of study must include 210 hours of theory in the following areas:
 - (a) Needles and needle bars: 20 hours;
 - (b) Tattoo machines: 20 hours;
 - (c) Equipment and Supplies: 20 hours;
 - (d) Safety, and Infection Control: 40 hours;
 - (e) Color theory and pigments: 10 hours;
 - (f) Design, art and placement: 10 hours;
 - (g) Skin: 20 hours;
 - (h) Client services: 20 hours;
 - (i) Business operations: 40 hours;
 - (j) Oregon Laws and Rules: 10 hours; and
 - (k) Discretionary: 10 hours.
- (5) As part of the approved course of study, all hours of theory must be completed prior to practical tattooing being performed on the general public.
- (6) Training must be conducted by an Oregon licensed tattoo artist registered as a teacher by the Higher Education Coordinating Commission.
- (7) A registered teacher must provide direct supervision of practical tattooing on a one-to-one student/teacher ratio for students performing practical tattooing while the student is working on the general public.
- (8) For the purpose of this rule direct supervision means the teacher is present and actively involved in direct oversight and training of students.

Statutory/Other Authority: ORS 345, 676.607, 676.615, 676.625, 690.365, 690.370, 690.385, 690.390, 690, 405, 690.407, 690.410 & 690.415

Statutes/Other Implemented: ORS 676.607, 676.608, 676.612, 676.615, 676.625, 690.350, 690.360, 690.365, 690.370, 690.380, 390.385, 690.390, 690.405, 690.407, 690.410, 690.415, 2011 OL Ch. 346 § 22 & 35

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History:

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331-915-0007

Approved Course of Study for Tattooing

- (1) To be approved by the Office, a course of study must include at least 360 hours of instruction. The course must include at least 210 hours of theory and at least 150 hours of practical tattooing experience.
- (2) For the purposes of determining qualification for licensure, practical tattooing must include a minimum of 50 completed procedures. "Completed procedure" means a tattoo that has been finished on a live human being, including any touch-ups or additional work following initial healing, and the client is released from service.
- (3) All practical tattooing procedures performed during training in the subject areas listed in subsection (4) of this rule are counted toward meeting the minimum 150 hours of practical tattooing experience.
- (4) After January 1, 2018, a course of study must include 210 hours of theory in the following areas:
 - (a) Needles and needle bars: 20 hours;
 - (b) Tattoo machines: 20 hours;
 - (c) Equipment/and Supplies: 20 hours;
 - (d) Safety, and Infection Control: 40 hours;
 - (e) Color theory and pigments: 10 hours;
 - (f) Design, art and placement: 10 hours;
 - (g) Skin: 20 hours;
 - (h) Client services: 20 hours;
 - (i) Business operations: 20 hours;
 - (j) Oregon Laws and Rules: 20 hours; and
 - (k) Discretionary: 10 hours.
- (5) As part of the approved course of study, all hours of theory must be completed prior to practical tattooing being performed on the general public.
- (6) Training must be conducted by an Oregon licensed tattoo artist registered as a teacher by the Higher Education Coordinating Commission.
- (7) A teacher licensed through the Higher Education Coordination Commission must provide the following supervision during practical training:
 - (a) One teacher to one student must directly supervise a minimum of the first 10 practical procedures to be performed in no less than 30 days;
 - (b) One teacher to four students may be indirectly supervised on the last 40 practical procedures.

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(8) For the purpose of the rule, indirect supervision means the teacher is onsite and accessible to the student.

Statutory/Other Authority: 676.615 & 690.365

Statutes/Other Implemented: 690.365

History:

[HLO 1-2018, amend filed 01/04/2018, effective 01/04/2018](#)

HLO 1-2017, f. & cert. ef. 1-6-17

331-915-0010

Tattoo License

(1) A tattoo artist licensed under ORS 690.365 may perform tattooing services.

(2) A tattoo license is good for one year and becomes inactive on the last day of the month one year from the date of issuance.

(3) A tattoo license holder must adhere to all standards under OAR 331-915-0065, 331-915-0070, 331-915-0075, 331-915-0080, 331-915-0085 and all applicable rules listed in OAR 331 division 925.

Statutory/Other Authority: ORS 345, 676.607, 676.615, 676.625, 690.365, 690.370, 690.385, 690.390, 690, 405, 690.407, 690.410 & 690.415

Statutes/Other Implemented: ORS 676.607, 676.608, 676.612, 676.615, 676.625, 690.350, 690.360, 690.365, 690.370, 690.380, 390.385, 690.390, 690.405, 690.407, 690.410, 690.415, 2011 OL Ch. 346 § 22 & 35

History:

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HLA 3-2012(Temp), f. & cert. ef. 3-1-12 thru 6-25-12

HLA 16-2011, f. 12-30-11, cert. ef. 1-1-12

331-915-0015

Application Requirements for Tattoo License

(1) An individual applying for licensure to practice tattooing must:

(a) Meet the requirements of OAR 331 division 30;

(b) Submit a completed application form prescribed by the Office, which must contain the information listed in OAR 331-030-0000 and be accompanied by payment of the required application fee;

(c) Submit documentation having completed blood borne pathogens training from an Office approved provider;

(d) Submit documentation having completed cardiopulmonary resuscitation and basic first aid training from an Office approved provider;

(e) Submit documentation showing proof of being 18 years of age documentation may include identification listed under OAR 331-030-0000;

(f) Submit proof of having a high school diploma or equivalent; and

(g) Provide documentation of completing a qualifying pathway.

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- (2) License Pathway 1 — Graduate from an Oregon Licensed Career School for Tattooing:
- (a) Submit official transcript from a tattooing career school under ORS 345, and approved by the Office showing proof of completion of required tattooing curriculum as determined by the Office under OAR 331-915-0005;
 - (b) Pay an examination fee;
 - (c) Submit passing score of an Office approved written examination in accordance with OAR 331-915-0030(1)(a) within two years from the date of application;
 - (e) Upon passage of the required examination and before issuance of a license, applicant must pay all license fee; and
 - (f) An applicant is not required to provide proof of official transcripts in a field of practice if the applicant was previously licensed as a tattoo artist in Oregon.
- (3) License Pathway 2 — Individual Qualifying for Licensure Through Reciprocity must:
- (a) Submit an affidavit of licensure pursuant to OAR 331-030-0040 demonstrating proof of holding a current license as a tattoo artist, which is active with no current or pending disciplinary action. The licensing requirements must be substantially equivalent to Oregon licensing requirements pursuant to ORS 690.365 or if not substantially equivalent the applicant must demonstrate to the satisfaction of the Office that the applicant has been working as a tattoo artist with the equivalent of three years of experience which was obtained within the last five years or five years out of the last 10 years. Documentation proving experience may include but is not limited to tax documents, employer letters or business licensing;
 - (b) Pay an examination fee;
 - (c) Submit passing score of an Office approved written examination in accordance with OAR 331-915-0030(1)(a) within two years from the date of application; and
 - (d) Upon passage of the required examination and before issuance of a license, applicant must pay the required license fee.

Statutory/Other Authority: ORS 345, 676.607, 676.615, 676.625, 690.365, 690.370, 690.385, 690.390, 690, 405, 690.407, 690.410 & 690.415

Statutes/Other Implemented: ORS 676.607, 676.608, 676.612, 676.615, 676.625, 690.350, 690.360, 690.365, 690.370, 690.380, 390.385, 690.390, 690.405, 690.407, 690.410, 690.415, 2011 OL Ch. 346 § 22 & 35

History:

HLO 1-2017, f. & cert. ef. 1-6-17

HLA 1-2013, f. & cert. ef. 1-16-13

HLA 10-2012, f. & cert. ef. 6-25-12

HLA 3-2012(Temp), f. & cert. ef. 3-1-12 thru 6-25-12

HLA 16-2011, f. 12-30-11, cert. ef. 1-1-12

331-915-0020

Temporary Tattoo License

- (1) A temporary tattoo license pursuant to ORS 690.365 is a temporary license to perform tattooing services on a limited basis, not to exceed 30 consecutive calendar days. A temporary tattoo license holder;

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http://sos.oregon.gov/archives/Pages/oregon_administrative_rules.aspx or call (503) 373-0701

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- (a) May renew the license up to two times in a 12 month period from the date the Office receives the initial application. License renewal can be done consecutively with no lapse in active license dates;
- (b) Must submit all requests to renew a license on a form prescribed by the Agency Office. Request to renew a license must be received at least 20 days before tattooing services are provided unless otherwise approved by the Office;
- (c) Must submit notification of a change in work location at least 24 hours before services are performed on a form prescribed by the Office; and
- (d) Must work in a licensed facility.
- (2) A temporary tattoo license holder must adhere to all standards under OAR 331-915-0065, 331-915-0070, 331-915-0075, 331-915-0080, 331-915-0085 and all applicable rules listed in OAR 331 division 925.

