

2011 Amendments to 2010 Body Art Statutes

Key: (1) ~~language to be deleted~~ (2) new language

Section 1. Minnesota Statutes 2010, section 146B.03, subdivision 4, is amended to read:

Subd. 4. **Licensure requirements.** An applicant for licensure under this section shall submit to the commissioner on a form provided by the commissioner:

- (1) proof that the applicant is over the age of 18;
- (2) the type of license the applicant is applying for;
- (3) all fees required under section 146B.10;
- (4) proof of completing a minimum of 200 hours of supervised experience within ~~the each~~ area for which the applicant is seeking a license, and must include an affidavit from the supervising licensed technician;
- (5) proof of having satisfactorily completed coursework within the year preceding application and approved by the commissioner on bloodborne pathogens, the prevention of disease transmission, infection control, and aseptic technique. Courses to be considered for approval by the commissioner may include, but are not limited to, those administered by one of the following:
 - (i) the American Red Cross;
 - (ii) United States Occupational Safety and Health Administration (OSHA); or
 - (iii) the Alliance of Professional Tattooists; and
- (6) any other relevant information requested by the commissioner.

Sec. 2. Minnesota Statutes 2010, section 146B.03, subdivision 10, is amended to read:

Subd. 10. **Transition period.** Until January 1, 2012, the supervised experience requirement under subdivision 4, clause (4), shall be waived by the commissioner if the applicant submits to the commissioner evidence satisfactory to the commissioner that:

- (1) the applicant has performed at least 2,080 hours within the last five years in the body art area in which the applicant is seeking licensure; or
- (2) the applicant completed more than 1,040 hours but less than 2,080 hours within the last five years in the body art area in which the applicant is seeking licensure and has successfully completed at least six hours of coursework provided by one of the following entities: Alliance of Professional Tattooists, Association of Professional Piercers, or Compliance Solutions International.

Sec. 3. Minnesota Statutes 2010, section 146B.04, subdivision 1, is amended to read:

Subdivision 1. **General.** Before an individual may work as a guest artist, the commissioner shall issue a temporary license to the guest artist. The guest artist shall submit an application to the commissioner on a form provided by the commissioner.

The form must include:

- (1) the name, home address, and date of birth of the guest artist;
- (2) the name of the licensed technician sponsoring the guest artist;
- (3) proof of having satisfactorily completed coursework within the year preceding application and approved by the commissioner on bloodborne pathogens, the prevention of disease transmission, infection control, and aseptic technique;
- (4) the starting and anticipated completion dates the guest artist will be working; and
- (5) a copy of any current body art credential or licensure issued by another local or state jurisdiction.

Sec. 4. Minnesota Statutes 2010, section 146B.06, subdivision 5, is amended to read:

Subd. 5. **Contamination standards.** (a) Infectious waste and sharps must be managed according to sections 116.76 to 116.83 and must be disposed of by an approved infectious waste hauler at a site permitted to accept the waste, according to Minnesota Rules, parts 7035.9100 to 7035.9150. Sharps ready for disposal must be disposed of in an approved sharps container.

(b) Contaminated waste that may release liquid blood or body fluids when compressed or that may release dried blood or body fluids when handled must be placed in an approved red bag that is marked with the international biohazard symbol.

(c) Contaminated waste that does not release liquid blood or body fluids when compressed or handled may be placed in a covered receptacle and disposed of through normal approved disposal methods.

(d) Storage of contaminated waste on site must not exceed the ~~period specified by Code of Federal Regulations, title 29, section 1910.1030~~ overflow level of any container.

Sec. 5. Minnesota Statutes 2010, section 146B.10, subdivision 1, is amended to read:

Subdivision 1. **Biennial Licensing fees.** (a) The fee for the initial technician licensure and biennial licensure renewal is \$100.

(b) The fee for temporary technician licensure is \$100.

(c) The fee for the temporary guest artist license is \$50.

(d) The fee for a dual body art technician license is \$100.

(e) The fee for a provisional establishment license is \$1,000.

(f) The fee for an initial establishment license and the three-year license renewal period required in section 146B.02, subdivision 2, paragraph (b), is \$1,000.

(g) The fee for a temporary body art establishment permit is \$75.

(h) The commissioner shall prorate the initial two-year technician license fee and the initial three-year body art establishment license fee based on the number of months in the initial licensure period.

Presented to the governor May 25, 2011

Signed by the governor May 27, 2011, 10:40 a.m.