

EXHIBIT NO. #6

QUESTIONS & ANSWERS – SENATE BILL 137

An act providing for the licensure and regulation of tattooing and body piercing establishments by the Department of Public Health and Human Services and Local Boards of Health

1-17-05

SB137

Why is this legislation necessary? *In the absence of minimum standards of operation, persons receiving tattoos and body piercings are more likely to be exposed to viral and or bacterial infections. In the absence of verification of compliance with minimum standards, the public can have no assurance of safety.*

What are the health risks involved in tattooing and body piercing?

Specifically, these risks are:

- *Exposure to blood-borne pathogens - The viruses that cause AIDS, Hepatitis B, and Hepatitis C are transmitted through blood and body fluids. Because these procedures pierce the skin, they afford a route for blood transmission.*
- *Post-procedural infection – Insufficient pre-piercing cleansing, appropriate after-care, sterilization of equipment, and cleanliness of facilities increase the possibility of post-procedural infections. Infection may be localized or systemic, affecting only the immediate area of piercing or involving other tissues and organs.*

Is there any evidence that anyone has ever suffered these outcomes?

Although we do not have a specific reporting system from health providers, we have received anecdotal reports of post-procedural infections.

Who needs a license? *Any and each establishment providing tattooing or body piercing requires a license.*

Is the license for the operator or the establishment? *The license is issued to the owner of the establishment. It is owner and location specific.*

What about places like Claire's and Penney's? *Piercing of the ear lobe and the outer perimeter of the ear are excluded from legislation. If establishments limit their activities to these areas, they will not require a license.*

Why are ear lobes and the outer perimeter of the ear excluded from regulation? *Because of limited blood circulation in these areas of the ear, the risks are perceived to be less.*

If you do both tattooing and body piercing, will you need two licenses?

Yes, with reduced fees for the second license.

How many tattoo and/or body-piercing establishments are in Montana?
Approximately 100.

How will the license fees be set? *Counties who choose to establish and run their own programs will set license fees based on actual cost. For those counties under the state program, fees will be set in administrative rule based on actual cost.*

How much will the license fees be? *It is anticipated that fees will be \$125 for a single establishment and \$175 for a multiple-type establishment.*

How do the operators feel about this legislation? *The Department's experience with tattoo operators across the state indicates strong interest within the industry for a viable compliance and licensure program.*

Do other states license or regulate these establishments? *Yes. There are 52 laws currently, ranging from simple age restrictions in Wyoming to total bans on the procedures in Oklahoma and South Carolina. Washington, Oregon, and South Dakota are among the states with strong programs.*

Did you model after their legislation? *We examined several models and developed legislation that was most appropriate to Montana.*