Statutory/Other Authority: ORS 345, 676.607, 676.615, 676.625, 690.365, 690.370, 690.385, 690.390, 690, 405, 690.407, 690.410 & 690.415

Statutes/Other Implemented: ORS 676.607, 676.608, 676.612, 676.615, 676.625, 690.350, 690.360, 690.365, 690.370, 690.380, 390.385, 690.390, 690.405, 690.407, 690.410, 690.415, 2011 OL Ch. 346 § 22 & 35

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HLA 1-2013, f. & cert. ef. 1-16-13
HLA 15-2012(Temp), f. & cert. ef. 10-15-12 thru 4-12-13
HLA 10-2012, f. & cert. ef. 6-25-12
HLA 3-2012(Temp), f. & cert. ef. 3-1-12 thru 6-25-12
HLA 16-2011, f. 12-30-11, cert. ef. 1-1-12

[331-915-0025](#)

Application Requirements for Temporary Tattoo License

An individual applying for a Temporary Tattoo License must:

- (1) Meet the requirements of OAR 331 division 30;
- (a) Submit a completed application form prescribed by the Office, which must contain the information listed in OAR 331-030-0000, including one form of government issued identification which must be photographic and show proof of being 18 years of age. The completed application must be accompanied by payment of the required application and license fees and must be received at least 20 days before tattooing services are provided to clients;
- (b) Submit proof of current training in blood-borne pathogens; and
- (c) Attest to six months of training or experience, within the last two years, performing tattooing on a form prescribed by the Office.
- (2) For the purpose of this rule training or experience includes attendance or participation at an instructional program presented, recognized, or under the sponsorship of any permanently organized institution, agency, or professional organization or association recognized by the Office.

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(3) All applications received after the required 20th day deadline will not be accepted by the Office.

Statutory/Other Authority: ORS 345, 676.607, 676.615, 676.625, 690.365, 690.370, 690.385, 690.390, 690, 405, 690.407, 690.410 & 690.415

Statutes/Other Implemented: ORS 676.607, 676.608, 676.612, 676.615, 676.625, 690.350, 690.360, 690.365, 690.370, 690.380, 390.385, 690.390, 690.405, 690.407, 690.410, 690.415, 2011 OL Ch. 346 § 22 & 35

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HLA 8-2012(Temp), f. & cert. ef. 5-3-12 thru 10-16-12

HLA 7-2012(Temp), f. & cert. ef. 4-20-12 thru 10-16-12

HLA 16-2011, f. 12-30-11, cert. ef. 1-1-12

331-915-0030

Approved Examination for Tattoo

The Office has approved the Oregon written examination for tattooing.

Statutory/Other Authority: ORS 345, 676.607, 676.615, 676.625, 690.365, 690.370, 690.385, 690.390, 690, 405, 690.407, 690.410 & 690.415

Statutes/Other Implemented: ORS 676.607, 676.608, 676.612, 676.615, 676.625, 690.350, 690.360, 690.365, 690.370, 690.380, 390.385, 690.390, 690.405, 690.407, 690.410, 690.415, 2011 OL Ch. 346 § 22 & 35

History:

HLO 1-2017, f. & cert. ef. 1-6-17

HLA 16-2011, f. 12-30-11, cert. ef. 1-1-12

331-915-0035

General Tattooing Examination Information

(1) To be eligible for examination, an applicant must meet identification requirements listed under OAR 331-030-0000.

(2) The examination is administered in English only, unless an Office approved testing contractor or vendor provides the examination in languages other than English.

(3) Examination candidates may be electronically monitored during the course of testing.

(4) Examination candidates must adhere to the maximum time allowance for the examination, as established by the Office.

(5) Examination candidates are prohibited from taking items and devices into examination areas which include but are not limited to notes, textbooks, notebooks, electronic equipment communication devices or any other items or devices the Office deems inappropriate.

(6) Candidate conduct that interferes with the examination may result in the candidate's disqualification during or after the examination, the candidate's examination being deemed

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invalid, and forfeiture of the candidate's examination fee. Such conduct includes but is not limited to:

- (a) Directly or indirectly giving, receiving, soliciting, and attempting to give, receive or solicit aid during the examination process;
 - (b) Violations of subsections (5) of this rule;
 - (c) Removing or attempting to remove any examination-related information, notes or materials from the examination site;
 - (d) Failing to follow directions relative to the conduct of the examination; and
 - (e) Exhibiting behavior that impedes the normal progress of the examination.
- (7) If the candidate is disqualified from taking the examination or the candidate's examination is deemed invalid for reasons under subsection (6) of this rule, the candidate must meet requirements listed in OAR 331-915-0040 and submit an additional examination fee.

Statutory/Other Authority: ORS 345, 676.607, 676.615, 676.625, 690.365, 690.370, 690.385, 690.390, 690, 405, 690.407, 690.410 & 690.415

Statutes/Other Implemented: ORS 676.607, 676.608, 676.612, 676.615, 676.625, 690.350, 690.360, 690.365, 690.370, 690.380, 390.385, 690.390, 690.405, 690.407, 690.410, 690.415, 2011 OL Ch. 346 § 22 & 35

History:

HLO 1-2017, f. & cert. ef. 1-6-17

HLA 1-2013, f. & cert. ef. 1-16-13

HLA 16-2011, f. 12-30-11, cert. ef. 1-1-12

331-915-0040

Written Examination Retake Requirements

- (1) Failed sections of the written examination may be retaken as follows:
- (a) After first failed attempt — applicant may not retake for seven calendar days;
 - (b) After second failed attempt — applicant may not retake for seven calendar days;
 - (c) After third failed attempt — applicant may not retake for 30 calendar days, must pay all additional fees and must submit an official transcript certifying completion of an additional 100 hours of instruction in theory, focused on the approved curriculum outlined in OAR 331-915-0005 from a career school licensed under ORS 345 on a form prescribed by the Office;
 - (d) After fourth failed attempt — applicant may not retake for seven calendar days;
 - (e) After fifth failed attempt — applicant may not retake for seven calendar days;
 - (f) After sixth failed attempt — applicant may not retake for 30 calendar days, must pay all additional fees and must submit an official transcript certifying completion of an additional 100 hours of instruction in theory, focused on the approved curriculum outlined in OAR 331-915-0005 from a career school licensed under ORS 345 on a form prescribed by the Office;
 - (g) After seventh failed attempt — ability to retake, requirements for retake, or both will be determined by the Office on a case-by-case basis.
- (2) Applicants retaking the examination must meet the requirements under OAR 331-030-0000.

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Statutory/Other Authority: ORS 345, 676.607, 676.615, 676.625, 690.365, 690.370, 690.385, 690.390, 690, 405, 690.407, 690.410 & 690.415

Statutes/Other Implemented: ORS 676.607, 676.608, 676.612, 676.615, 676.625, 690.350, 690.360, 690.365, 690.370, 690.380, 390.385, 690.390, 690.405, 690.407, 690.410, 690.415, 2011 OL Ch. 346 § 22 & 35

History:

HLO 1-2017, f. & cert. ef. 1-6-17

HLA 10-2012, f. & cert. ef. 6-25-12

HLA 3-2012(Temp), f. & cert. ef. 3-1-12 thru 6-25-12

HLA 16-2011, f. 12-30-11, cert. ef. 1-1-12

331-915-0050

Renewal of a Tattoo License

(1) A licensee is subject to the provisions of OAR chapter 331, division 30 regarding the renewal of a license and provisions regarding authorization to practice, identification, and requirements for issuance of a duplicate license.

(2) Tattoo license renewal under this rule is valid for one year.

(3) LICENSE RENEWAL: To avoid delinquency penalties, a tattoo license renewal must be made prior to the license entering inactive status. The licensee must submit the following:

(a) Renewal application form;

(b) Payment of required renewal fee pursuant to 331-940-0000;

(c) Attestation of having obtained required annual continuing education under OAR 331-915-0055, on a form prescribed by the Office. Continuing education is required whether the license is current or inactive;

(d) Attestation of current certification in cardiopulmonary resuscitation from an Office approved provider;

(e) Attestation of current first aid training from an Office approved provider; and

(f) Attestation of current certification in blood borne pathogens training from an Office approved provider.

(4) INACTIVE LICENSE RENEWAL: A tattoo license may be inactive for up to three years. A licensee who is inactive is not authorized to practice. When renewing after entering inactive status, the licensee holder must submit the following:

(a) Renewal application form;

(b) Payment of delinquency and license fees pursuant to OAR 331-940-0000;

(c) Attestation of having obtained required annual continuing education under OAR 331-915-0055, on a form prescribed by the Office. Continuing education is required whether the license is current or inactive;

(d) Attestation of current certification in cardiopulmonary resuscitation from an Office approved provider;

(e) Attestation of current first aid training an Office approved provider; and

(f) Attestation of current certification in blood borne pathogens training from an Office approved

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provider.

(5) EXPIRED LICENSE: A tattoo license that has been inactive for more than three years is expired and the license holder must reapply and meet the requirements listed in OAR 331-915-0015.

Statutory/Other Authority: ORS 345, 676.607, 676.615, 676.625, 690.365, 690.370, 690.385, 690.390, 690, 405, 690.407, 690.410 & 690.415

Statutes/Other Implemented: ORS 676.607, 676.608, 676.612, 676.615, 676.625, 690.350, 690.360, 690.365, 690.370, 690.380, 390.385, 690.390, 690.405, 690.407, 690.410, 690.415, 2011 OL Ch. 346 § 22 & 35

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HLA 16-2011, f. 12-30-11, cert. ef. 1-1-12

331-915-0055

Continuing Education for Tattoo License

(1) To maintain licensure, a tattoo license holder must complete a minimum of 10 hours of satisfactory continuing education every year.

