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***History***

<u>Revision</u>	<u>Authorizing Actions</u>	<u>Description</u>
08-Dec-14	TCR121114-03 of 10	Approved Salon Regulations (and other actions)
24-Oct-16	TCR092216-01 of 06	Amended Licensing Requirements
05-Dec-18		Corrected reference typo at Ch.4 §1 a (5)

## ***TITLE 11. SALONS***

### **CHAPTER 1. GENERAL PROVISIONS**

#### **§ 1. Purpose and Scope**

- a. The purpose of this title is to establish the minimum necessary requirements for the operation of Salons to safeguard public health, safety and welfare.
- b. The provisions of this title shall apply to the construction, alteration, and operation of any Salon and to those practicing Salon Activities within Mashantucket.

#### **§ 2. Applicability**

- a. At all times, Salons and persons practicing Salon Activities, shall do so in strict compliance with the requirements of this title.
- b. The Mashantucket Pequot Tribal Nation (MPTN) Land Use Commission (Commission) shall not issue a permit for the construction or alteration of a Salon unless such activity meets the minimum requirements specified within this title.
- c. No Salon shall operate without a valid Certificate of Compliance issued by the Sanitarian.
- d. No person shall practice any Salon Activity which requires licensure unless he or she:
  - (1) holds a valid license, approved by the Sanitarian, issued for that specific activity; and either,
  - (2) conducts the activity within a Salon issued a valid Certificate of Compliance by the Sanitarian; or
  - (3) conducts the activity as part of an Event which has been issued a Temporary Certificate of Compliance by the Sanitarian.

#### **§ 3. Authority**

- a. Title 14 of the Mashantucket Pequot Tribal Laws (14 M.P.T.L) establishes a Land Use Commission as an omnibus permitting body for regulation and oversight of Land Use Activities within Mashantucket.
  - (1) 14 M.P.T.L. ch. 2(b)(18) defines Land Use Activity to mean any construction or other activity which materially changes the use, appearance, or occupancy of land or a Facility, or the intensity of use of land or a Facility.
  - (2) 14 M.P.T.L. ch. 4(a) gives the Commission the authority to promulgate and adopt Land Use Regulations.
- b. Tribal Council Resolution, TCR092514-12 of 15, specifically directed the Non-Gaming Regulatory Department to develop regulations related to activities typical of a tattoo parlor.
- c. Pursuant to 14 M.P.T.L. ch.2(b)(18)(vi), which specifies that a Land Use Activity is any activity which is specifically designated as a Land Use Activity within a Land Use Regulation, the operation of a Salon and the practice of a Salon Activity are hereby specifically designated as Land Use Activities.

**§ 4. Administration**

## a. Sanitarian

- (1) The Sanitarian shall be the person primarily responsible for administering and enforcing compliance with this title.
- (2) For the purposes of this title, Sanitarian shall mean the highest ranking qualified individual, within the Mashantucket Pequot Tribal government responsible for non-gaming regulatory affairs, who also serves on the Land Use Commission representing the discipline of Food Safety and Sanitation.

## b. Inspectors

The Sanitarian, from time to time, may employ or contract inspectors, plan examiners, or other technical contractors to assist in the performance of the duties established in this title. Such individuals shall have powers as delegated by the Sanitarian or the MPTN Regulatory Affairs Officer.

**§ 5. Definitions**

a. For the purposes of this title all terms, unless otherwise indicated or required by context, shall have the meaning defined within this section. Use of the singular shall also include the plural.

## b. Definitions

- (1) “Aftercare” means written instructions given to the client, specific to the Body Art Procedure(s) rendered, about caring for the Body Art and surrounding area, including information about when to seek medical treatment, if necessary.
- (2) “Autoclave” means an apparatus for Sterilization utilizing steam pressure at a specific temperature over a period of time.
- (3) “Barbering” means the following described practices when performed upon the head, face, scalp, or neck for cosmetic purposes only:
  - (a) shaving or trimming of the beard;
  - (b) cutting of the hair;
  - (c) styling of hairpieces or wigs;
  - (d) singeing, shampooing, dyeing, coloring or styling of the hair;
  - (e) facials and scalp massages; and,
  - (f) application of cosmetic preparations, hair tonics, antiseptics, powders, oils, creams, or lotions or other preparations, either by hand or mechanical appliances.
- (4) “Body Art” or “Body Art Procedure” means the practice of body adornment including, but not limited to, the following techniques: Body Piercing, Tattooing, cosmetic tattooing, permanent make up, Branding, and Scarification.
- (5) “Body Piercing” means puncturing or penetrating the skin of a client with Single Use needles and the insertion of Jewelry or other adornment into the opening. This definition excludes piercing of the ear.
- (6) “Branding” means, inducing a pattern of scar tissue by use of a heated material to the skin, making a serious burn, which eventually becomes a scar.
- (7) “Commission” or “Land Use Commission” means the body established within 14 M.P.T.L. Ch. 3, §1, charged with carrying out all tasks related to the regulation of Land Use Activity within Mashantucket.

