



FREQUENTLY ASKED QUESTIONS

SOUTH CAROLINA TATTOO ACT

Updated March 11, 2009

1. When will my tattoo facility be able to operate?

Once the completed application is received with the other necessary documents as required by the regulation, the Department will review the documentation, generally done in less than 40 days, and the Department will coordinate a licensing inspection of the proposed facility to determine compliance. The applicant will need to provide to the Department affirmative assurance that the facility is ready for the inspection prior to the Department scheduling the visit. If the facility is in substantial compliance with the regulation, a tattoo facility license will be issued. Until the license is effective, tattooing procedures cannot be performed.

2. What are the most common problems with the documentation provided?

An incomplete application along with needed documentation can delay the licensing process. The most common problems with the provided documentation are listed below:

- Copies of Certificates of successful completion of training courses in:
 - Bloodborne Pathogens;
 - Tattoo Infection Control;
 - First-Aid;
 - Adult CPR.

- A description of how dyes, inks, and pigments will be disposed of in the tattoo facility.
 - A letter of acceptance of the disposal of dyes, inks, or pigments from the local wastewater treatment plant.
 - A statement from the landfill authority to include the specific items that they will accept for disposal and a description of how those items will be disposed (include bloodstained paper towels).

- A letter stating that the „facility structure“ has been approved by either the local zoning or building official.

3. Who will be conducting tattoo facility inspections?

The Facilities and Services Office within the Division of Health Licensing is responsible for conducting inspections and investigations and can be reached at (803)-545-4370.

4. Are there any health training programs that will be required before licenses are issued?

A tattoo artist must be at least twenty-one years old and must possess a certificate of successful completion, on an **annual** basis, of a course in Bloodborne pathogens and tattoo infection control as approved by the Department, a current American Red Cross First Aid Certification and a current Adult Cardiopulmonary Resuscitation (CPR) Certification obtained either from the American Red Cross, the American Heart Association or the National Safety Council, The Department-approved sources are listed below:

American Safety and Health Institute (ASHI)

- Bloodborne Pathogens
- Adult CPR
- First Aid

Greenville Technical College

(E-mail belinda.storay@gvltec.edu or contact Jennifer Walker at Greenville Tech at 864-250-8405)

- Infection Control
- Bloodborne Pathogens
- First Aid
- Adult CPR

Health Educators, Inc.

(contact David Vidra at 216-623-0815)

- Bloodborne Pathogens
- Infection Control

Trident Technical College

- Bloodborne Pathogens
- Infection Control

National Safety Council

- Bloodborne Pathogens
- First Aid
- Adult CPR

American Heart Association

- Adult CPR
- First Aid

American Red Cross

- First Aid
- Adult CPR
- Bloodborne Pathogens

Triple E Training Center

Contact Sidney T. Steen at [Primary \(843\) 344-1574 \(Cell\)](tel:843-344-1574); (843) 833-0515 (Cell); (843) 520-4679 (Home)

- Infection Control

5. Will there be requirements regarding the tattooing experience of Tattoo Artists?

Yes, an individual who has a current and valid tattoo license or permit from a state with requirements that meet the minimum requirements of the regulation, *i.e.*, training, age, or who has 1000 or more hours during the last three years performing tattooing procedures in a licensed or permitted tattoo facility, as confirmed in writing by the licensee, from a state with requirements that meet the minimum requirements of the regulation, *i.e.*, training, age.

6. What are the requirements for tattoo artists from other states that may be doing “guest spots” at tattoo facilities or conventions?

Regardless of who will be engaged in tattooing procedures in this state, for whatever length of time, he or she shall be in compliance with the training, experience, and age regulatory requirements. Anyone who performs tattoo procedures are considered staff members of the tattoo facility and are subject to the same regulatory requirements, *e.g.*, training, experience, and age, of a tattoo facility staff member. The

tattoo facility under which the “guest” is performing tattoo procedures is responsible for the conduct of the individual with regard to compliance to the regulations.

7. Does the Tattoo Act address Micropigmentation (Permanent Cosmetics)?

The S.C. Tattoo Act does not include Micropigmentation or Permanent Cosmetics. The Tattoo Act specifically excludes tattooing the head, neck, and face.

8. Is Micropigmentation (Permanent Cosmetics) addressed by any other S.C. Code?

Not specifically by these terms, however, S.C. Code of Law Section 16-17-700 states, "It is not unlawful for a licensed physician or surgeon to tattoo part of the body of a person of any age if in the physician's or surgeon's medical opinion it is necessary or appropriate; and it is not unlawful for a physician to delegate tattooing procedures to an employee in accordance with Section 40-47-60, subject to the regulations of the State Board of Medical Examiners."

9. What does the SC Tattoo Act say about Zoning Requirements?

The Tattoo Act does not dictate local zoning requirements. You need to provide to the department a certified copy of an ordinance passed by the local governing body where the business will be located which authorizes the tattooing of persons within its jurisdiction. Additional information for the *Zoning Requirement for Tattoo Facilities* may be found at the following web address: (<http://www.scdhec.net/health/licen/hltattoozoneing.pdf>)

10. How does the Department determine the 1000-foot requirement?

According to the Tattoo Act, the Department will not issue a tattoo license to a facility if it is located within 1,000 feet of a school, church, or playground.

Measurement of the required minimum 1000" buffer between a tattoo facility (TF) and a church or school will usually be computed from the front door of the proposed TF to the first door of common usage encountered at the established church or school. A door of common usage does not necessarily mean the main entrance but is one that is customarily utilized by members of the congregation/students/staff/public for ingress and egress from the church or school.

Additional measurement guidance is provided as follows:

- When the inspector, during the course of measuring to confirm that a minimum 1000" distance exists, encounters a fence immediately around a church grounds or school yard, the measurement shall end at the gate or entrance to the fence.
- When outlying church or school buildings (i.e., not necessarily the main building) where religious services or the processes of education are normally conducted are encountered in the measurement process, measurement shall be to those outlying buildings. Boiler buildings, storage barns, etc., shall not serve to interrupt the measurement process.
- Where a church or school parking lot is contiguous to the church or school building, the measurement will be to the entrance of that parking lot. The parking lot will not be considered contiguous where there is a public street or other intervening property running between the church or school parking lot and the building.

A playground will be considered a place, other than the grounds at a private dwelling that is provided by the public or members of a community for recreation. Measurement of the required minimum 1000" buffer between a TF and a playground will be computed from the front door of the proposed TF to the area where recreational use occurs.

Additional measurement guidance is provided as follows:

- A playground will include parks or other sites (e.g., athletic fields) provided by the public or members of a community for recreation. In these cases, measurement will be to the area of the park used specifically for play.
- When the inspector, during the course of measuring to confirm that a minimum 1000" distance exists, encounters a fence immediately around a playground, the measurement shall end at the gate or entrance of the fence.
- Where a playground parking lot is contiguous to the playground, the measurement will be to the entrance of that parking lot. The parking lot will not be considered contiguous where there is a public street or other intervening property running between the parking lot and the playground.

For specific questions about the 1,000-foot distance requirement, please call us at (803) 545-4370. Measurements that are made without consultation of the Department may be incorrect and are not valid certifications of the statutory distance.

11. Is there a web address where I can learn more?

For further information, please visit this website:

<http://www.scdhec.gov/hr/licen/tattoo.htm>

12. Who can I speak to in order to obtain more information about tattooing in SC?

Staff in the Division of Health Licensing Office may be reached at (803) 545- 4370