(2) A tattoo license holder must document compliance with the continuing education requirement through attestation on the license renewal application. Licensees will be subject to the provisions of OAR 331-915-0060 pertaining to periodic audit of continuing education.

(3) Satisfactory continuing education must be obtained as follows:

(a) Five hours must be obtained by participation in or attendance at a course provided by:

(A) Institutions or programs accredited by a federally recognized accrediting agency;

(B) Institutions or programs approved by an Office within the Oregon Higher Education Coordinating Commission;

(C) An organization offering continuing medical education opportunities, including Accreditation Council for Continuing Medical Education;

(D) Any additional board approved professional organization, or association, hospital, or health care clinic offering continuing education related to subject matter listed in (4) of this rule.

(b) Five hours may be self-study, where subject matter meets the requirements under subsection (4) of this rule, which may include the following:

(A) Correspondence courses including online courses through completion and certification by an approved national home study organization;

(B) Review of publications, textbooks, printed material, or audio cassette(s);

(C) Viewing of films, videos, or slides;

(4) The subject matter of the continuing education must be specifically related to tattooing. As outlined in the approved course of study under OAR 331-915-0005(4). Continuing education may include the laws and rules regulating licensed tattooists, safety and sterilization, color theory, design, art and placement, client services, and business operations.

(5) Continuing education is required for renewal, every year, even if the license has been

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inactive or suspended.

(6) Obtaining and maintaining proof of participation in required continuing education is the responsibility of the licensee. The licensee must ensure that adequate proof of attainment of required continuing education is available for audit or investigation or when otherwise requested by the Office. Adequate proof of participation is listed under OAR 331-915-0060(3).

(7) Documentation of participation in continuing education requirements must be maintained for a period of five years following renewal, and must be available to the Office upon request.

(8) Current training and certification in CPR, First Aid, and Blood borne pathogens is a condition of renewal and is not eligible for continuing education credit.

(9) A tattoo license holder may carry up to 8 hours of excess continuing education hours forward to the next renewal cycle.

(10) For the purpose of this rule continuing education hours mean actual academic, classroom, or course work time, including but not limited to workshops, symposiums, or seminars. Continuing education hours do not include travel time to or from the training site, registration or check-in periods, breaks or lunch periods.

Statutory/Other Authority: ORS 345, 676.607, 676.615, 676.625, 690.365, 690.370, 690.385, 690.390, 690, 405, 690.407, 690.410 & 690.415

Statutes/Other Implemented: ORS 676.607, 676.608, 676.612, 676.615, 676.625, 690.350, 690.360, 690.365, 690.370, 690.380, 390.385, 690.390, 690.405, 690.407, 690.410, 690.415, 2011 OL Ch. 346 § 22 & 35

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HLA 16-2011, f. 12-30-11, cert. ef. 1-1-12

331-915-0060

Continuing Education: Audit, Required Documentation and Sanctions

(1) The Office will audit a select percentage of licenses to verify compliance with continuing education requirements.

(2) Licensees notified of selection for audit of continuing education attestation must submit to the Office, within 30 calendar days from the date of the issuance of the notification, satisfactory evidence of participation in required continuing education in accordance with OAR 331-915-0055.

(3) Evidence of successful completion of the required continuing education must include the following:

(a) Name of continuing education sponsor/provider;

(b) Course agenda — including the date of the training and breakdown of hours for each agenda item, lunch and breaks;

(c) Course outline — including a detailed summary of each topic discussed and the learning objective or training goal of each agenda item; The content of the course must have a direct relationship between the course training and subject matter related to tattooing as set forth in

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OAR 331-915-0055(4);

(d) Documentation of attendance or successful course completion Examples include certificate, transcript, sponsor statement or affidavit attesting to attendance, and diploma.

(4) Documentation substantiating the completion of continuing education through self-study must show a direct relation to tattooing as set forth in OAR 331-915-0055(4), be submitted on forms provided by the Office and include the following:

(a) Name of sponsor or source, type of study, description of content, date of completion and duration in clock hours;

(b) Name of approved correspondence courses or national home study issues;

(c) Name of publications, textbooks, printed material or audiocassette's, including date of publication, publisher, and ISBN identifier; and

(d) Name of films, videos, or slides, including date of production, name of sponsor or producer and catalog number.

(5) If documentation of continuing education is invalid or incomplete, the licensee has 30 calendar days from the date of the deficiency notice to correct the deficiency and submit further documentation of completion of the required continuing education.

(6) Misrepresentations of continuing education or failure to complete continuing education requirements may result in disciplinary action, which may include, but is not limited to assessment of a civil penalty and suspension or revocation of the license.

Statutory/Other Authority: ORS 345, 676.607, 676.615, 676.625, 690.365, 690.370, 690.385, 690.390, 690, 405, 690.407, 690.410 & 690.415

Statutes/Other Implemented: ORS 676.607, 676.608, 676.612, 676.615, 676.625, 690.350, 690.360, 690.365, 690.370, 690.380, 390.385, 690.390, 690.405, 690.407, 690.410, 690.415, 2011 OL Ch. 346 § 22 & 35

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HLA 1-2013, f. & cert. ef. 1-16-13

HLA 16-2011, f. 12-30-11, cert. ef. 1-1-12

331-915-0065

Tattoo Practice Standards and Prohibitions

(1) Inks, dyes, or pigments must be purchased from a commercial supplier or manufacturer and must have an expiration date present on the container. Use of expired ink, dyes or pigments is prohibited. Products banned or restricted by the Food and Drug Administration are prohibited.

(2) A tattoo license holder must disinfect the plastic or acetate stencil used to transfer the design to the client's skin, if not using disposable stencils. If the plastic or acetate stencil is reused the licensee must thoroughly clean and rinse and immerse in a high level disinfectant according to the manufacturer's instructions.

(3) Prior to beginning the procedure a client's skin must be thoroughly cleaned with an antiseptic solution.

(4) Upon completion of a tattoo service, the following procedures are required:

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- (a) The skin must be cleansed; excluding the area surrounding the eyes, with a clean single-use paper product saturated with an antiseptic solution; and
 - (b) Use a clean absorbent material or bandage intended to cover wounds to prevent the spread of blood or other potentially infectious materials and cross contamination that must be adhered to the skin. Absorbent materials or bandages may include, but are not limited to, medical-grade bandages or bandages intended to cover tattoos. All coverings and bandages must be used according to manufacturer's instructions.
- (5) Tattooing services may be performed on a person younger than 18 years of age when authorized or prescribed by a physician's statement.
- (6) Tattooing is prohibited:
- (a) On a person who shows signs of being inebriated or appears to be incapacitated by the use of alcohol or drugs;
 - (b) On a person with sunburn or other skin diseases or disorders such as open lesions, rashes, wounds, puncture marks in areas of treatment;
 - (c) On a person younger than 18 years of age, regardless of parental or legal guardian consent unless the requirements of Subsection (5) of this rule are met.
- (7) Tattoo artists are prohibited from performing nonablative tattoo removal in Oregon unless they hold an appropriate authorization.

Statutory/Other Authority: 676.615, 690.390 & 690.405

Statutes/Other Implemented: 690.390 & 690.405

History:

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HLA 1-2013, f. & cert. ef. 1-16-13

HLA 10-2012, f. & cert. ef. 6-25-12

HLA 16-2011, f. 12-30-11, cert. ef. 1-1-12

331-915-0070

General Standards for Tattooing

- (1) The cleanliness of any common area in a facility is the responsibility of each license holder. All license holders may be cited for violations found in the common area.
- (2) An individual licensed to perform services in a field of practice or a licensed facility owner must:
 - (a) Use and maintain appropriate equipment and instruments for providing services in a field of practice at the place of business;
 - (b) Use all equipment, instruments and supplies, including but not limited to marking instruments, in a manner described in the manufacturer's instructions which is consistent with the manufacturer's intended use of the device by the FDA;
 - (c) Ensure a high-level disinfectant is used in accordance with manufacturer's instructions to disinfect surfaces where services are performed;