- (8) “Cosmetology” means the following described practices performed upon the head, face, scalp, arms, hands, body, legs and feet for cosmetic purposes only:
  - (a) treating the scalp, face, neck and arms by massaging, cleansing, exercising, stimulating or manipulating, with hands, mechanical appliances, or water;
  - (b) application of cosmetics, preparations, antiseptics, tonics, lotions, creams, powders, oils, clays, sprays, or any product pertaining to the skin;
  - (c) manicuring fingernails of the hand and, for cosmetic purposes only, trimming, filing and painting the healthy toenails of the feet, excluding cutting nail beds, corns, calluses, or other medical treatment involving the foot or ankle; and
  - (d) elimination of hair or destruction of hair follicles (e.g. by manual, mechanical or chemical means).
- (9) “Critical Violations” means one (1) or more of the following findings:
  - (a) use of non-Single Use instruments and equipment:
    - (i) without a properly functioning Autoclave;
    - (ii) lack of a monthly spore test properly recorded; or
    - (iii) non-disposable instruments and equipment improperly Sterilized or stored;
  - (b) reuse of Single Use materials;
  - (c) improper waste disposal methods;
  - (d) improper scrub technique before and after a procedure;
  - (e) improper glove technique during a procedure; or,
  - (f) no hepatitis vaccination program in place.
- (10) “Decontamination” means the use of chemical or physical means to remove pathogens on a surface so that the surface is incapable of transmitting infectious materials.
- (11) “Disinfectant” means a product registered as a disinfectant by the U.S. Environmental Protection Agency (EPA).
- (12) “Disinfection” means the destruction of disease-causing microorganisms on inanimate objects or surfaces, thereby rendering these objects safe for use or handling.
- (13) “Ear Piercing” means piercing of the lobe and/or outer perimeter of the ear, excluding the tragus, when performed with a mechanical device which utilizes pre-Sterilized earrings in a single-unit, Single Use cartridge system or is a disposable device.
- (14) “Easily Cleanable” means that surfaces are readily accessible and so fabricated that residue may be removed by simple cleaning methods.
- (15) “Event” means a public demonstration, a fund-raising affair , or a public convention involving one (1) or more Salon Activities.
- (16) “Event Manager” means the on-site person ultimately responsible for the conduct of all Event activities and vendors.
- (17) “Exposure Incident” means a person’s direct contact with human blood, human fluids, or other potentially infectious materials.
- (18) “Hairdressing” means the following described practices performed upon the head, face, scalp, arms, hands, body, legs and feet for cosmetic purposes only: dressing, arranging, curling, waving, weaving, cutting, singeing, relaxing/straightening, bleaching, and coloring hair.
- (19) “Imminent Health Hazard” means, but is not limited to, any one of the following:
  - (a) an ongoing outbreak of an infectious, pathogenic, or toxic agent capable of being transmitted to consumers;
  - (b) the absence of potable water, supplied under pressure, in a quantity which, in the opinion of the Sanitarian, is capable of meeting the needs of the facility;

- (c) a sewage backup into the facility; or
  - (d) any Critical Violation within a Salon practicing Body Art.
- (20) “Jewelry” means any personal ornament that has been properly Sterilized prior to use and that is to be inserted into a newly pierced area. Jewelry used in Body Art Procedures shall be made of any of the following materials: surgical-implant grade stainless steel; solid 14k or 18k white or yellow gold; niobium; titanium; platinum; or a dense, low porosity surgical grade plastic capable of being Autoclave-Sterilized without compromising the original characteristics of the plastic. All Jewelry shall be free of nicks, scratches, or irregular surfaces.
- (21) “Massage Therapy” means the systematic and scientific manipulation and treatment of the soft tissues of the body, by use of pressure, friction, stroking, percussion, kneading, vibration by manual or mechanical means, range of motion and non-specific stretching.
- (a) Massage Therapy includes shiatsu, deep tissue massage, acupressure, Thai yoga massage and Thai yoga.
  - (b) Massage Therapy may include the use of oil, ice, hot and cold packs or stones, tub, shower, steam, dry heat, or cabinet baths, for the purpose of, but not limited to, maintaining good health and establishing and maintaining good physical and mental condition.
  - (c) Massage Therapy does not encompass diagnosis, the prescribing of drugs or medicines, spinal or other joint manipulations, nor any service or procedure for which a license to practice medicine, chiropractic, naturopathy, physical therapy, or podiatry is required by law.
- (22) “Owner” means any person who owns, leases, operates, or controls a Salon located within Mashantucket.
- (23) “Operator” means the on-site manager of the Salon who is directly responsible for the day-to-day performance of persons employed by the Owner.
- (24) “Salon” means any place or premise where Salon Activities are practiced for commercial purposes.
- (25) “Salon Activity” means, for commercial purposes, any of the following:
- (a) Barbering;
  - (b) Hairdressing;
  - (c) Cosmetology;
  - (d) Massage Therapy;
  - (e) Tattooing; or
  - (f) Body Piercing.
- (26) “Salon Technician” or “Technician” means any person practicing Salon Activities.
- (27) “Sanitarian” means the person defined in ch. 1, §4(a) of this title.
- (28) “Sanitary” means clean and free of infectious or disease-causing agents.
- (29) “Scarification” means the use of Body Art Procedures, intentional destruction of the skin, or any other technique that changes the contour, or level plane of the skin and results in a scar on the skin.
- (30) “Sharps” means any objects which can penetrate the skin, including, but not limited to, needles, razor blades, scalpels, and broken glass or capillary tubes.
- (31) “Sharps Container” means a rigid, leak and puncture resistant container, designed primarily to contain Sharps, clearly labeled with the phrase “biological hazard” and the international biological hazard symbol.
- (32) “Single Use” means a disposable item used one (1) time on one (1) client.

