

Body Art

314-A:1 Definitions. –

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- I. "Body piercing" means the creation of an opening in human tissue, except piercing of the ear lobe, through which jewelry or other items are inserted.
- II. "Branding" means a permanent mark made on human tissue by burning with a hot iron or other instrument, excluding laser burning.
- III. "Executive director" means the executive director of the office of professional licensure and certification.
- IV. "Practitioner" means a person who practices tattooing, body piercing, or branding.
- V. "Tattoo" means an indelible mark or figure fixed upon the surface of the body by the insertion of pigment under the skin or by the production of scars.

Safeguarding Guidance:

The Governor's Economic Re-Opening Task Force recommends protocols for safeguarding all New Hampshire businesses during the coronavirus disease 2019 (COVID-19) pandemic. This industry-specific guidance is based on what is currently known about COVID-19 and is intended to protect the public's health and allow New Hampshire to begin to open for business.

The intent of these recommendations is to reduce transmission of COVID-19 among practitioners and clients; support healthy business operations; and maintain a healthy work environment.

In addition to strict adherence to [U.S. Centers for Disease Control and Prevention \(CDC\)](#), [Equal Employment Opportunity Commission \(EEOC\)](#) and [Occupational Safety and Health Administration \(OSHA\)](#) guidance, and [US Food and Drug Administration \(FDA\)](#) the State of New Hampshire recommends policies and procedures to protect consumers and employees, including:

General Guidance to Protect Employees and Consumers:

- 1.) Staff and businesses must follow the [Universal Guidelines](#) for All New Hampshire Employers and Employees.
- 2.) Staff and businesses must review CDC [guidance for businesses and employers](#).
- 3.) Staff and businesses must review CDC [guidance for cleaning and disinfection](#).
- 4.) All clients MUST wear, at a minimum, a cloth face mask or disposable mask covering nose and mouth when within the establishment, except during services in which masks are not feasible such as facial piercings. Cloth face masks/coverings must be worn and managed according to CDC guidance about [use of cloth face coverings](#).
- 5.) All staff MUST wear, at a minimum, a cloth face mask or disposable mask covering nose and mouth at all times when within the establishment, even when alone in client service areas (e.g. cleaning and disinfecting after services). Cloth face masks/coverings must be worn and managed according to CDC guidance about [use of cloth face coverings](#).

- 6.) Staff and clients wearing face coverings must not touch their eyes, nose, mouth, or face, or adjust their face mask without first sanitizing hands. After touching face or adjusting mask, hands must be sanitized.
- 7.) Alcohol-based hand sanitizer must be made readily available at the reception area and client service areas for frequent use by both staff and clients.
- 8.) Staff and clients must be screened (questioned about) symptoms of COVID-19 before each shift (for staff), and before the appointment (for clients). Staff who have tested positive for COVID-19 in the last fourteen days or display any COVID-19 symptoms must not be allowed to work. Clients who have tested positive for COVID-19 in the last fourteen days or display any COVID-19 symptoms must be re-scheduled and not allowed in the facility.
- 9.) Staff and clients must maintain a distance of at least 6 feet from others in the establishment at all times except for when staff are providing body art services.
- 10.) Businesses should consider recommending that staff take a course covering COVID-19 specific prevention.
- 11.) Businesses must update the exposure control plan (ECP) when adding new protocols and training for staff.
- 12.) Businesses must perform biological spore testing and any manufacturer-suggested maintenance on all autoclaves upon reopening, if applicable.

Authorized Services

- 1) Body Art Practitioners may provide all services within their scope of practice.

Reception and Scheduling

- 1) Clients must be scheduled by appointment only either online or by phone. No walk-in appointments are permitted.
- 2) Businesses must stagger appointments so only one person is arriving at a time.
- 3) Clients must wait outside of the studio with proper social distancing until the business alerts them to enter.
- 4) There must be sufficient time between clients in order to complete sanitation procedures.
- 5) Businesses must ask clients to complete consent forms via email before their appointment, use a digital device in a sealed case that can be sanitized for obtaining client consent, or provide one paper consent form on a disinfected clipboard.
- 6) Practitioners should consider providing aftercare instructions electronically via email.
- 7) Practitioners should consider using electronic or no-contact methods of payment for services when possible.
- 8) Practitioners must not use appointment cards, but should consider using email or phone appointment reminders.
- 9) Businesses must remove unnecessary clutter or items. This includes coffee and snack stations.
- 10) Businesses should not permit clients to eat or drink while in the establishment whenever possible.

