



Information for consumers

Q: Who can be tattooed?

A: Anyone over the age of 18. Effective July 1, 2010, tattooing of minors is prohibited, regardless of parental consent.

Q: May a minor be tattooed if they have their parents' consent or presence?

A: No. Tattooing of minors is now prohibited by law, regardless of parental consent.

Q: Can a minor who already had a tattoo have the tattoo "touched up"?

A: No. Any tattooing of minors is now prohibited by law, even if they have a pre-existing tattoo.

Q: Can a minor be pierced if they have their parents' consent?

A: As of July 1, 2010, a minor may get a piercing, but will need parental/guardian consent and their parent/guardian must be present during the procedure. A minor cannot get the following, even with consent: nipple piercing, genital piercing, branding, scarification, suspension, subdermal implantation, microdermal, or tongue bifurcation.

continued on back

Q: Can an infant still have their ears pierced?

A: Yes, with parental consent.

Q: Do jewelry stores need to have licensed piercing technicians to pierce ears?

A: No. Body piercing does not include the piercing of the outer perimeter or the lobe of the ear using a presterilized single-use stud-and-clasp ear-piercing system.

Q: What about permanent makeup?

A: Permanent makeup is a form of tattooing, and is subject to the body art regulation. As of January 1, 2011, permanent makeup must be performed by a MDH-licensed body art technician in a licensed body art establishment.

Q: What problems should MDH be contacted about?

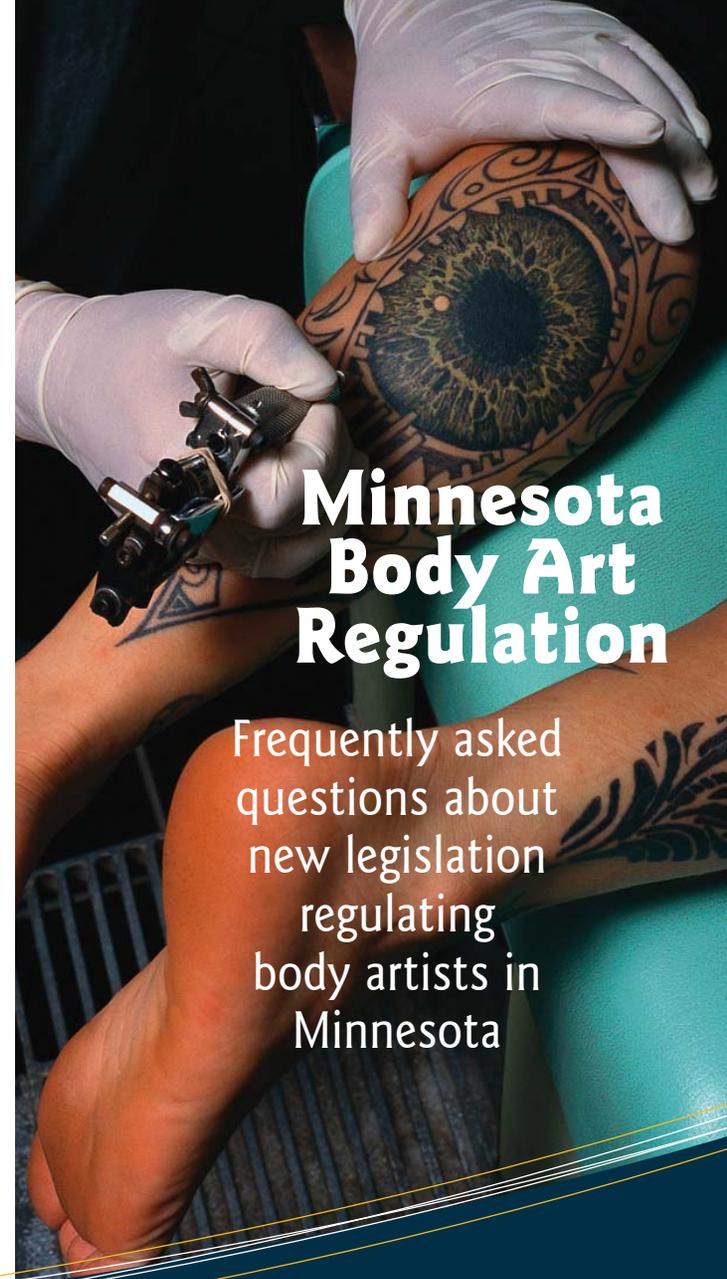
A: Health and safety concerns such as: infections, unsanitary practices, unsanitary premises, tattooing of a minor, and piercing of a minor without parental consent. As of January 1, 2011, MDH should be notified of unlicensed practice.