- (33) “Sterilize” means an approved microbial process which applies enough heat or concentration of chemicals to a surface for a sufficient period of time to eliminate the microbial count, including highly-resistant bacterial endospores.
- (34) “Sterilization” shall mean the destruction of all living organisms around and in an object.
- (35) “Tattooing” means any method of placing ink or other pigment into or under the skin or mucosa by the aid of needles or any other instruments used to puncture the skin, resulting in permanent coloration of the skin or mucosa. This term includes all forms of cosmetic tattooing.
- (36) “Ultrasonic Cleaner” means a device physically large enough to fully submerge instruments in liquid, which removes all foreign matter from the instruments by means of high frequency oscillations transmitted through the contained liquid.
- (37) “Universal Precautions” is an approach to infection control to treat all human blood and certain human body fluids as if they were known to be infectious for Human Immune-deficiency Virus (HIV), Hepatitis B Virus (HBV) and other bloodborne pathogens. These are guidelines and controls published by the Centers for Disease Control and Prevention (CDC).
- (38) “Work Area” means a separate room with more than one Work Station, or a private room set aside to serve one customer at a time
- (39) “Work Station” means a chair, countertop and floor space set aside for the purpose of serving a customer, including floor space for the Technician to stand while serving the customer.

## **CHAPTER 2. CONSTRUCTION OR MODIFICATION**

### **§ 1. Land Use Permit**

Any person seeking to construct a new, or make alterations to an existing, Salon shall submit a permit application to the Land Use Commission and proceed in accordance with the process and procedures specified within the Land Use Law (14 M.P.T.L.).

### **§ 2. Plan Review**

In addition to the application requirements specified within the Land Use Law, applicants proposing to construct or alter a Salon shall:

- (1) submit properly prepared plans, drawn to a scale of not less than ¼”:1’, and specifications for such construction, remodeling or alteration. Plans shall indicate the proposed layout including sinks, counters and storage areas, fixtures, toilet facilities, waiting area and the type and model of proposed fixed equipment and facilities.
- (2) the Sanitarian shall review the plans and specifications for compliance with this title and any other applicable laws and regulations.

### **§ 3. Pre-Operational Inspection**

The Sanitarian shall conduct a pre-operational inspection to determine compliance with the approved plans and specifications and with the requirements of this regulation and other applicable laws and regulations.

- (1) The Land Use Commission shall not consider issuing a Certificate of Completion prior to inspection by the Sanitarian to determine compliance with the approved plans and specifications.

- (2) The Sanitarian shall not issue a Certificate of Compliance, and no Salon Activities shall be practiced, prior to a satisfactory pre-operations inspection.

### **CHAPTER 3. CERTIFICATE OF COMPLIANCE**

#### **§ 1. Certificate Required**

No person shall practice a Salon Activity unless doing so within a Salon or at an Event which has been issued a Certificate of Compliance or Temporary Certificate of Compliance by the Sanitarian for that activity.

- (1) Certificates issued for a Salon shall identify all Salon Activities authorized to take place within the Salon and may be granted for a period not to exceed one (1) calendar year.
- (2) Temporary Certificates issued for an Event shall identify all Salon Activities authorized to take place at an Event and may be granted for a period not to exceed fourteen (14) calendar days.

#### **§ 2. Registration**

##### **a. Initial Salon Registration**

- (1) The Owner or Operator must submit a registration to the Sanitarian at least thirty (30) calendar days prior to the proposed opening of the Salon.
- (2) Registrations shall be submitted on the appropriate registration form furnished by the Sanitarian. At minimum the form shall contain:
  - (a) the name and physical address of the Salon;
  - (b) the name, address and contact information for the Owner and, if different, the Operator of the Salon;
  - (c) a list of all services to be offered, including but not limited to, Salon Activities for which the Certificate is being sought;
  - (d) the following information for each Salon Technician who will practice Salon Activities which require licensure:
    - (i) personal and work contact information;
    - (ii) copy of Technician's license;
    - (iii) copy of driver's license or valid state photo ID; and,
    - (iv) for each Technician practicing Body Art, a copy of first aid and bloodborne pathogen training records.
  - (e) a signed statement by the Owner and, if different, the Operator, certifying that, at all times, the Salon will be operated in compliance with this title and any other applicable laws and regulations; and,
  - (f) any information specifically required for the type of Salon Activities proposed or other pertinent information otherwise required by the Sanitarian.
- (3) The registration shall not be deemed to have been submitted until payment of the \$100 registration fee is received.

##### **b. Registration Revisions**

- (1) The Owner/Operator of a Salon shall submit a revised registration whenever any information provided on a previous registration has changed.

- (2) Registration revisions must be submitted within thirty (30) calendar days of the change which necessitated the revision.
  - (3) There shall be no fee associated with registration revisions.
  - (4) Failure to revise a Salon's registration within the time period specified may result in enforcement action including the suspension or revocation of the Salon's Certificate of Compliance.
- c. Registrations for Events Involving Salon Activities
- (1) The Event Manager must submit a registration to the Sanitarian at least thirty (30) calendar days prior to the scheduled start date of an Event involving Salon Activities.
  - (2) Registrations shall be submitted on the appropriate registration form furnished by the Sanitarian. At minimum the form shall contain:
    - (a) the name and location of the Event;
    - (b) the name, address and contact information for the Event organizer and, if different, the Event Manager;
    - (c) a list of all services to be offered, including but not limited to, Salon Activities for which the Certificate is being sought;
    - (d) the business name, address and contact information for each participating vendor;
    - (e) each vendor, must provide the following information at least fourteen (14) days prior to the Event for each Salon Technician who will practice Salon Activities which require licensure:
      - (i) personal and work contact information;
      - (ii) copy of driver's license or valid state photo ID; and
      - (iii) Proof that the individual:
        - a. is eighteen years of age or older;
        - b. has successfully completed, within the past three years, training in bloodborne pathogens per OSHA standards (29 CFR 1910.1030);
        - c. holds current certification by the American Red Cross or the American Heart Association in basic first aid; and
        - d. holds a valid license from a state or other licensing authority to practice tattooing; OR
        - e. has been tattooing in a tattoo studio full time for at least one (1) year under the personal supervision and instruction of a tattoo technician.
    - (f) a signed statement by the Event organizer and, if applicable, the Event Manager, certifying that at all times the Event will be operated in compliance with this title and any other applicable laws and regulations;
    - (g) a properly prepared plan, drawn to a scale of not less than 1/4":1', depicting the proposed Event layout and arrangement of Work Areas, sinks, counters and storage areas, fixtures, nearest toilet facilities, and waiting area; and,
    - (h) any information specifically required for the type of Salon Activities proposed or other pertinent information otherwise required by the Sanitarian.
  - (3) Registration Fee for Events
    - (a) The registration fee for each Event shall be Event specific and set at the amount necessary to cover all expenses required for the employment of Event-specific temporary inspectors, if any, plus \$250.
    - (b) The registration shall not be deemed to have been submitted until payment of the registration fee is received.



