



INSTRUCTIONS FOR OPENING OR REMODELING A BODY ART FACILITY IN OAKLAND COUNTY, MICHIGAN

Congratulations! You are proposing to build or remodel a body art establishment in Oakland County. Body art includes tattooing, branding, scarification, piercing, and permanent make-up. All body art facilities in Oakland County must comply with both the State of Michigan Law for Body Art, P.A. 375, and Oakland County Article VII for Body Art Establishments and Practitioners. As such, all body art establishments must be licensed by Oakland County and the State of Michigan. All body art practitioners in Oakland County must possess an Oakland County Body Art Practitioner Permit.

Construction or alteration of a body art facility shall not begin until plans have been approved by Oakland County Health Division (OCHD). Plans do not need to be submitted to the State of Michigan.

Step 1 – Plan Review

- Submit a completed OCHD Body Art Establishment Plan Review Data Packet, a scaled floor plan, and equipment specifications along with the plan review fee to OCHD. Plan review fees are non-refundable. Plans will not be reviewed until OCHD has received all the required information and plan review fee.
- The scaled floor plan (1/4 inch per foot is a normal, easy to read scale) should include the following with proper labels:
 - ✓ Proposed layout showing all rooms and areas with walls, doors, doorways, and windows shown
 - ✓ Plumbing fixtures including sinks, toilets, and the hot water heater
 - ✓ Equipment such as chairs, tables, benches, desks, countertops, cabinets, the autoclave, the ultrasonic cleaner, and sharps containers
 - ✓ Lighting
- Manufacturer's specifications for equipment, including the make and model number, should be provided for:
 - ✓ The autoclave
 - ✓ The ultrasonic cleaner
 - ✓ The hot water heater
- Plans should be submitted at least 60 days prior to your planned start of construction. Plans will be reviewed in the order they are received. OCHD will respond in writing to you within 30 business days of receipt of your plan submittal.
- If submitted plans are incomplete or not in compliance, an incomplete letter will be sent to you listing the items that are required for OCHD to approve the plans.
- Once plans are approved, an approval letter will be sent to you and you may begin construction.

Step 2 – Getting Ready to Open

- The facility shall NOT open or use remodeled areas until **written approval** is granted by OCHD during an onsite inspection.
- The facility should not make any deviations from the approved plans unless first obtaining approval from OCHD.
- Once construction is underway and the facility is getting ready to open, the following items need to be completed before OCHD will conduct an opening inspection:

A) Licenses, Permits, and Registration:

1. OCHD Body Art Establishment License

Complete an application for an OCHD Body Art Establishment License and pay the annual license fee. The license is valid for one year from the date it is issued. The application and fee must be submitted to either the Pontiac or Southfield Health Division Office.

2. State of Michigan Body Art Facility License

Complete an application for a State of Michigan Body Art Facility License. The facility must pay the full initial license fee if the facility opens before July 1. After July 1, there is an adjusted rate. All State licenses expire on January 1st each year and must be renewed on or before November 30th to avoid late fees. To apply or obtain other State body art information, visit the MDHHS website at www.michigan.gov/bodyart.

3. State of Michigan Certificate of Registration as a Medical Waste Producing Facility

Obtain a Certificate of Registration as a Medical Waste Producing Facility from the Michigan Department of Environment, Great Lakes, and Energy (EGLE). To apply for the Certificate, visit <http://michigan.gov/egle> and search for the Medical Waste Program. There is a fee to apply and the certificate is valid for three years from its date of issuance. If you have questions, please contact EGLE.

4. OCHD Body Art Practitioner Permit

Each body art practitioner will need to possess a valid OCHD Body Art Practitioner Permit and have a copy of that permit in the facility. There is a non-refundable one-time fee to apply for a permit. To apply, a body artist must:

- a) complete an OCHD practitioner permit application
- b) provide proof of Hepatitis B vaccination or a signed waiver provided by OCHD
- c) submit a copy of an approved bloodborne pathogen certificate from a course designed for body artists (industry-specific course)
- d) provide a copy of their photo I.D.