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- (d) Ensure all chemicals are stored in labeled, closed containers;
- (e) Ensure that single-use disposable paper products, single-use needles, sterilized jewelry and protective gloves are used for each client. Use of towels and linens are prohibited;
- (f) Have unrestricted access to a sink with hot and cold running water on the facility premises and separate from a restroom;
- (g) Ensure restrooms located within the facility are kept clean and in good working order at all times. Air blowers within restrooms can be substituted for disposable hand towels;
- (h) Ensure all waste material related to a service, be enclosed in a glove or bag, disposed of in a covered container with a garbage liner following a service on a client. Service-related waste is prohibited from being disposed of in non-service related areas, such as lobby or waiting areas;
- (i) Ensure all sharp objects that come in contact with blood or other potentially infectious materials be disposed of in a sharps container;
- (j) Ensure biohazard labels or red biohazard bags are available on the facility premises;
- (k) Adhere to all Centers for Disease Control and Prevention Standards;
- (l) Ensure pets or other animals are not on the premises of the body art facility unless they service animals recognized by the American with Disabilities Act or to fish in aquariums or nonpoisonous reptiles in terrariums;
- (m) Ensure all disinfecting solutions or agents be kept at adequate strengths to maintain effectiveness, be free of foreign material and be available for immediate use at all times the facility is open for business;
- (n) Ensure that all instruments that come in contact with blood or other potentially infectious materials be either disposed of or sterilized according to requirements including completely disassembling the tattoo machine including grips or handles. (o) Ensure that all jewelry used for initial piercings is sterilized before use on a client in accordance with OAR 331-900-0125;
- (o) Ensure that single-use disposable paper products, needles, and protective gloves or personal protection equipment including but not limited to aprons are not reused on clients. Use of towels and linens are prohibited;
- (p) Ensure bottles used for rinsing tattoos, grips and clip cords are covered during a tattoo procedure and sterilized or disinfected following service on each client;
- (q) Ensure if bottles used for rinsing tattoos are filled with distilled or sterilized water;
- (r) Dilute inks, dyes, and pigments using sterile or distilled water; and
- (s) Ensure inks, dyes, and pigments are stored in a way to prevent contamination through touch or air particulates, including, but not limited to, a closed cabinet or drawer. Proper hand washing and gloving techniques must be used before handling or dispensing inks, dyes and pigments.
- (3) A licensee must wear eye goggles, shields or a mask if spattering is possible while providing services.
- (4) All substances must be dispensed in a single use container and discarded at the end of each procedure to prevent cross contamination.
- (5) Single use tubes, containers and applicators must be discarded following service on each client.

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(6) Cross contamination from touch or air particulates in any procedure area that comes in direct contact with client is prohibited.

(7) Between each service area there must be a clean nonporous barrier unless services are being provided under an event facility license in which five feet must be between each client to prevent contact with blood or other potentially infectious materials.

Statutory/Other Authority: 676.615, 690.390 & 690.405

Statutes/Other Implemented: 690.390 & 690.405

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HLA 15-2012(Temp), f. & cert. ef. 10-15-12 thru 4-12-13

HLA 10-2012, f. & cert. ef. 6-25-12

331-915-0075

Standards for Client Services for Tattooing

(1) A licensee must use a minimum of one pair of disposable gloves for each of the following:

- (a) Set-up of instruments and skin preparation;
- (b) During the body piercing procedure;
- (c) During the post-procedure teardown;
- (d) During cleaning and disinfection of the procedure area; and
- (e) During the sterilization process.

(2) For the purpose of subsection (2) and (3) of this rule the process for hand washing includes thoroughly washing the hands in warm, running water with liquid soap using friction on all surfaces of the hands and wrists, then rinsing hands and drying hands with a clean, disposable paper towel.

(3) A licensee must wash hands before and after a service is provided. Use of antibacterial hand sanitizer before and after a service is prohibited.

(4) A licensee must perform hand washing standards including by not limited to when:

- (a) Leaving the work area;
- (b) Coming in contact with blood or other potentially infectious materials; and
- (c) Hands are visibly soiled.

(5) Notwithstanding the requirements of subsection (2) and (3) of this rule when using an antibacterial hand sanitizer friction must be applied on all surfaces of the hands and wrists.

(6) Use of bar soap is prohibited.

Statutory/Other Authority: 676.615, 690.390 & 690.405

Statutes/Other Implemented: 690.390 & 690.405

History:

[HLO 1-2018, amend filed 01/04/2018, effective 01/04/2018](#)

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HLO 1-2017, f. & cert. ef. 1-6-17
HLA 1-2013, f. & cert. ef. 1-16-13
HLA 15-2012(Temp), f. & cert. ef. 10-15-12 thru 4-12-13
HLA 10-2012, f. & cert. ef. 6-25-12

331-915-0080

Approved Sterilization Standards for Tattooing

- (1) Needles must be single use, used on one client, then properly disposed of in an approved sharps container defined under OAR 331-915-0000.
- (2) All non-sterilized or reusable instruments that come in direct contact with a client's skin or are exposed to blood or other potentially infectious materials must be cleaned and sterilized before use on a client or re-use on another client.
- (3) New gloves must be worn during any sterilization procedure.
- (4) The cleaning and sterilization process listed in subsection (5) of this rule is not required if single-use prepackaged sterilized instruments, obtained from suppliers or manufacturers, are used.
- (5) Approved cleaning and sterilization process for nonsterilized or reusable instruments includes the following ordered method after each use:
 - (a) Place instruments in an ultrasonic cleaner filled with an appropriate ultrasonic solution including, but not limited to, an enzymatic cleaner. The ultrasonic unit must be used according to the manufacturer's instructions. The ultrasonic unit must operate at 40 to 60 kilohertz. The ultrasonic cleaner must remain covered when in use. A self-contained instrument washers used to decontaminate instruments prior to sterilization may be used in place of an ultrasonic cleaner and used according to manufacturer instructions.
 - (b) Remove instruments from the ultrasonic unit or a self-contained instrument washer. Clean instruments by manually brushing or swabbing visible foreign matter and rinsing the instruments with warm water and an appropriate detergent solution to remove blood and other potentially infectious materials;
 - (c) Remove instruments from the ultrasonic unit or self-contained instrument washer. All instruments must be rinsed, air dried, and individually packaged in sterilization pouches that include use of a color change indicator strip to assure sufficient temperature during each sterilization cycle. The date the sterilization was performed must be applied to the sterilization pouch; OR instruments that are sterilized in an autoclave that do not require packaging or use of a color change indicator strip must be sterilized after use on a client, stored in a clean disinfected location, and resterilized immediately before performing a service on a client.
 - (d) Instruments must be sterilized by using an autoclave sterilizer, steam, chemical or gas, registered and listed with the FDA;
 - (e) A steam sterilization integrator must be used to monitor the essential conditions of steam sterilization for each autoclaved cycle. Results must be recorded in a log book for each sterilization cycle. Each steam sterilization integrator must indicate the date the sterilization cycle took place. Steam sterilization integrators must be kept for a minimum of sixty days; and
 - (f) After sterilization, the sterilized instruments must be stored in individually packaged

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sterilization pouches that include a color change indicator strip listed under (5)(c) of this rule and in a dry, disinfected, closed cabinet or other tightly covered container reserved for the storage of such instruments. The date the sterilization was performed must be applied to the sterilization pouch while being stored.

(6) Use of a biological monitoring system (“spore tests”) must be done at least once a month, verified through an independent laboratory, to assure all microorganisms have been destroyed and sterilization achieved.

(7) The ultrasonic unit listed in subsection (5)(a) of this rule must be used, cleaned, and maintained in accordance with manufacturer’s instructions and a copy of the manufacturer’s recommended procedures for the operation of the ultrasonic unit must be kept on file at the body art facility.

(8) All sterilization pouches with color change indicator strips listed in subsection (5)(c) of this rule must contain a chemical/temperature and/or humidity sensitive tapes, strips or pellets for monitoring each sterilization cycle.

(9) Sterilization pouches with color change indicator strips listed in subsection (5)(c) of this rule and steam sterilization integrators listed in (5)(e) of this rule must be available at all times for inspection by the Office.

(10) Biological spore test results listed in subsection (6) of this rule must be immediately available at all times for inspection by the Office and kept at facility premises for a minimum of two years.

(11) The autoclave listed in subsection (5)(d) must be used, cleaned, and maintained in accordance with manufacturer’s instructions and a copy of the manufacturer’s recommended procedures for the operation of the autoclave must be kept on file at the body art facility.

(12) The expiration date for sterilized instruments is one year from the date of sterilization unless the integrity of the package is compromised.

(13) Sterilized instruments may not be used if the package integrity has been breached, is wet or stained, or the expiration date has exceeded without first meeting the requirements listed in subsection (5) of this rule.

(14) All sterilized instruments used in tattooing procedures must remain stored in sterile packages and in a dry, disinfected, closed cabinet or other tightly-covered container reserved for the storage of such instruments until just prior to the performance of a tattooing procedure.

(15) If a biological spore test listed in subsection (6) of this rule, result is positive, a licensee must discontinue the use of that sterilizer (autoclave) until it has been serviced and a negative spore test has been recorded before putting the sterilizer back into service. Until a negative spore test has been received, the licensee must:

- (a) Use an alternative sterilizer (autoclave); or
- (b) Use only single-use instruments.

(16) If a positive spore test has been received, all instruments sterilized prior to the positive spore test must be repackaged and sterilized pursuant to subsection (5) of this rule, before use.

(17) Following the receipt of a positive spore test, the licensee or facility must notify all clients in writing stating a positive spore test had been received during the time they received their tattoo procedure. The licensee or facility must provide the client with the risks of having a tattoo

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procedure done with instruments that may not have been sterilized pursuant to (5)(c) and (d) of this rule.