## d. Annual Registrations

- (1) Registrations to renew a Certificate of Compliance must be updated annually.
- (2) Annual registrations shall be submitted on the appropriate form furnished by the Sanitarian at least thirty (30) calendar days prior to the expiration date of the current Certificate and include payment of the \$100 registration fee.
- (3) Failure to submit an annual registration, as described in this section, may result in immediate revocation of the Salon's Certificate of Compliance.

**§ 3. Certificate Issuance**

## a. A Certificate of Compliance shall not be issued or renewed unless:

- (1) a complete and valid registration has been submitted in a timely manner; and,
- (2) the Salon or Event has demonstrated, through satisfactory inspection by the Sanitarian, compliance with this title and all other applicable laws and regulations.

## b. A Certificate of Compliance shall be valid for one (1) calendar year after issuance; except that:

- (1) certificates are not transferable from person to person and shall become invalid upon change of ownership;
- (2) certificates are valid only for the location the Salon occupied when the Certificate was issued and shall become invalid upon relocation or closure;
- (3) certificates are issued based on the Salon Activities and Work Station layout as depicted within the registration documents reviewed by the Sanitarian. Significant changes, not previously approved by the Sanitarian, shall void the issued Certificate.
- (4) the Certificate has been revoked or suspended, pursuant to Chapter 6, by the Sanitarian.

c. A Temporary Certificate of Compliance shall be valid for the time period specified, not to exceed fourteen (14) calendar days, unless otherwise suspended or revoked by the Sanitarian.

**CHAPTER 4. RIGHT TO PRACTICE SALON ACTIVITIES****§ 1. License Required**

## a. Tattooing

- (1) To practice Tattooing in Mashantucket, an individual must obtain a Mashantucket license from the Sanitarian.
- (2) To be licensed in Mashantucket to practice Tattooing, an individual must submit to the Sanitarian:
  - (a) A \$30 fee, made payable to MPTN; and
  - (b) Proof that the individual:
    - (i) is eighteen years of age or older;
    - (ii) has successfully completed, within the past three years, training in bloodborne pathogens per OSHA standards (29 CFR 1910.1030);
    - (iii) holds current certification by the American Red Cross or the American Heart Association in basic first aid; and
    - (iv) holds a valid license from a state or other licensing authority to practice tattooing; or

- (v) has been tattooing in a tattoo studio full time for at least one (1) year under the personal supervision and instruction of a tattoo technician.
  - (3) A Mashantucket Tattoo license is valid for one (1) year from the date of issuance.
  - (4) An individual may renew his or her Mashantucket license by submitting:
    - (a) a \$20 renewal fee, made payable to MPTN, to the Sanitarian; and
    - (b) proof to the Sanitarian that he or she:
      - (i) has successfully completed, within the past three years, training in bloodborne pathogens per OSHA standards (29 CFR 1910.1030); and
      - (ii) holds current certification by the American Red Cross or the American Heart Association in basic first aid.
  - (5) A tattoo apprentice who does not meet the experience requirement specified in paragraph (2)(c)(v), and therefore cannot be licensed, may practice tattooing under the direct supervision of a licensed tattooist for a period of one year provided that the apprentice satisfies the requirements specified in (2)(b)(i)-(iii).
- b. Other Salon Activities
- (1) To practice in Mashantucket, any Salon Activity, other than Tattooing, requiring licensure in Connecticut, a Salon Technician must obtain a license from the Sanitarian to perform such activity.
  - (2) To obtain a Mashantucket license, an individual must submit to the Sanitarian:
    - (a) a current Connecticut license ; or
    - (b) a current license issued by another jurisdiction whose standards of licensure are deemed by the Sanitarian to substantially meet the minimum criteria used by Connecticut.
- c. A Salon Technician's right to practice any Salon Activity within Mashantucket may be revoked for causes specified within ch. 6, §1(b)(2) by the Sanitarian.

## § 2. Owner or Event Organizer Responsibility

- a. It shall be the responsibility of the Salon Owner, or Event Manager, to ensure that each Salon Technician, practicing a Salon Activity which requires licensure, hold a valid license.
- b. If the Sanitarian finds that a Salon Technician has practiced a Salon Activity which requires licensure while not holding a valid license, the Sanitarian may take Enforcement Action up to and including suspension or revocation of the Certificate of Compliance for the Salon or Event.
- c. The Owner, Operator, and/or Event Manager shall be responsible for ensuring that the Salon or Event is run in a manner that is safe for the Salon Technicians and the general public.

## CHAPTER 5. INSPECTIONS

### § 1. Inspection

- a. Each Salon shall be inspected a minimum of twice a year by the Sanitarian.
- b. The Sanitarian may conduct as many additional inspections as are necessary for the enforcement of this title.
- c. All written records relevant to compliance with this title shall be made available to the inspector upon request.