An applicant should allow up to two weeks for review of a practitioner permit application. For approved bloodborne pathogen training classes, please contact OCHD at 248-858-1312. Permit applications and fees may be submitted to either the Pontiac or Southfield Health Division Office.

B) Required Forms:

1. Client Body Art Procedure Record/Consent Form

A body art facility shall maintain a record of all clients who have had body art services performed. The State Body Art Law and Oakland County Article VII have similar requirements for client records, although there are some differences. The requirements have been combined into one sample client record/consent form with the client health questionnaire included. It is available upon request. The client record shall include:

- The name, address, telephone number, and date of birth of the client;
- Proof of age (photo ID) of the client for any client under the age of 25 and proof of parental or legal guardian consent if the client is a minor (copies of photo IDs from both the parent and child as well as a birth certificate or the legal guardianship papers must be kept with the record);
- Acknowledgement by the client that they have been provided with **written** pre-procedure information which includes the effects, risks, and permanence of the body art. This written information shall be approved by OCHD;
- Acknowledgement by the client that they have received the aftercare instructions specific to their procedure and pigment identification (if applicable);

- Acknowledgement by the client that they have received the State required Notice/Disclosure;
- A description of the procedures performed including the design and location of the body art, the date of services, and the name of each practitioner performing the services;
- A client health risk questionnaire and acknowledgement by the client that they completed the client health questionnaire;
- Any known complication the client has during the procedure with any tattooing, piercing, or branding done at the facility;
- Signature and date from the client; and
- Signature and date from the practitioner.

A copy of the procedure record/consent form shall be provided to the client and a copy shall be retained by the facility.

2. Client Health Questionnaire

The facility must have a client health risk questionnaire as part of their client consent form. OCHD has developed a sample Client Record/Consent Form. The following are required to be included in the questionnaire:

- Diabetes or other conditions which may affect blood circulation and/or ability to fight infections;
- History of hemophilia or excessive bleeding;
- History of skin disease, skin cancer at site of service, skin lesions, or skin sensitivities to soaps or disinfectants;
- History of allergies, anaphylactic reaction, or adverse reactions to latex, pigments, dyes, disinfectants, metals, or other sensitivities related to body art procedures;
- History of epilepsy, seizures, fainting, or narcolepsy;
- Treatment with anticoagulants or other medications that thin the blood and/or interfere with blood clotting;
- Current pregnancy and/or breast feeding;
- History of jaundice or hepatitis;
- History of AIDS or positive HIV test;
- History of any known medical condition which would increase susceptibility to infection or impair the healing process (e.g. immunosuppression, etc.);
- History of eye disease; and
- Any other information that would aid the body art technician or any other individual involved in providing education on the client's suitability for receiving a body art procedure and the client's body healing process.

The client shall sign and date a written statement, witnessed and signed by the practitioner, that the client does/does not fall within one of the risk group categories to the client's best knowledge.

3. Aftercare Instructions

A client shall be provided with written instructions on the proper care of the body art site. OCHD has developed sample aftercare instructions. They are available upon request. At a minimum these instructions shall include:

- Pre-approved instructions on proper care of the body art site;
- The signs and symptoms of infection;
- Advice to consult a physician at the first sign of infection, if the body art site becomes painful, or if the client develops a fever;
- Name, address, and telephone number of the body art establishment;
- Telephone contact information for Oakland County Health Division for making complaints;

- The MDHHS Disclosure Statement and Notice for Filing Complaints, which advises clients of the risks and possible consequences of body art procedures and provides information on how to lodge complaints about body art facilities;
- If applicable, the colors used in a tattoo and when available, the manufacturer or catalogue identification of each color applied;
- Notice that the person may be allowed to donate blood within the standard deferral period if the person presents a copy of his/her client record provided by the body art facility to the blood donor facility; and
- Signature of both the practitioner and client.