- 11) Staff should consider changing into work clothing at the start of each shift, and consider changing out of work clothing post scheduled shift.
- 12) Whenever possible, businesses should avoid offering marketing materials and business cards for clients to take as needed, but instead provide materials directly to clients upon request or refer clients to websites or other digital material.
- 13) Practitioners must clean and disinfect all portfolios before and after client use or, if not possible, use a website or online platform to display portfolios.
- 14) Staff must not have physical contact with clients that is not necessary to provide services (i.e., no shaking hands or hugging).
- 15) Businesses should consider using video conferencing or email for troubleshooting, aftercare questions, and consultations.
- 16) Businesses must create and post signage informing clients about policies and procedures. Signage must be posted on the front door or in the business lobby, at a minimum.
- 17) Clients must receive pre-visit remote consultations within 24 hours prior to their appointment to screen for symptoms of COVID-19, recent travel, or close contact to any person with suspected or confirmed COVID-19 in the prior 14 days. Standard screening questions are outlined in the [Universal Guidelines](#).
- 18) Businesses must develop and implement a safety and cleaning/disinfection protocol per CDC guidelines, to be performed daily and in between clients.
- 19) Staff must disinfect point-of-sale (POS) terminals after each use.
- 20) Staff must disinfect reception counter, door handles, cabinets, and display cases at the beginning of the day and after every use.
- 21) Staff must wash hands with soap and water for at least 20 seconds frequently, especially before/after eating, smoking and using the restroom. Staff must use hand sanitizer with at least 60% alcohol if soap and water are not available.
- 22) Staff must wash hands immediately before and after providing services to a client or before returning to the client if called away.
- 23) Staff must wash hands after removing gloves.
- 24) A maximum of no more than seven (7) work stations per 1000 square feet is allowed at the facility at any time (possibly fewer depending on the size of the establishment and ability to maintain 6 feet of distance between clients at all times), plus the number of clients should not exceed the number of staff. For example, in a small establishment with one staff member, the maximum number of people allowed in the establishment at any one time is two.
- 25) Businesses are permitted to use air conditioning units and fans, per DPHS.
- 26) Businesses must place a sign prohibiting clients from self-serving in the retail area whenever possible or, alternatively, clean and disinfect products daily.
- 27) Businesses should consider floor stickers and signage that provide guidance for maintaining 6-foot physical distance as appropriate.

- 28) Businesses should consider providing physical barriers to protect clients and staff such as partitions or Plexiglass barriers.
- 29) Staff must clean and disinfect floors daily.

Restroom Area

- 1) Staff must regularly clean and disinfect all surfaces in the restroom.
- 2) Businesses should consider upgrading to touchless faucets, soap and paper towel dispensers in the restroom.
- 3) Businesses should consider adding touchless, automatic hand sanitizer dispensers in the restroom.
- 4) Businesses must place trash container near the door in the restroom.
- 5) Businesses must remove any products that do not belong in the restroom.
- 6) Businesses must ensure soap dispensers in the restroom are regularly filled.
- 7) Businesses must place signage in the restroom detailing the proper method of hand washing and hand hygiene.

Work Station

- 1) Businesses must ensure work stations are at least 6 feet apart; more distance is preferable.
- 2) Staff must routinely and frequently clean work stations, especially between client use. Staff must review the CDC reopening guidance for cleaning and disinfecting.
- 3) Staff must clean and disinfect all non-porous implements used in the services, as required by all states.
- 4) Staff must check the expiration dates of all bottles, needles, and tubes, prior to starting a shift. Staff must properly discard all expired, disposable items.
- 5) Staff must ensure that all bottles (including ink bottles), jars, and containers not in use are closed tightly.
- 6) Staff must store properly disinfected implements in closed containers that have also been disinfected.
- 7) Staff must clean and disinfect all implements before and after each use on a client.
- 8) Staff must clean and disinfect all regularly used surfaces, such as countertops, pens, tablets, bathrooms, and door handles between clients.
- 9) Businesses should consider using HEPA air filtration systems in procedure rooms.
- 10) Staff must clean and disinfect tables, chairs, and headrests before and after each client.
- 11) Before and after each use, staff must clean and disinfect all work stations, rolling carts, drawers, and any containers used for storage.
- 12) Staff must remove extra items from the work stations that are not in use.
- 13) Staff must cover any item on a work station with a barrier during a procedure, and clean and disinfect the item after each procedure.
- 14) Staff must store paper towels inside a cabinet or sterilized storage container.
- 15) Staff must ensure that single use (porous items) are new.
- 16) Businesses must provide hand sanitizer for client use.

17) Practitioners must manage one client at a time.

Procedure Guidance

- 1) Body art practitioners must wear a cloth face covering, face shield or medical safety glasses/goggles, and gloves while providing all body art services. All face shields and medical safety glasses/goggles must be disinfected after each client.
- 2) Practitioners must place all paper towels out before the procedure begins. Any paper towels remaining in the work station at the end of the procedure must be disposed of, whether or not used.
- 3) At the end of each procedure, practitioners must dispose of all single-use items in a trash bag and clean and disinfect all surfaces, tables, chairs, medical safety glasses/goggles, and workstations. Trash must be placed in the proper trash receptacle.

Cleaning and Disinfecting WorkStation Items

- 1) After each use, staff must clean implements and all non-disposable workstation items and equipment used with an approved disinfectant following manufacturer's instructions.