**§ 2. Inspection Reports**

- a. The Sanitarian shall record inspection observations on forms developed for that purpose.
- b. A copy of the Sanitarian's inspection forms and/or follow-up inspection report shall be furnished to the Operator of the Salon.
- c. All deficiencies, including the specific nature of violations noted, shall be clearly identified along with a reasonable period of time to correct each deficiency.
- d. All deficiencies noted must be abated within the time period specified on the inspection report.

**§ 3. Compliance Notice**

- a. In the event that the Sanitarian finds unsanitary conditions in a Salon, or Event, or if a violation or set of violations appears on more than one (1) consecutive inspection report, the Sanitarian shall immediately issue a written compliance notice to the Owner or Operator, or Event Manager, citing such conditions, specifying the corrective action to be taken, and a time frame within which action shall be taken. If correction is not made in the allotted time, the Sanitarian shall commence Enforcement Action, pursuant to Chapter 6.
- b. Compliance Notices may include the imposition of fines not to exceed \$500 for each offense.

**CHAPTER 6. ENFORCEMENT****§ 1. Enforcement Authority**

- a. The Land Use Commission shall have the authority to enforce compliance with this title pursuant to the procedures established in this title and within 14 M.P.T.L. ch 9.
- b. The Sanitarian may, without warning, prior notice, or hearing:
  - (1) suspend a Certificate of Compliance to operate a Salon, or a Temporary Certificate of Compliance issued for an Event:
    - (a) if the operation constitutes an Imminent Health Hazard to the public;
    - (b) if the Owner, Operator or Event Manager allows a Salon Technician, who does not hold a valid license, to continue practicing Salon Activities requiring such license; or,
    - (c) if the Owner, Operator or Event Manager has interfered with an inspection conducted by the Sanitarian.
  - (2) revoke the Salon Technician's right to practice within Mashantucket:
    - (a) if the Sanitarian directly observes or receives multiple reports of incompetence;
    - (b) if the Sanitarian observes or receives multiple reports of the Salon Technician practicing Salon Activities while suspected of being under the influence of drugs or alcohol; or,
    - (c) if the Sanitarian determines that the Salon Technician has violated any provision of this title.
- c. The Sanitarian shall further have the authority, at reasonable times, to enter any premises where it is suspected that Salon Activities are occurring to inspect or to perform the duties imposed by this title.
  - (a) If the premises are occupied, the Sanitarian must present her credentials and request entry.
  - (b) If such premises are unoccupied, the Sanitarian shall first make a reasonable effort to locate the Owner or Operator and request entry.

- (c) If entry is refused, the Sanitarian shall have recourse to the remedies provided by law to secure entry.

## § 2. Enforcement Procedure

a. Failure to comply with the provisions of this regulation or any other applicable law, regulation or code shall be grounds for the Commission to take enforcement action, pursuant to 14 M.P.T.L. ch. 9, including the suspension or revocation of a Salon's Certificate or revocation of a Salon Technician's right to practice within Mashantucket.

b. When, pursuant to §1(c) of this chapter, a Certificate of Compliance has been suspended, or Salon Technician's right to practice within Mashantucket has been revoked, the Sanitarian shall provide written notice to the Owner, or Salon Technician, and copy the Operator or Event Manager.

- (1) The notice shall include:
  - (a) a detailed description of the reason that such action is being taken, including specific reference to the provisions of this title or other applicable law, regulation or code.
  - (b) an explanation of the Owner's, Operator's, or Salon Technician's opportunity for a hearing pursuant to 14 M.P.T.L. ch. 10.
  - (c) identification of any abatement procedures which must occur prior to the Certificate being reinstated or the license re-validated.
- (2) The notice shall be deemed properly served when it is hand delivered to Owner/Operator or Event Manager and, if applicable, the Salon Technician. It shall also be acceptable, if efforts to hand deliver the notice have failed, to serve such notice by registered or certified mail, return receipt requested, to the last known address of the Owner, Operator, Event Manager, or Salon Technician.
- (3) Such suspension or invalidation shall be effective immediately upon delivery of the written notice to the Owner/Operator, or Event Manager, and, if applicable, the Salon Technician, by the Sanitarian. The Sanitarian shall remove the suspended Certificate of Compliance from the premises.
  - (a) when a Certificate of Compliance is suspended, all operations shall cease immediately and shall not resume until written approval has been issued by the Sanitarian.
  - (b) when a Salon Technician's right to practice within Mashantucket has been revoked, the Owner/Operator or Event Manager shall ensure that the Salon Technician immediately ceases practicing Salon Activities requiring licensure.
  - (c) any person subject to an enforcement action pursuant to this paragraph may make a written request, within ten (10) days following receipt of the notice of action, for reinstatement of the Certificate or license by providing a signed statement that, in their opinion, the conditions warranting the suspension or invalidation were not present or have been corrected.
    - (i) The Sanitarian shall undertake a re-inspection and/or an investigation into the validity of the statement.
    - (ii) If the Sanitarian determines that the Salon or Salon Technician is in compliance with the requirements of this regulation and all other applicable laws, regulations and codes, the Certificate or license shall be reinstated.

c. At any time during the process, an enforcement action taken pursuant to this title, may be suspended by the Sanitarian if the reasons for initiating such action no longer exist.

**§ 3. Right to a Hearing**

Any Owner, Operator, Event Manager or Salon Technician subject to an enforcement action, pursuant to this title, may request a hearing with the Commission by following the procedures specified within 14 M.P.T.L. Ch. 10.

**CHAPTER 7. GENERAL SALON STANDARDS AND REQUIREMENTS****§ 1. Equipment and Facilities**

## a. Water Supply

- (1) An adequate supply of hot and cold running water, at proper temperatures, from a municipal or approved private source shall be provided for customers, cleanliness of employees, and for washing floors, walls, ceiling and equipment.
- (2) Hot water at any faucet must be at least 100°F and shall not exceed 115°F.