Statutory/Other Authority: 690.390 & 690.405

Statutes/Other Implemented: 676.615, 690.390 & 690.405

History:

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HLA 10-2012, f. & cert. ef. 6-25-12

[331-915-0085](#)

Client Records and Information for Tattooing

(1) A licensee is responsible for maintaining and keeping copies of all client records. If client records are maintained by the facility and not by the individual licensee, the facility owner must provide the licensee with copies of those client records upon request. The record must include the following for each client:

- (a) Name, address, telephone number and date of birth of client;
- (b) Date of each service and procedure location on the body;
- (c) Name and license number of the licensee providing service;
- (d) Special instructions or notations relating to the client's medical or skin conditions including but not limited to diabetes, cold sores and fever blisters, psoriasis or eczema, pregnancy or breast-feeding/nursing;
- (e) Complete list of the client's sensitivities to medicines or topical solutions;
- (f) History of the client's bleeding disorders; and
- (g) Description of complications during procedure(s).

(2) The licensee must obtain signature from the client that they have received and understand the following information and consent to the tattoo procedure which must be provided to the client verbally and in writing:

- (a) Explanation of procedure;
- (b) Risk(s) of the procedure;
- (c) Description of potential complications or side effects;
- (d) Adverse outcomes;
- (e) Restrictions; and
- (f) Aftercare instructions.

(3) A licensee must obtain proof of age for all clients, a copy of a government issued photographic identification must be obtained and included in the client record;

(4) A licensee may obtain advice from a physician regarding medical information needed to safeguard client. Advice from the physician must be documented in the client record.

(5) For the purpose of this rule, records must be maintained at facility premises for 90 days. Records older than 90 days must be made available to the Office upon request within seven

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days. Records must be kept for a minimum of three years and may be stored electronically.

(6) Client records must be typed or printed in a legible format. Client records that are not readable by the Office will be treated as incomplete.

Statutory/Other Authority: 690.405, 676.615 & 690.390

Statutes/Other Implemented: 690.405 & 690.390

History:

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HLA 10-2012, f. & cert. ef. 6-25-12

Division 920

DERMAL IMPLANTING AND SCARIFICATION STANDARDS

331-920-0000

Dermal Implanting Prohibitions

Dermal implanting services defined under ORS 690.350 are prohibited until education and training programs can be implemented.

Statutory/Other Authority: ORS 345, 676.607, 676.615, 676.625, 690.365, 690.370, 690.385, 690.390, 690, 405, 690.407, 690.410 & 690.415

Statutes/Other Implemented: ORS 676.607, 676.608, 676.612, 676.615, 676.625, 690.350, 690.360, 690.365, 690.370, 690.380, 390.385, 690.390, 690.405, 690.407, 690.410, 690.415, 2011 OL Ch. 346 § 22 & 35

History:

HLA 1-2013, f. & cert. ef. 1-16-13

HLA 15-2012(Temp), f. & cert. ef. 10-15-12 thru 4-12-13

HLA 16-2011, f. 12-30-11, cert. ef. 1-1-12

331-920-0005

Scarification Prohibited

Scarification services defined under ORS 690.350 are prohibited until education and training programs can be implemented..

Statutory/Other Authority: ORS 345, 676.607, 676.615, 676.625, 690.365, 690.370, 690.385, 690.390, 690, 405, 690.407, 690.410 & 690.415

Statutes/Other Implemented: ORS 676.607, 676.608, 676.612, 676.615, 676.625, 690.350, 690.360, 690.365, 690.370, 690.380, 390.385, 690.390, 690.405, 690.407, 690.410, 690.415, 2011 OL Ch. 346 § 22 & 35

History:

HLA 1-2013, f. & cert. ef. 1-16-13

HLA 15-2012(Temp), f. & cert. ef. 10-15-12 thru 4-12-13

HLA 16-2011, f. 12-30-11, cert. ef. 1-1-12

Division 925

FACILITY LICENSING, RENEWAL AND STANDARDS

331-925-0000

Facility License

- (1) A location, where services are performed in a field of practice defined under ORS 690.350 must be licensed as a facility under ORS 690.365.
- (2) The holder of a facility license must be a natural person.
[NOTE: a natural person is a living individual human being. The facility license holder may be a facility owner, facility manager, or any other natural person.]
- (3) A facility license is valid for one year and becomes inactive on the last day of the month one year from the date of issuance.
- (4) A facility license is not transferable; the license is not transferable from person-to-person or from location to location. If an existing facility moves or relocates to a new physical address, the facility license holder must submit a new application and meet requirements of OAR 331-925-0005. A natural person may hold more than one facility license, but must submit a separate application, pay required fees and qualify for a facility license for each location.
- (5) An electrology, body piercing or tattoo facility licensed before January 1, 2012, are valid only for the fields of practice for which those licenses were issued. In order to add additional fields of practice the owner must apply and qualify for a new body art facility license pursuant to OAR 331-925-0005.
- (6) A facility must adhere to all standards within OAR chapter 331, division 925.

Statutory/Other Authority: 676.615, 690.365 & 690.405

Statutes/Other Implemented: 690.365 & 690.405

History:

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HLA 16-2011, f. 12-30-11, cert. ef. 1-1-12

331-925-0005

Application Requirements for Facility Licensure

An individual applying for a facility license must:

- (1) Meet the requirements of OAR 331 division 30;
- (2) Submit a completed application form prescribed by the Office that must contain the information listed in OAR 331-030-0000 and be accompanied by payment of the required fees;
- (3) Submit proof of being at least 18 years of age; documentation may include identification listed under OAR 331-030-0000;
- (4) Provide a map or directions to the facility if it is located in a rural or isolated area;

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- (5) Provide a list of licensees providing services in the facility;
- (6) Provide proof of a current registration as required by Secretary of State, Corporations Division pursuant to ORS 648.007; and
- (7) Hold a current Assumed Business Name (ABN) filing if applicant is operating an assumed business name prior to applying for a facility license.

NOTE: ABN is not required if business includes the real and true name of each owner. Refer to Secretary of State, Corporations Division under ORS 648.005 through 648.990.

Statutory/Other Authority: 676.615 & 690.365

Statutes/Other Implemented: 690.365

History:

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HLA 16-2011, f. 12-30-11, cert. ef. 1-1-12

331-925-0010

Temporary Facility License

- (1) A temporary facility license holder defined under ORS 690.350 and licensed under 690.365, may perform services in a field of practice under 690.350.
- (2) The holder of a temporary facility license must be a natural person.
- (3) A temporary facility license is valid for a limited time not to exceed 15 consecutive calendar days, at settings such as fairs, carnivals or bazaars.
- (4) A facility must adhere to all standards within OAR chapter 331, division 925.
- (5) A temporary facility license is not an event facility license pursuant to OAR 331-925-0030 which is comprised of individual booths where services in a field of practice are performed.
- (6) If a facility owner licensed under OAR 331-925-0000 intends to operate a facility on a limited basis, away from the facility address on file with the Agency, they must obtain a temporary facility license.

Statutory/Other Authority: ORS 345, 676.607, 676.615, 676.625, 690.365, 690.370, 690.385, 690.390, 690, 405, 690.407, 690.410 & 690.415

Statutes/Other Implemented: ORS 676.607, 676.608, 676.612, 676.615, 676.625, 690.350, 690.360, 690.365, 690.370, 690.380, 390.385, 690.390, 690.405, 690.407, 690.410, 690.415, 2011 OL Ch. 346 § 22 & 35

History:

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HLA 3-2012(Temp), f. & cert. ef. 3-1-12 thru 6-25-12

HLA 16-2011, f. 12-30-11, cert. ef. 1-1-12

331-925-0015

Application Requirements for Temporary Facility License

To be issued a temporary facility license, the applicant must:

- (1) Meets the requirements of OAR 331 division 30;
- (2) Submit a completed application form prescribed by the Office, which must contain the information listed in OAR 331-030-0000 and be accompanied by payment of the required fees;
- (3) Proof of being at least 18 years of age; documentation may include identification listed under OAR 331-030-0000,
- (4) Provide a map or directions to the facility if it is located in a rural or isolated area;
- (5) Provide a list of licensees providing services in the facility;
- (6) Provide proof of a current registration as required by Secretary of State, Corporations Division pursuant to ORS 648.007;
- (7) Hold a current Assumed Business Name (ABN) filing if applicant is operating under an assumed business name prior to applying for a facility license;

NOTE: ABN is not required if business includes the real and true name of each owner. Refer to Secretary of State, Corporations Division under ORS 648.005 through 648.990.

Statutory/Other Authority: 676.615 & 690.425

Statutes/Other Implemented: 690.425

History:

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331-925-0020

Mobile Facility License

- (1) Mobile facility license, defined as a facility under ORS 690.350 means an authorization issued under 690.365 to operate a mobile place of business outside of or away from a permanent physical location within an approved enclosed transportable vehicle, such as recreational vehicles or trailers, which has the ability to transport the business operation to multiple locations in the State of Oregon during specific approved periods of time.
- (2) A mobile facility is limited to no more than 15 consecutive calendar days at one physical location.
- (3) A mobile facility must adhere to all standards within OAR chapter 331, division 925.
- (4) The holder of a mobile facility license must be a natural person.

NOTE: a natural person is a living individual human being. The mobile facility license holder may be a facility owner, facility manager, or any other natural person.

- (5) A mobile facility license is not transferable; the license is not transferable from person-to-

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person. Requirements under OAR 331-925-0025 must be met.