A copy of the aftercare instructions shall be provided to the client and a copy shall be retained by the facility.

4. Disclosure Statement and Notice for Filing Complaints

A copy of the MDHHS Disclosure Statement and Notice for Filing Complaints, which advises clients of the risks and possible consequences of body art procedures and provides information on how to lodge complaints about body art facilities, must be posted in the body art facility. This Statement and Notice is available on the MDHHS website for body art at www.michigan.gov/bodyart.

5. Body Art Facility Record

The body art establishment shall complete a facility record form with general information about the facility and owner(s). This form shall be kept at the body art facility. This form is available on the MDHHS website for body art at www.michigan.gov/bodyart.

6. Body Art Employee/Technician/Contractor Record

Each body art employee shall complete an employee record form with information about the employee. This form shall be kept at the body art facility. This form is available on the MDHHS website for body art at www.michigan.gov/bodyart.

7. Copy of Photo I.D. for All Body Art Technician Employees

A copy of the photo I.D. for each body art technician employee shall be provided to OCHD. In addition, copies of the body art technician's photo I.D.s shall be maintained at the facility in the appropriate employee file.

8. Confidentiality Statement

Each body artist or employee who has access to client or employee records must sign a confidentiality statement. A sample confidentiality form is available on the MDHHS website for body art at www.michigan.gov/bodyart. The form shall be retained with the employee record.

9. Proof of Hepatitis B Vaccination or Completed Waiver Form

The facility must provide documentation that each employee has either received the Hepatitis B vaccination series or have a waiver on file for each employee to demonstrate that the employee declined the Hepatitis B vaccination series. The waiver form is available from OCHD.

C) Other Documentation

1. Local Approval from the City, Village, or Township

Before beginning construction, the facility should verify with the local city, village, or township that local zoning laws allow a body art business in the proposed location. OCHD will need proof that the local building department has given the body art establishment mechanical approval and/or a certificate of occupancy.

2. Inventory of Equipment and Supplies

The facility must have an inventory or maintain receipts of all supplies used in the body art establishment, such as needles and inks. A body art facility inventory form is available on the MDHHS website for body art at www.michigan.gov/bodyart.

3. Spore Test Results for the Autoclave

Within 30 days prior to being approved to operate, the facility must have obtained a negative spore test result from each autoclave to be used by the facility.

4. Sterilization Log

The facility shall maintain a sterilization log for all equipment run through the autoclave. A blank sterilization log is available on the MDHHS website for body art at www.michigan.gov/bodyart.

5. Manufacturer's Instructions for the Autoclave

The facility must have a copy of the manufacturer's instructions for each make and model of autoclave used in the facility.

6. Manufacturer's Instructions for the Ultrasonic Cleaner

The facility must have a copy of the manufacturer's instructions for each make and model of an ultrasonic cleaner used in the facility.

7. Biohazard Removal Contract

The facility must have a contract with a medical/biohazard waste hauling company or a written agreement with another Registered Medical Waste Producing Facility to receive medical/biohazard waste from the body art facility.

8. Medical Waste Management Plan

The facility must have a written medical waste management plan. In order to meet this requirement, the facility may complete the "Medical Waste Management Sample Plan" found on the EGLE's Medical Waste website at <http://www.michigan.gov/egle>

9. Bloodborne Infectious Diseases Exposure Control Plan for Employers with Limited Employee Exposure

The facility must comply with all body art laws and Michigan Occupational Safety and Health Administration (MIOSHA) regulations for bloodborne pathogens. This includes having an exposure control plan for employees. A copy of the MIOSHA bloodborne pathogen standard and a sample plan for employers with limited employee exposure can be found at <https://www.michigan.gov/leo>. If you have questions regarding the bloodborne pathogen standard, the exposure control plan, or required training, you may contact MIOSHA's Consultation, Education, and Training unit directly at 517-284-7720.