## b. Waste Disposal

- (1) Wastewater from all plumbing fixtures shall be discharged into the MPTN sewer system. Unused or expired products must be disposed of properly and shall not be discharged to the sewer system.
- (2) Refuse - Easily Cleanable receptacles shall be provided.
  - (a) Containers must be emptied regularly and not allowed to over fill.
  - (b) Chemically soiled towels and linens shall be stored in fire-retardant containers.

## c. Plumbing Fixtures

- (1) At least one (1) hand-washing facility, equipped with a soap dispenser and disposable towels, shall be located in each work area in order to provide for proper hand washing by Salon Technicians before and after each customer.
- (2) Plumbing fixtures shall be of impervious material and of a type which are Easily Cleanable. They shall be free from cracks and from parts which are not readily accessible for cleaning. They shall be of a type which does not constitute a hazard to a public water supply through back siphoning, or cross-connection.
- (3) Except when the establishment has been operating by the same Owner and constructed or altered prior to the effective date of this regulation:
  - (a) a utility sink shall be provided for proper cleaning of surfaces and equipment, and
  - (b) a mop sink must be provided for cleaning the facility.

## d. Floors

- (1) Floors must be constructed of a smooth, impervious, washable surface, light in color. Floors and walls shall be maintained in a Sanitary manner and in good repair. Carpeting is not allowed within Work Areas.
- (2) If carpeting, or similar material, is used within separate administrative areas or waiting areas it shall be of a light color, made of a single loop pile of not more than one-fourth (1/4) inch in height. Such floor covering shall be kept clean by vacuuming at least daily and shampooing at least once annually and more frequently if the covering is not clean.

## e. Lighting

Lighting fixtures shall be in sufficient number and properly placed so as to provide adequate illumination.

f. Ventilation

The shop shall be properly and adequately ventilated so as to remove excess heat and odors.

g. Cabinets

Cabinets shall be provided for storage of clean linen, towels, blankets, and gowns. They shall have tight-fitting doors that shall be kept closed to protect the linen, towels, blankets and gowns from dust and dirt.

h. Toilet Facilities

(1) Adequate and conveniently located toilet facilities and hand-washing facilities must be provided for customers and employees. Such facilities and washbasins shall be kept clean and in working order.

(2) The hand-washing sinks shall be provided with hot and cold running water, a liquid soap dispenser and Single Use towels.

(3) A separate covered Sanitary receptacle shall be provided in each facility to be utilized by female patrons.

i. Work Stations

(1) Work chairs, benches, or tables shall be provided for each Salon Technician. Surfaces of the chairs, benches or tables shall be constructed of material that is smooth, non-absorbent, and Easily Cleanable.

(2) Easily Cleanable waste receptacles shall be provided in close proximity of each individual Work Station.

## § 2. Facility Sanitation

a. The Owner/Operator of a Salon shall keep it in a clean and Sanitary condition at all times.

b. Floors and walls will be maintained in a Sanitary manner at all times. Ceiling shall be kept in good repair, and cracks in walls, especially around baseboards, shall be filled in so as to prevent the harboring and breeding of insects.

c. Cabinets, shelves, furniture, sinks and fixtures shall be kept clean and free of dust, dirt and hair clippings.

d. Unless Single Use barrier film is used, the arms, seats and rests of chairs shall be Disinfected after serving each customer.

e. No live animals shall be allowed in a Salon, except that:

(1) service animals assisting an individual with a disability shall be allowed; and,

(2) fish in an aquarium located in a separate waiting area are permitted.

f. All containers are to be labeled as to their contents. All hazardous compounds (e.g. poisonous or toxic) and cleaning agents must be stored safely.

g. Restroom facilities shall be conveniently located to clients and employees at all times when the premises are open for business.

(1) The restroom shall be equipped with a toilet, toilet paper properly installed on a holder, and hand washing sink with hot and cold potable water, liquid soap and Single Use towels or hand dryer.

- (2) No equipment or supplies shall be stored in the restroom.
- (3) Restrooms must be clean and maintained in proper operating order at all times.
- h. Laundering conducted on-site shall be located in a separate room, and linen shall be thoroughly washed and thoroughly dried with high heat.
  - (1) Chemicals suitable for use in laundering of towels and linens shall be used. Household bleach (sodium hypochlorite) and other chemicals shall be used according to manufacturer's specifications. Color safe bleach may not be used.
  - (2) Non-chemical methods of Sanitizing must be approved in writing by the Sanitarian.
- i. A commercial linen service shall be used for laundering if it is not done on the premises.
  - (1) Clean towels shall be delivered in closed container(s) and kept in a clean, closed cabinet or closet.
  - (2) Washing and/or drying of towels in private homes is prohibited.
- j. All contaminated Sharps/needles must be disposed of in a Sharps Container and shall be properly removed and disposed of according to OSHA guidelines.

