



## **FREQUENTLY ASKED QUESTIONS**

### **SOUTH CAROLINA TATTOO ACT**

**UPDATED!**

**March 24, 2006**

#### **1. When will the South Carolina tattooing regulations be in effect and available?**

The regulation was approved February 22, 2006, and is effective March 24, 2006, the date of publishing in the *State Register*. Printed hard copies of the regulation are now available upon request for a charge of \$10. An application for licensing a Tattoo Facility and the procedures for licensing a Tattoo Facility will also be included for those interested in pursuing licensing.

In addition, the Tattoo Regulation, application, and the procedures guide are posted on the DHEC Health Licensing Website [ <http://www.scdhec.gov/hr> ] and they are available in PDF Format for free downloading:

|                          |   |
|--------------------------|---|
| Regulation R61-111       | [ <a href="http://www.scdhec.gov/hr/licen/hltattoo.htm/">http://www.scdhec.gov/hr/licen/hltattoo.htm/</a> ] |
| Application              | [ <a href="http://www.scdhec.gov/hr/licen/hlforms.htm/">http://www.scdhec.gov/hr/licen/hlforms.htm/</a> ]   |
| Procedures for Licensing | [ <a href="http://www.scdhec.gov/hr/licen/hlmemos.htm/">http://www.scdhec.gov/hr/licen/hlmemos.htm/</a> ]   |

#### **2. 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 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 effective date of the license is established by the Department, tattooing procedures cannot be performed.

#### **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. The County Health Departments will not be involved at this time.

#### **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 or the American Heart Association. The Department-approved sources are listed below:

##### **American Safety and Health Institute (ASHI)**

- Bloodborne Pathogens

**South Carolina Technical Colleges**

(contact Jennifer Walker at Greenville Tech at 864-250-8405)

- Infection Control
- Bloodborne Pathogens

**Health Educators, Inc.**

(contact David Vidra at 216-623-0815)

- Bloodborne Pathogens
- Infection Control

**American Heart Association**

- Adult CPR

**American Red Cross**

- First Aid
- Adult CPR

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

Yes, as described in the regulation.

**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, 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 of a tattoo facility staff member.

**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. 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. This distance shall be the shortest route of ordinary pedestrian or vehicular travel along the public thoroughfare from the nearest point of the grounds in use as part of the church, school, or playground.

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

For further information, please visit this website:

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

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

Someone in the Division of Health Licensing Office can be reached at (803) 545- 4370.

You may send e-mail questions to Mr. Joe Gatten at his address: [GattenPJ@dhec.sc.gov](mailto:GattenPJ@dhec.sc.gov)