(6) A mobile facility license holder must comply with the following requirements:

(a) Submit written notification on a form prescribed by the Office for each new physical location where services will be provided in a field of practice. The notification form must be received by the Office at least 24 hours before services are performed at the new physical location and may be submitted by regular United States Postal Service or by electronic mail or in person at the office;

(b) Remain stationary while services in a field of practice are performed;

(c) Provide each client, verbally and in writing; the mobile facility name, mobile facility license number, license number and name of the person providing service, permanent address on file with the Office and telephone number; and

(d) Display the mobile facility name on file with the Office on the outside of the mobile facility which is easily visible from the street.

Statutory/Other Authority: 676.615

Statutes/Other Implemented: 690.365

History:

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331-925-0025

Application Requirements for Mobile Facility License

To be issued a mobile facility license, the applicant must:

(1) Meet the requirements of OAR 331 division 30;

(2) Submit a completed application form prescribed by the Office, which must contain the information listed in OAR 331-030-0000 and be accompanied by payment of the required fees;

(3) Submit proof of being at least 18 years of age; documentation may include identification listed under OAR 331-030-0000;

(4) Provide a map or directions to the facility if it is located in a rural or isolated area;

(5) Provide a list of licensees providing services in the facility;

(6) Provide proof of a current registration as required by Secretary of State, Corporations Division pursuant to ORS 648.007; and

(7) Hold a current Assumed Business Name (ABN) filing if applicant is operating under an assumed business name prior to applying for a facility license.

NOTE: ABN is not required if business includes the real and true name of each owner. Refer to Secretary of State, Corporations Division under ORS 648.005 through 648.990.

Statutory/Other Authority: 676.615 & 690.365

Statutes/Other Implemented: 690.365

History:

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HLA 16-2011, f. 12-30-11, cert. ef. 1-1-12

331-925-0030

Event Facility License

(1) Event facility license defined as a facility under ORS 690.350 means an authorization issued under 690.365 to operate a facility on an irregular basis outside and away from a permanent physical location for specific approved period of time not to exceed 15 consecutive calendar days, for convention, educational, demonstration and exhibition purposes.

(2) An event facility is comprised of individual booths where services in a field of practice are provided.

(3) A representative of the event facility must be available at all times when services are being provided.

(4) An event facility must be inspected by the Office before services are provided in a field of practice.

(5) An event facility must adhere to all standards within OAR chapter 331, division 925.

(6) Event facility owners must provide a hot and cold running water station for every 10 licensed individuals in a field of practice.

(7) The holder of an event facility license must be a natural person.

NOTE: a natural person is a living individual human being. The event facility license holder may be an event facility owner, event facility manager, or any other natural person.

(8) An event facility license is not transferable; the license is not transferable from person-to-person. Requirements under OAR 331-925-0035 must be met.

(9) For the purpose of this rule a “booth” is 10 feet by 10 feet or 100 square feet of floor space and limited to two licensees.

Statutory/Other Authority: 676.615 & 690.365

Statutes/Other Implemented: 690.365

History:

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331-925-0035

Application Requirements for an Event Facility License

To be issued an event facility license the applicant must:

(1) Meet the requirements of OAR 331 division 30;

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- (2) Submit completed application form prescribed by the Office and pay required application fees, which must be received by the Office 30 days before the start of the event;
- (3) Submit documentation showing proof of being at least 18 years of age; documentation may include identification listed under OAR 331-030-0000;
- (4) Provide a map or directions to the facility if it is located in a rural or isolated area;
- (5) Provide proof of a current registration as required by Secretary of State, Corporations Division pursuant to ORS 648.007;
- (6) Hold a current Assumed Business Name (ABN) filing if applicant is operating under an assumed business name prior to applying for a facility license; and
- (7) Pay all licensing fees.

NOTE: ABN is not required if business includes the real and true name of each owner. Refer to Secretary of State, Corporations Division under ORS 648.005 through 648.990.

Statutory/Other Authority: 676.615 & 690.365

Statutes/Other Implemented: 690.365

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[331-925-0040](#)

Renewal of a Facility or Mobile Facility License

- (1) A licensee is subject to the provisions of OAR chapter 331, division 30 regarding the renewal of a license and provisions regarding authorization to practice, identification, and requirements for issuance of a duplicate license.
- (2) Renewal of a facility license issued under OAR 331-925-0005 or 331-925-0025 this rule is valid for one year.
- (3) LICENSE RENEWAL: To avoid delinquency penalties, a facility or mobile facility license renewal must be made prior to the license entering inactive status. The licensee must submit the following:
 - (a) Renewal application form; and
 - (b) Payment of required renewal fee pursuant to 331-940-0000.
- (4) INACTIVE LICENSE RENEWAL: A facility or mobile facility license may be inactive for up to three years. A licensee who is inactive is not authorized to practice. When renewing after entering inactive status, the licensee holder must submit the following:
 - (a) Renewal application form; and
 - (b) Payment of delinquency and license fees pursuant to OAR 331-940-0000.
- (5) EXPIRED LICENSE: A facility or mobile facility license that has been inactive for more than three years is expired and the license holder must reapply and meet the requirements listed in 331-925-0005 or 331-925-0025.

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(6) If a facility changes ownership, the new owner must apply for a new facility license.

Statutory/Other Authority: 676.615, 690.365 & 690.385

Statutes/Other Implemented: 690.365 & 690.385

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HLA 3-2012(Temp), f. & cert. ef. 3-1-12 thru 6-25-12

HLA 16-2011, f. 12-30-11, cert. ef. 1-1-12

331-925-0045

Posting Requirements

Licensees are subject to the requirements of OAR 331-030-0020.

(1) All facility licenses must be posted in public view.

(2) All facility license holders must post the most recent inspection certificate in public view on the facility premises.

(3) Each booth within an event facility must post the inspection certificate in public view within the booth.

(4) A licensee in a field of practice performing services in any facility must post a current active license or duplicate in public view. A licensee in a field of practice may temporarily conceal the address printed on the license document with a covering that is removable.

(5) A licensee in a field of practice may obtain up to a maximum of three duplicate licenses if the licensee provides services in multiple locations.

Statutory/Other Authority: 676.615 & 690.380

Statutes/Other Implemented: 690.380

History:

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HLA 10-2012, f. & cert. ef. 6-25-12

HLA 16-2011, f. 12-30-11, cert. ef. 1-1-12

331-925-0050

Facility Standards

Facility standards apply to all licensees under ORS 690.350 unless otherwise specified by rule.

(1) A facility license holder licensed under OAR chapter 331, division 925 must:

(a) Require each individual working within the facility premises providing services in a field of practice be licensed with the Office;

(b) Provide a screened or separated area away from public access and viewing, isolated from a reception or waiting area, when services are conducted upon breasts, nipples, genitals or buttocks;

(c) Allow an Office representative to inspect the facility or conduct an investigation. Obstructing or hindering the normal progress of an investigation or the inspection, threatening or exerting

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physical harm, or enabling another individual or employee to impede an investigation or inspection may result in disciplinary action;

- (d) Ensure waste from toilets or lavatories be discharged directly into a public sewer or by a method meeting the requirements of ORS Chapter 454;
 - (e) Have a sterilization area separated from public areas, service areas and restrooms where decontamination and sterilization of reusable instruments is performed. This rule does not apply to electrology license holders and earlobe piercing license holders;
 - (f) All surfaces in areas where decontamination and sterilization of reusable instruments are performed must be nonporous;
 - (g) Hand washing accommodations must be provided in work areas where licensees are exposed to hazardous materials that will have a harmful effect on or be absorbed through the skin if the contamination is not removed;
 - (h) Maintain washing accommodations in a clean and sanitary condition; and
 - (i) Ensure all floors, walls and procedure surfaces including counters, tables, and chairs where services are provided are easily cleanable, nonabsorbent and nonporous;
- (2) When body piercing or tattoo services are provided in a cosmetology facility, body piercing or tattoo services must be separated from cosmetology services by a solid barrier to prevent contact with irritants. Electrology services are excluded from this rule.
- (3) The facility must comply with all applicable rules and regulations of the Office and other federal, state, county and local agencies. This includes the following:
- (a) Building, fire, plumbing and electrical codes, and with exit and fire standards established by the Building Codes Office, the Office of the State Fire Marshal;
 - (b) Oregon Indoor Clean Air Act as it appears in ORS 433.835 through 433.875;
 - (c) Occupational Safety and Health Act Blood Borne Pathogens Standards under 29 CFR 1910:1030 this includes but is not limited to: individuals providing services in a field of practice, facility owners; and other employees on the facility premises;
 - (d) ORS Chapter 654 and the Oregon Safe Employment Act if an employee/employer relationship exists; and
 - (e) All applicable Occupational Safety and Health Act standards if an employee/employer relationship exists.