10. Standard Operating Procedures

Operators must complete and submit the "Standard Operating Procedure for Bloodborne Infectious Disease Control Measures" document (this is found in Appendix A of the sample MIOSHA Exposure Control Plan). Other standard operating procedures may be required based upon the nature of the body art facility operation.

11. Site-Specific Bloodborne Pathogen Training with Employees

The facility must conduct and record annual site-specific training for employees regarding bloodborne infectious diseases. Requirements and guidance for this training can be found in the documents mentioned under item #9 above.

12. Current Bloodborne Pathogen Certificate

All body art employees must complete annual industry specific bloodborne pathogen training that meets the requirements of MIOSHA. There are numerous courses available online or other forms of instruction that may meet the requirement for bloodborne pathogen training. If you have questions regarding bloodborne pathogen training, please contact OCHD or MIOSHA.

Step 3 – Opening

- Please submit copies or records of the above paperwork requirements to your sanitarian for approval. You may submit it via email, fax, or mail or by dropping it off at one of our Health Division Offices. OCHD will review the paperwork and let you know of any corrections needed.
- Once the paperwork is approved and construction is completed according to plans, an opening inspection may be requested. Please contact us at least 5 business days prior to your planned opening.
- OCHD will conduct an opening inspection. If there are no violations, the facility will be approved to operate on a written inspection form. If there are any violations, the facility must correct the violations, and OCHD will make additional site visits as needed to verify corrections so that written approval to operate can be granted.
- Congratulations and good luck with your new business. OCHD will conduct your first operational inspection in approximately 60 days.

OCHD Plan Review Check List*

Plan Review

- OCHD Plan Review Packet
- Scaled Floor Plan
- OCHD Plan Review Fee
- Plans Approved by OCHD

Licensing and Registration

- OCHD Body Art License Application and Fee
- MDHHS Body Art License Application and Fee
- EGLE Certificate as Medical Waste Producing Facility

OCHD Practitioner Permits

- All body artists have OCHD Practitioner Permits; if not complete the following for each body artist:
- OCHD Practitioner Permit Application and Fee
- Current Industry-Specific Bloodborne Pathogen Training
- Proof of Hepatitis B Vaccination or Signed OCHD Waiver
- Copy of the individual's photo I.D

Required Forms

- Client Body Art Procedure Record/Consent Form
- Client Health Questionnaire (part of the Record/Consent Form)
- Aftercare Instructions
- Disclosure Statement and Notice for Filing Complaints (MDHHS Provided)
- Body Art Facility Record (MDHHS Provided)
- Body Art Employee/Technician/Contractor Record (MDHHS Provided)
- Confidentiality Statement (MDHHS Provided)
- Hepatitis B Vaccination Form or Waiver (OCHD Form)

Other Required Documentation

- Local Approval from City/Village/Township
- Inventory of equipment/supplies
- Spore Test Results for Autoclave
- Sterilization Log
- Manufacturer's Instructions for Autoclave
- Manufacturer's Instructions for Ultrasonic Cleaner
- Biohazard Removal Contract
- EGLE – Medical Waste Management Plan
- MIOSHA – Bloodborne Infectious Diseases Exposure Control Plan for Employers with Limited Employee Exposure
- MIOSHA – Site-Specific Bloodborne Pathogen Training for Employees
- MIOSHA – Current Bloodborne Pathogen Certificate
- Standard Operating Procedures, as required

****If all items are checked, and construction has been completed according to plans, you are ready for an opening inspection. Please contact us at least 5 business days prior to your planned opening.***

OAKLAND COUNTY HEALTH DIVISION

NOHC, 1200 N. Telegraph Road, Pontiac, MI 48341 (248) 858-1280
SOHC, 27725 Greenfield Road, Southfield, MI 48076 (248) 424-7000

The Oakland County Health Division will not deny participation in its programs based on race, sex, religion, national origin, age or disability. State and Federal eligibility requirements apply for certain programs.