### § 3. Operational Sanitation

- a. Dispensing of products
  - (1) A squeeze bottle or pump must be provided for dispensing lotions and powders.
  - (2) When only a portion of a cream, liquid, powder or other cosmetic preparation is to be removed from the container, it shall be removed in such a way as not to contaminate the remaining portion.
- b. Disinfection of Equipment and Implements
  - (1) All equipment and implements used on a customer shall be kept clean and Sanitary at all times. All items, other than Single Use disposable implements, shall undergo thorough cleansing and Disinfecting after each customer.
    - (a) Disinfectants shall be EPA registered hospital grade used in accordance with the manufacturer's instructions.
    - (b) Use of a UV system to Disinfect equipment and implements is prohibited.
    - (c) Non-electrical instruments must be washed with soap or detergent, rinsed with clean water, and then totally immersed with an EPA registered hospital grade Disinfectant used according to the manufacturer's instructions.
    - (d) Electrical clipper blades shall be Disinfected before and after each use. Disinfection is to be carried out in the following manner:
      - (i) remove all hair and foreign matter;
      - (ii) remove blade and all hair and foreign matter under blade; and
      - (iii) completely immerse clipper blade into an EPA registered hospital grade Disinfectant solution for not less than ten (10) minutes.
      - (iv) If the clipper blade cannot be removed, completely saturate clipper blade and attachment with an EPA-registered Disinfectant solution, spray, or foam used according to the manufacturer's instructions.
    - (e) All other electrical instruments must be cleaned of all foreign matter and then Disinfected in accordance with the manufacturer's instructions with an EPA registered hospital grade Disinfectant.

- (2) Cleaned and Disinfected implements shall be stored in Sanitary covered containers which shall contain a Disinfectant, or in a clean drawer.
- (3) Any instruments which will not immediately be Disinfected shall be placed in a properly labeled receptacle for future Disinfection.
- (4) Single Use disposable implements, and any other instrument which cannot be Disinfected, that come in contact with blood or body fluid must be immediately bagged and discarded in a closed trash container.
  - (a) All Single Use towels, papers, emery boards, orange sticks, buffing blocks, waxing sticks, cosmetic sponges, and other material shall be disposed of immediately after use in the proper receptacle and shall not be used again.
  - (b) Exception: orange sticks, emery boards, buffing squares, cosmetic sponges and disposable nail bits may be kept for the original customer if kept in a covered container labeled with the customer's name and only reused with the named customer.

#### § 4. General Hygiene

- a. A towel shall not be used for more than one (1) person without being properly laundered between each use.
- b. Salon Technicians
  - (1) Technicians must wear clean outer garments, observe a high degree of personal cleanliness, and employ the practice of Universal Precautions as defined in this title.
  - (2) Technicians shall practice proper hand washing, with soap and warm water in an acceptable hand washing facility, before starting work, immediately after using the toilet, before and after eating, before serving each customer, and as often thereafter as may be necessary.
  - (3) Technicians shall keep fingernails clean and neatly trimmed.
  - (4) Technicians shall not wear cosmetics or jewelry that is deemed to interfere with personal hygiene or interfere with effective hand washing or the performance of any Body Art Procedure.
  - (5) Salon Technicians shall not eat or drink while providing services to a customer.
  - (6) Smoking or other use of tobacco by a Salon Technician or the client is prohibited.

No Technician shall remove warts or moles or treat any disease of a customer, nor perform any medical procedure, nor dispense any medical advice.

- c. Health and Disease Control
  - (1) Salon Technicians shall not practice when exhibiting symptoms of a contagious disease, including but not limited to an acute respiratory infection, fever, vomiting or diarrhea.
    - (a) The Operator shall not allow a technician to practice any Salon Activities when exhibiting symptoms of such disease.
    - (b) If the Operator suspects that a Technician has contracted such disease or has become a carrier of such diseases, the Operator shall immediately notify the Sanitarian.
  - (2) Salon Activities shall not be practiced by or on any person showing signs of possibly being affected by an infectious disease, including but not limited to:
    - (a) rash, boils, infected wounds, open sores, abrasions, weeping dermatological lesions on exposed areas of the body, or
    - (b) parasitic infestation.
  - (3) Salon Technicians shall not practice while under the influence of alcohol or drugs.



## CHAPTER 8. REQUIREMENTS FOR SPECIFIC SALON ACTIVITIES

### § 1. Barbering and Hairdressing Salons

- a. Work Stations
  - (1) Chairs in Work Stations shall be separated to allow adequate space for the Technicians to comfortably and safely practice all procedures.
  - (2) Three (3) foot wide aisles that are separate and discrete from Work Areas shall be maintained throughout the shop.
  - (3) No hair dryers shall be placed in any waiting room or encroach on the required three (3) foot wide aisle space.
- b. Operation
  - (1) No hair clippings shall be allowed to accumulate on floors. Hair clippings shall be removed frequently and as soon as possible, in such a manner as not to cause objectionable conditions.
  - (2) A Sanitary paper strip or clean towel shall be placed completely around the neck of each customer before an apron or any other protective device is fastened around the neck.
  - (3) Shampoo bowls shall be used for Barbering, Hairdressing, and Cosmetology work only.
  - (4) The use of credo blades is prohibited.

### § 2. Residential Salons

- a. All Salon Activities practiced within a residence must be confined to a separate room, separated with ceiling-high partitions and provided with a door to be closed at all times.
- b. The area within a residence where Salon Activities are practiced must be equipped with the facilities and instruments required in all such Salons practicing Salon Activities.
- c. Residential Salons must comply with all requirements specified within this title for the Salon Activities practiced.

### § 3. Massage Therapy Salons

All Massage Therapy must be carried out in clearly designated rooms within the Salon. Such rooms shall provide privacy to the client(s).

- (1) Massage tables shall be cleaned and Disinfected after each use if the table comes in direct contact with customer.
- (2) Linens, if used on massage tables, shall be clean and changed after each customer.

### § 4. Nail Salons

Salons using whirlpool pedicure spas are required to use the following Disinfecting procedures, and maintain records of such, to ensure proper cleaning and maintenance of the equipment, and to prevent bacterial infection.

