



HEALTH OCCUPATIONS PROGRAM  
HEALTH REGULATION DIVISION

**A Determination in the Matter of  
Jason Paul Del Castillo  
Minnesota Body Art Technician 330413**

**Authority:**

1. The Minnesota Department of Health (MDH) has the authority to discipline body art technicians for violations of law under Minnesota Statute, section 146B.08, subdivision 3.
2. Pursuant to Minnesota Statute, section 146B.08, subdivision 4, the types of discipline MDH may impose include refusal to grant, suspension or revocation of a technician license. MDH may also impose, for each violation, a civil penalty not exceeding \$10,000 that deprives the licensee of any economic advantage gained by the violation and reimburses MDH for the costs of the investigation.
3. Pursuant to Minnesota Statute, section 146B.08, subdivision 3, MDH may take disciplinary actions on proof that a technician has violated any provision of Chapter 146B.
4. Pursuant to Minnesota Statute, section 146B.03, subdivision 1(c), no individual may perform both tattooing and piercing unless the individual holds a valid dual body art technician license.
5. Pursuant to Minnesota Statute, section 146B.10, subdivision 2a(a), continued practice one year after a body art license has expired is a disciplinary violation.

**Findings of Fact:**

1. Jason Paul Del Castillo, Minnesota body art technician number 330413, has been a licensed body art technician-dual since March 29, 2012. He renewed his license biennially until March 31, 2018. His body art license expired on March 31, 2018.
2. On April 10, 2019, the City of Minneapolis Senior Health Inspector conducted an inspection of Del Castillo's Minneapolis body art establishment, Low Brow Saints Tattoo Collective. In the inspection, the inspector discovered that Del Castillo was tattooing without a valid Minnesota body art technician license.
3. On April 12, 2019, the City of Minneapolis issued Administrative Citation number CE1200611 to Del Castillo for violating Minneapolis City Ordinance 339.50, which requires a valid Minnesota body art technician license.
4. Del Castillo continued to conduct body art procedures while unlicensed from April 1, 2018, through April 24, 2019, when his license was renewed by MDH.

5. On May 2, 2019, MDH sent Del Castillo a *Notice of Investigation* regarding his providing body art services on an expired body art technician license. In his response, he admits to providing body art services after his license expired and before he obtained the renewal.

### **Conclusion:**

Jason Paul Del Castillo violated multiple sections of Chapter 146B when he provided body art services after his licensed expired for a period of thirteen months.

### **Determination:**

1. MDH formally reprimands Jason Del Castillo.
2. MDH is imposing a civil penalty of \$2,990, to reimburse MDH for the costs of investigation and to deprive the licensee of any economic advantage gained by the violations.
  - a. Del Castillo may pay the \$2,990 in up to twelve monthly installments. If he chooses to make installments, he must notify MDH in writing about his intentions. He must include how many installments he intends to make, in what amount, and over what period. He must do this within 30 days of the effective date of this determination. Del Castillo must send this information to:

Health Occupations Program  
Body Art Civil Penalty  
PO Box 64882  
St. Paul, MN 55164-0882

- b. Make each payment by check or money order, written to "Minnesota Department of Health," and mail it to the above address.
- c. Payment is due by the last day of each month; however, Del Castillo may prepay the full amount at any time.
- d. MDH may refer the penalty to the Minnesota Department of Revenue, or any other source for collection, if Del Castillo misses a monthly payment by 14 calendar days after the established deadline.