Statutory/Other Authority: 676.615 & 690.390

Statutes/Other Implemented: 690.390

History:

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HLA 10-2012, f. & cert. ef. 6-25-12

HLA 3-2012(Temp), f. & cert. ef. 3-1-12 thru 6-25-12

331-925-0055

Standards for Facilities Located in Residence

A facility located in a residence must comply with all standards listed in OAR chapter 331, division 925 in addition to the following criteria, unless otherwise specified by rule:

- (1) Have an identifying house number or a sign, which is easily visible from the street and indicates the location of the facility;
- (2) Be equipped with the structures, accommodations, and equipment which the Office requires for all facilities; and
- (3) The living area of the home must be separated from the facility by solid walls extending from floor to ceiling with any connecting doors kept closed while the facility is in actual operation.

Statutory/Other Authority: 676.615 & 690.365

Statutes/Other Implemented: 690.365

History:

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HLA 3-2012(Temp), f. & cert. ef. 3-1-12 thru 6-25-12

Division 940

FEEES

331-940-0000

(1) Applicants and licensees are subject to the provisions of OAR 331-010-0010 and 331-010-0020 regarding the payment of fees, penalties and charges.

(2) Fees established by the Office are as follows:

(a) Application:

- (A) Standard Body Piercing — \$50.
- (B) Specialty Body Piercing Level 1 — \$50.
- (C) Specialty Body Piercing Level 2 Genital— \$50.
- (D) Electrology — \$50.
- (E) Tattoo — \$50.
- (F) Reciprocity Per Field of Practice — \$150.
- (G) Facility — \$100.
- (H) Mobile Facility — \$100.
- (I) Event Facility — \$100.
- (J) Temporary Facility License — \$100.
- (K) Temporary Practitioner Per Field of Practice — \$50.
- (L) Standard Body Piercing Trainee — \$50.
- (M) Ear Lobe Piercing— \$25.

(b) Examination:

- (A) Written — \$50.
- (B) Practical — \$100.

(c) Original Issuance of License:

- (A) Standard Body Piercing Trainee — \$50.
- (B) Standard Body Piercing — \$50.
- (C) Specialty Body Piercing Level 1 — \$50.
- (D) Specialty Body Piercing Level 2 Genital— \$50.
- (E) Electrology — \$25.
- (F) Tattoo — \$50.
- (G) License for a Field of Practice by Reciprocity — \$50.
- (H) Facility — \$150.
- (I) Mobile Facility — \$150.
- (J) Event Facility:

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- (i) Up to 100 booths: \$725.
- (ii) 101 to 200 booths: \$1,450.
- (iii) 201 to 300 booths: \$2,175.
- (iv) 301 to 400 booths: \$2,900.
- (v) 401 to 500 booths: \$3,625.
- (K) Temporary Practitioner Per Field of Practice — \$20.
- (L) Temporary Facility — \$50.
- (M) Earlobe Piercing— \$25.
- (d) Renewal of License Online:
 - (A) Standard Body Piercing — \$45.
 - (B) Electrology — \$20.
 - (C) Tattoo — \$45.
 - (D) Earlobe — \$20.
 - (E) Body Art Facility — \$125.
 - (F) Mobile Facility License — \$125.
- (e) Renewal of License Over-the-Counter or Through the Mail:
 - (A) Standard Body Piercing Trainee — \$50.
 - (B) Standard Body Piercing — \$50.
 - (C) Specialty Body Piercing Level 1 — \$50.
 - (D) Specialty Body Piercing Level 2 Genital— \$50.
 - (E) Electrology — \$25.
 - (F) Tattoo — \$50.
 - (G) Earlobe — \$25.
 - (H) Temporary Practitioner Per Field of Practice — \$20.
 - (I) Body Art Facility — \$150.
 - (J) Mobile Facility License — \$150.
- (f) Other administrative fees:
 - (A) Delinquency — \$50 per year, up to three years.
 - (B) Replacement License — \$25.
 - (C) Duplicate License — \$25 per copy with maximum of three.
 - (D) Affidavit of Licensure — \$50.
 - (E) Information Packets — \$10.
 - (F) Administrative Processing Fee — \$25.

Statutory/Other Authority: 676.615 & 676.575

Statutes/Other Implemented: 676.575

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HLA 15-2013, f. 12-30-13, cert. ef. 1-1-14

HLA 16-2011, f. 12-30-11, cert. ef. 1-1-12; HLA 4-2012(Temp), f. & cert. ef. 3-5-12 thru 9-1-12;

HLA 11-2012, f. & cert. ef. 7-25-12; HLA 8-2013(Temp), f. 6-7-13, cert. ef. 7-1-13 thru 7-8-13;

HLA 12-2013, f. 7-3-13, & cert. ef. 7-9-13

UNOFFICIAL

Division 950
CIVIL PENALTY SCHEDULE

331-950-0010

Schedule of Civil Penalties for Facility License Violations

The Office has adopted the following presumptive penalty schedule for the 1st, 2nd, and 3rd violation of facility license laws and rules. This schedule applies, except at the discretion of the Office pursuant to OAR 331-020-0060. For the 4th and subsequent offenses, the provisions of OAR 331-020-0060 apply.

(1) Operating or purporting to operate a facility without a valid facility license is a violation of ORS 690.360(d):

(a) Never licensed:

(A) 1st offense: \$500;

(B) 2nd offense: \$1,000;

(C) 3rd offense: \$2,500.

(b) Inactive or expired license:

(A) 1st offense: \$200;

(B) 2nd offense: \$500;

(C) 3rd offense: \$1,000.

(c) License or Authorization, Suspended or Revoked:

(A) 1st offense: \$2,500;

(B) 2nd offense: \$5,000;

(C) 3rd offense: Monetary penalty and any other actions allowed by law including revocation of suspended authorization to practice and refusal to issue a new authorization to practice to a revoked authorization holder.

(2) Allowing an employee or individual unlicensed, inactive, suspended, expired or with a revoked license to practice in a field of practice is a violation of ORS 690.360(f) or OAR 331-925-0050(1)(a).

(a) Allowing and unlicensed or revoked license:

(A) 1st offense: \$1,000;

(B) 2nd offense: \$2,500;

(C) 3rd offense: Monetary penalty and any other actions allowed by law including revocation of suspended authorization to practice and refusal to issue a new authorization to practice to a revoked authorization holder.

(b) Allowing an employee or individual with inactive, suspended, or expired license:

(A) 1st offense: \$200;

(B) 2nd offense: \$500;

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(C) 3rd offense: \$1,000.

(3) Failing to allow an Office enforcement officer to inspect the facility when it is open for business is a violation of OAR 331-925-0050(1)(c) and will result in monetary penalties and any other actions allowed by law.

(a) 1st offense: \$1,500;

(b) 2nd offense: \$2,500;

(c) 3rd offense: \$5,000.

(4) Operating or purporting to operate an event facility without first obtaining a current valid event facility permit is a violation of ORS 690.360(d) \$5,000 per violation.

(5) Failing to meet the specifications and standards required under OAR 331-925-0005(3) in a facility may result in an emergency suspension of the facility license until the violation is corrected.

Statutory/Other Authority: 676.615 & 676.575

Statutes/Other Implemented: 676.575

History:

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HLA 10-2012, f. & cert. ef. 6-25-12

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331-950-0020

Schedule of Penalties for Practitioner Violations

The Office has adopted the following presumptive penalty schedule for the 1st, 2nd, and 3rd violation of practitioner licensing laws and rules. This schedule applies, except at the discretion of the Office pursuant to OAR 331-020-0060. For the 4th and subsequent offenses, the provisions of OAR 331-020-0060 apply.

(1) Performing, attempting to perform, or purporting to perform services in a field of practice without a license to perform services in that field of practice of ORS 690.360(1)(a) or (c).

(a) License or authorization never held:

(A) 1st offense: \$2,500;

(B) 2nd offense: \$5,000;

(C) 3rd offense: Monetary penalty or any other actions allowed by law including refusal to issue a new authorization to practice.

(b) License or authorization inactive or expired:

(A) 1st offense: \$200;

(B) 2nd offense: \$500;

(C) 3rd offense: \$1,000.

(c) License or authorization suspended or revoked:

(A) 1st offense: \$2,500;

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(B) 2nd offense: \$5,000;

(C) 3rd offense: Monetary penalty or any other actions allowed by law including revocation of suspended authorization to practice and refusal to issue a new authorization to practice to a revoked authorization holder.

(2) Performing or attempting to perform services in a field of practice outside a licensed facility is a violation of ORS 690.360(1)(b)

(a) 1st offense: \$500;

(b) 2nd offense: \$1,000;

(c) 3rd offense: \$2,500.

(3) A body piercing trainee license holder performing body piercing when not under the direct supervision of their supervisor is a violation of OAR 331-900-0020 for standard body piercing; or OAR 331-905-0011 or 331-905-0013 for specialty body piercing:

(a) 1st offense: \$500;

(b) 2nd offense: \$1,000;

(c) 3rd offense: \$2,500.

(4) Failing, as a supervisor, to provide supervision to their trainee in accordance with OAR 331-900-0050 for standard body piercing; OAR 331-905-0052 for specialty level one body piercing, OAR 331-905-0058 for specialty level two body piercing in addition to any other disciplinary actions, an approved supervisor's authorization to supervise may be withdrawn by the Office:

(a) 1st offense: \$500;

(b) 2nd offense: \$1,000;

(c) 3rd offense: \$2,500.

