HLS 24RS-166 ENGROSSED

2024 Regular Session

HOUSE BILL NO. 83

1

BY REPRESENTATIVE MOORE

HEALTH/LDH: Requires the state health officer to require commercial body art facilities to disclose regulatory status and health risks posed by certain body art products and services

AN ACT

2 To amend and reenact R.S. 40:2833(A)(6) and (B), relative to commercial body art facilities; 3 to provide for regulations to be promulgated by the state health officer; to provide for the disclosure of health risks of body art; to provide for the disclosure of tattoo 4 5 ink regulation by the state and federal government; and to provide for related 6 matters. 7 Be it enacted by the Legislature of Louisiana: 8 Section 1. R.S. 40:2833(A)(6) and (B) are hereby amended and reenacted to read as 9 follows: 10 §2833. Rules for minimum sanitary and safety standards 11 A. The state health officer shall promulgate rules and regulations pursuant 12 to the Administrative Procedure Act, which shall provide for the enforcement of the 13 provisions of this Chapter and which shall also establish minimum sanitary and 14 safety standards for the operation of commercial body art facilities. Minimum 15 standards set shall include but not be limited to all of the following: 16 17 (6) Procedures for sufficient disclosure prior to the application of body art, including the permanence of each procedure and procedures for obtaining written 18 19 consent following such disclosure. Procedures for establishing a written consent

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form that discloses the health risks and permanence of each procedure. With respect
to tattooing services, the written consent shall prominently state whether the ink used
is regulated by the state or the United States Food and Drug Administration.

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B. Such rules shall be promulgated by the state health officer no later than
December 1, 1999. He The state health officer shall implement and enforce all such
rules adopted pursuant to Subsection A of this Section.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Moore

Abstract: Requires the state health officer to promulgate rules that require commercial body art facilities to disclose the health risks associated with body art and whether the state or the U.S. Food and Drug Administration regulate tattoo ink.

<u>Present law</u> defines commercial body art facilities as facilities that provide tattooing, body piercing, and permanent make-up.

<u>Present law</u> requires the La. Dept. of Health, through the state health officer, to promulgate rules and regulations to protect public health and govern commercial body art facilities.

<u>Present law</u> requires the state health officer to promulgate rules that require a minimum standard for sanitary practices, information tracking, public disclosure of the permanence of body art, and post-procedure care.

<u>Proposed law</u> retains <u>present law</u> and adds that regulations must require commercial body art facilities to disclose on their written consent form the status of state and federal regulation of tattoo ink.

(Amends R.S. 40:2833(A)(6) and (B))