Q: How do I know if a technician and/or establishment is licensed?

A: Look for posted technician and establishment licenses; call MDH at 651-201-3731; and/or visit our website www.health.state.mn.us and enter "body art" in the search box, where a list of licensed technicians and establishments will be posted.

Q: Are temporary events legal, and can visiting technicians practice legally?

A: After January 1, 2011, if licensed by MDH, temporary events and/or visiting guest technicians are legal. Look for posted licenses.



Minnesota Body Art Regulation

Frequently asked
questions about
new legislation
regulating
body artists in
Minnesota

Minnesota Department of Health
Health Occupations Program
PO Box 64882
Saint Paul, MN 55164-0882
Phone: 651-201-3731
TDD: 651-201-5797
E-mail: health.hop@state.mn.us



Minnesota Department of Health
Health Occupations Program

Website: www.health.state.mn.us and enter "body art" in the search box

August 2010

Background

The Minnesota Legislature passed a law during the 2010 session requiring the Minnesota Department of Health (MDH) to regulate tattoo and piercing professionals.

This brochure provides helpful information for body art technicians, establishments and consumers. You can find the law (Minnesota Statutes, Chapter 146B) at <https://www.revisor.mn.gov/laws/?id=317&doctype=chapter&year=2010&type=0>

Q: What is body art?

A: Body art means physical body adornment using, but not limited to, tattooing and body piercing. Body art does not include practices and procedures that are performed by a licensed medical or dental professional if the procedure is within the professional's scope of practice.

Q: What is tattooing?

A: Tattooing means any method of placing indelible ink or other pigments into or under the skin or mucosa with needles or any other instruments used to puncture the skin, resulting in permanent coloration of the skin or mucosa. Tattooing also includes micropigmentation and cosmetic tattooing.

Q: What is body piercing?

A: Body piercing means the penetration or puncturing of the skin by any method for the purpose of inserting jewelry or other objects in or through the body. Body piercing also includes branding, scarification, suspension, subdermal implantation, microdermal, and tongue bifurcation. Body piercing does not include the piercing of the outer perimeter or the lobe of the ear using a presterilized single-use stud-and-clasp ear-piercing system.

Information for technicians

Q: Who needs to be licensed?

A: As of January 1, 2011, anyone who provides tattooing and/or piercing services must be MDH licensed.

Q: May a technician be licensed as both a tattooist and a piercer?

A: Yes. A technician who provides both tattoo and piercing services may hold a dual license. Dual licensure requires the technician to meet both sets of requirements.

Q: What are the requirements to be a tattoo, piercing, or dual technician?

A: You must be at least 18 years old, have proof you have at least 200 hours of supervised experience, and have proof you satisfactorily completed coursework on bloodborne pathogens, prevention of disease transmission, infection control, and aseptic technique.

Q: Does MDH provide the required coursework for technicians?

A: No. Training may be obtained from the American Red Cross, OSHA, the Alliance of Professional Tattooists; or other professional organizations.

Q: Does the Minnesota Department of Health endorse the training offered by the certifying organizations in order to become a licensed body art technician?

A: No. MDH does not endorse any educational program.

Q: Where can a body art technician work?

A: As of January 1, 2011, a body art technician can only perform work at a licensed body art establishment or an MDH licensed body art temporary event.

Information for establishments

Q: Do establishments need to be licensed?

A: Yes. Starting January 1, 2011, all body art establishments must be licensed. If an establishment is licensed by a city or county agency, it may be exempt from the state requirement and must apply for a waiver.

Q: Do all body art establishments need to be licensed by MDH?

A: No. Body art establishments subject to city or county ordinances which meet or exceed MDH requirements do not have to have MDH licensure. For each establishment, owners/operators must complete and return either an application for MDH licensure or an application for exemption from MDH licensure.

Q: What if an owner/operator has multiple establishments?

A: If an owner/operator has more than one establishment, each establishment must be individually licensed, and a separate application submitted for each establishment.

Q: What licenses need to be posted?

A: The establishment license and each technician's license must be prominently displayed in a public area of the establishment.

Q: Are establishments inspected?

A: Yes. Body art establishment licensed by MDH are inspected within the period of the provisional establishment license, and then at least one time during each three-year licensure period. Unannounced inspections may occur at any time for any reason.