Statutory/Other Authority: 676.615 & 676.575

Statutes/Other Implemented: 676.575

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HLA 10-2012, f. & cert. ef. 6-25-12

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[331-950-0030](#)

Schedule of Penalties for License Violations

The Office has adopted the following presumptive penalty schedule for the 1st, 2nd, and 3rd violation of license laws and rules. This schedule applies, except at the discretion of the Office pursuant to OAR 331-020-0060. For the 4th and subsequent offenses, the provisions of OAR 331-020-0060 apply.

(1) Altering with fraudulent intent or fraudulent use of a license or authorization issued by the Office is a violation of ORS 690.360(1)(i) or ORS 690.360(1)(j):

(a) 1st offense: \$1,500;

(b) 2nd offense: \$3,500;

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(c) 3rd offense: \$5,000.

(2) Failing to post a valid license or authorization issued by the Office or the most recent inspection certificate in public view is a violation of OAR 331-925-0045

(a) 1st offense: \$100

(b) 2nd offense: \$200

(c) 3rd offense: \$500

Statutory/Other Authority: 676.615 & 676.575

Statutes/Other Implemented: 676.575

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331-950-0040

Schedule of Penalties for Board of Body Art Standards Violations

The Office has adopted the following presumptive penalty schedule for the 1st, 2nd, and 3rd violation of Board of Electrologists and Body Art Practitioners Facility Standards laws and rules. This schedule applies, except at the discretion of the Office pursuant to OAR 331-020-0060. For the 4th and subsequent offenses, the provisions of 331-020-0060 apply.

(1) Any violation of a Mobile Facility License listed in OAR 331-925-0020:

(a) 1st offense: \$500;

(b) 2nd offense: \$1,000;

(c) 3rd offense: \$2,500.

(2) Any violation of a facility standard listed in OAR 331-925-0050(1) or (2) excluding (1)(a) and (1)(c):

(a) 1st offense: \$500;

(b) 2nd offense: \$1,000;

(c) 3rd offense: \$2,500.

(3) Any violation of a Standard for Facilities Located in Residence listed in OAR 331-925-0055:

(a) 1st offense: \$300;

(b) 2nd offense: \$500;

(c) 3rd offense: \$1,000.

(4) Any violation of a General Standard listed in OAR 331-900-0097 for earlobe piercing; 331-900-0115 for standard body piercing; 331-905-0095 for specialty body piercing; 331-910-0080 for electrology; or 331-915-0070 for tattooing;

(a) 1st offense: \$500;

(b) 2nd offense: \$1,000;

(c) 3rd offense: \$2,500.

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(5) Any violation of Standards for Client Services listed in OAR 331-900-0098 for earlobe piercing; 331-900-0120 for standard body piercing, 331-905-0100 for specialty body piercing; 331-910-0070 for electrology; or 331-915-0075 for tattooing:

- (a) 1st offense: \$500;
- (b) 2nd offense: \$1,000;
- (c) 3rd offense: \$2,500.

(6) Failing to sterilize all instruments that come in direct contact with a client's skin or are exposed to blood or other potentially infectious materials or use single use needles is a violation of OAR 331-900-0125(1) and (2) for body piercing; 331-905-105(1) and (2) for specialty body piercing; 331-910-0075(1) and (2) for electrology; or 331-915-0080(1) and (2) for tattooing;

- (a) 1st offense: \$1,000;
- (b) 2nd offense: \$2,500;
- (c) 3rd offense: Monetary penalty and any other actions allowed by law including revocation of suspended authorization to practice and refusal to issue a new authorization to practice to a revoked authorization holder.

(7) Failing to properly use approved sterilization modes or procedures is a violation of OAR 331-900-0125 excluding (1), (2), (9) and (10) for body piercing; 331-905-0105 excluding (1), (2), (9) and (10) for specialty body piercing; 331-910-0075 excluding (1), (2), and (10) for electrology; or 331-915-0080 excluding (1), (2), (9) and (10) for tattooing:

- (a) 1st offense: \$1,000;
- (b) 2nd offense: \$2,500;
- (c) 3rd offense: Monetary penalty and any other actions allowed by law including revocation of suspended authorization to practice and refusal to issue a new authorization to practice to a revoked authorization holder.

(8) Failing to maintain monthly biological test results, chemical indicator strips and steam sterilization integrators on the premises of the facility or allow an enforcement officer access to review those records immediately upon request is a violation of OAR 331-900-0125 (9) or (10) for body piercing; 331-905-0105 (9) and (10) for specialty body piercing; 331-910-0075(10) for electrology; or 331-915-0080(9) and (10) for tattooing:

- (a) 1st offense: \$500;
- (b) 2nd offense: \$1,000;
- (c) 3rd offense: \$2,500.

(9) Failing to collect and maintain complete client records for each client on the premises of the facility or allow an enforcement officer access to review client records immediately upon request is a violation of OAR 331-900-0099 for earlobe piercing; 331-900-0130 for standard body piercing, 331-905-0110 for specialty body piercing; 331-910-0085 for electrology; or 331-915-0085 for tattooing:

- (a) 1st offense: \$500;
- (b) 2nd offense: \$1,000;
- (c) 3rd offense: \$2,500.

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Statutory/Other Authority: 676.615 & 676.575

Statutes/Other Implemented: 676.575

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HLA 16-2011, f. 12-30-11, cert. ef. 1-1-12

331-950-0050

Schedule of Penalties for Body Piercing Standards and Prohibited Services

The Office has adopted the following presumptive penalty schedule for the 1st, 2nd, and 3rd violation of Body Piercing Standards and Prohibited Services laws and rules. This schedule applies, except at the discretion of the Office pursuant to OAR 331-020-0060. For the 4th and subsequent offenses, the provisions of OAR 331-020-0060 apply.

(1) Violation of an Earlobe Piercing Standard by is a violation of OAR 331-900-0095:

(a) 1st offense: \$500;

(b) 2nd offense: \$1,000;

(c) 3rd offense: \$2,500.

(2) Providing a piercing service that is prohibited is a violation of OAR 331-900-0100 or OAR 331-905-0090 for specialty body piercing:

(a) 1st offense: \$1,000;

(b) 2nd offense: \$2,500;

(c) 3rd offense: Monetary penalty and any other actions allowed by law including revocation of suspended authorization to practice and refusal to issue a new authorization to practice to a revoked authorization holder.

(3) Performing, attempting to perform, or purporting to perform a piercing service that is prohibited under OAR 331-900-0100 for standard body piercing or OAR 331-905-0090 for specialty body piercing: or a piercing service listed as a specialty level one or specialty level two genital piercing without a specialty level one body piercing license or specialty level two genital piercing license which is a violation of ORS 690.360(1)(a) or (c):

(a) 1st offense: \$2,500;

(b) 2nd offense: \$5,000;

(c) 3rd offense: Monetary penalty or any other actions allowed by law including refusal to issue a new authorization to practice.

(4) Violation of an initial jewelry piercing standard is a violation of OAR 331-900-0105 for standard body piercing or OAR 331-905-0120 for specialty body piercing:

(a) 1st offense: \$500;

(b) 2nd offense: \$1,000;

(c) 3rd offense: \$2,500.

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331-950-0060

Schedule of Civil Penalties for Electrologists

The Office has adopted the following presumptive penalty schedule for the 1st, 2nd, and 3rd violation of Electrologist Practice Restrictions laws and rules. This schedule applies, except at the discretion of the Office pursuant to OAR 331-020-0060. For the 4th and subsequent offenses, the provisions of OAR 331-020-0060 apply.

(1) Performing a prohibited service is a violation of OAR 331-910-0065 excluding (4):

(a) 1st offense: \$1,000;

(b) 2nd offense: \$2,500;

(c) 3rd offense: Monetary penalty and any other actions allowed by law including revocation of suspended authorization to practice and refusal to issue a new authorization to practice to a revoked authorization holder.

(2) Failing to adhere to towels or linens requirements listed in OAR 331-910-0065(4):

(a) 1st offense: \$300;

(b) 2nd offense: \$500;

(c) 3rd offense: \$1,000.

Statutory/Other Authority: 676.615 & 676.575

Statutes/Other Implemented: 676.575

History:

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331-950-0070

Schedule of Civil Penalties for Tattoo Practice Standards and Prohibitions

The Office has adopted the following presumptive penalty schedule for the 1st, 2nd and 3rd violation of Tattoo Practice Standards and Prohibitions laws and rules. This schedule applies except at the discretion of the Office pursuant to OAR 331-020-0060. For the 4th and subsequent offenses, the provisions of OAR 331-020-0060 apply.

(1) Violation of a Tattoo Practice Standards as listed in OAR 331-915-0065(1), (2), or (3):

(a) 1st offense: \$500;

(b) 2nd offense: \$1,000;

(c) 3rd offense: \$2,500.

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(2) Performing a prohibited service is a violation of OAR 331-915-0065(5):

(a) 1st offense: \$1,000;

(b) 2nd offense: \$2,500;

(c) 3rd offense: Monetary penalty and any other actions allowed by law including revocation of suspended authorization to practice and refusal to issue a new authorization to practice to a revoked authorization holder.

Statutory/Other Authority: 676.615 & 676.575

Statutes/Other Implemented: 676.575

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