- a. After each customer (this can take place any time after the client's feet are out of the footbath, while feet are massaged, toes are painted, or other opportunities):
  - (1) drain the water from the foot spa basin or bowl and remove any visible debris;

- (2) clean the surfaces and walls of the foot spa with soap or detergent using a scrub brush and rinse with clean, clear water;
  - (3) fill the basin with clean water and add an EPA-registered hospital grade Disinfectant, following label directions. Turn the unit on and circulate the system with the liquid for ten (10) minutes, or the label indicated time, if different. Use of a timer is required. The whirlpool mechanism of the tub must be operating for the entire Disinfection period so the piping and internal components that contain hidden bacteria are Disinfected; and
  - (4) After Disinfection, drain and rinse with clean water.
- b. At the end of each day:
- (1) remove the filter screen, inlet jets, and other removable parts from the basin and clean out any debris trapped behind or in them. The Salon must have the proper tool to remove the screen;
  - (2) using a brush, scrub these parts with soap or detergent, then immerse screen in an EPA-registered hospital grade Disinfectant;
  - (3) rinse the removed parts with clean water and place them back into the basin apparatus;
  - (4) fill the basin with clean water and add an EPA-registered hospital grade Disinfectant, following label directions. Turn the unit on and circulate the system with the liquid for ten (10) minutes, or the label indicated time, if different. Use of a timer is required. The whirlpool mechanism of the tub must be operating for the entire Disinfection period so the piping and internal components that contain hidden bacteria are Disinfected; and,
  - (5) after Disinfection, drain, rinse and dry the unit.
- c. Weekly:
- (1) after following the outlined required cleaning procedures for the end of each day, fill the basin with warm water and add Disinfectant at the concentration recommended by the manufacturer;
  - (2) circulate the solution through the whirlpool system for a minimum of ten (10) minutes;
  - (3) turn jets off and let the solution sit overnight (at least six (6) hours); and
  - (4) the following morning (before the first customer) drain and flush the system with clean water and dry with a clean towel.
- d. For simple basins (no circulation):
- (1) drain the basin and remove any visible debris;
  - (2) scrub the bowl with a clean brush and soap. Rinse and drain;
  - (3) disinfect basin surfaces with an EPA-registered hospital grade Disinfectant, following manufacturer's instructions. Surfaces must remain wet with the Disinfectant for ten (10) minutes or the contact time stated on the label, using a timer; and
  - (4) drain the basin, rinse with clean water, and let air dry.

## § 5. Body Art Salons

- a. General
- (1) Body Art shall not be practiced on any individual under the age of 16.
    - (a) Minors, under the age of 18, require written consent from a documented legal parent or guardian.
    - (b) Such parental consent must be provided in person at the time the procedure is performed. A copy of the parent or guardian driver's license or similar state issued photo ID shall be retained.
  - (2) At no time shall a Technician or a client consume food or drink in a work room.

- (3) At no time shall alcoholic beverages be dispensed in the Salon practicing Body Art.
- (4) No client shall receive Body Art if they are judged to be intoxicated or under the influence of drugs.
- (5) The premises in which Body Art procedures are practiced shall have an area of at least one hundred (100) square feet.
- (6) The use of styptics or alum blocks to control bleeding is expressly prohibited.

b. Technicians

- (1) Technicians shall only practice Body Art activities under sterile conditions.
- (2) Both of the Technician's hands shall be covered with disposable, Single Use, examination gloves when a Body Art Procedure is being performed.
  - (a) Gloves must be changed if they have visible holes, rips, tears, or other compromises, touch any other person, or touch any object or thing that might be a source of contamination prior to or during a Body Art Procedure.
  - (b) New gloves must be donned for each new customer.
- (3) Technicians must hold current certification by the American Red Cross or the American Heart Association in First Aid.
- (4) Technicians must be trained in bloodborne pathogens per OSHA standards (29 CFR 1910.1030).

c. Workrooms

- (1) Workroom(s) must be physically separate and apart from waiting and all other areas.
- (2) The workroom shall not be used as a corridor for access to other rooms. Unnecessary traffic through a workroom is prohibited.
- (3) Hand sinks with hot and cold running water operated by wrist, knee or foot action shall be located in each workroom. Hand sinks shall be supplied with liquid soap and Single Use paper towels from Sanitary dispensers. If there are two or more Work Stations within a room, all may share the hand sink.

d. Work Stations

- (1) Individual Work Stations in the workroom shall be provided with:
  - (a) counter areas and storage cabinetry for Body Art instruments, dyes, ointments, bandages, etc., that are of Sanitary design, maintained in good repair, and protected from potential sources of contamination.
  - (b) an adequate supply of Single Use barrier materials for the purpose of covering and draping equipment, hardware, spray bottles or any other surfaces that might come into contact with the gloved hands of the Body Artist so as to prevent potential contamination from one person to another.
- (2) The surfaces of furniture, equipment and fixtures that come in contact with the body of a client or that may be directly or indirectly be exposed to contamination from blood, blood products, and other body fluids during the course of a procedure must be covered with barrier film.
- (3) At least fifty (50) foot-candles of artificial light shall be provided at the level where Body Art Procedure is being practiced. Spotlighting may be used to meet this requirement.
- (4) All Body Art Salons shall provide at least one Work Station that is capable of being completely screened from public view for clients requesting privacy.

e. Cleaning Room

The cleaning room or area shall have a separate sink reserved for instrument clean-up activities only.

## f. Body Art Procedures

- (1) Each client must sign a consent form prior to any Body Art Procedure.
  - (a) The consent form must include the client's contact information, including name, address and phone number, in case follow-up is needed. The information must be verified by reviewing the client's driver's license or similar state issued photo ID.
  - (b) The form shall include a health questionnaire, previously approved by the Sanitarian, and at a minimum, contain information sufficient for the Salon Technician to verify compliance with the Health and Disease Control screening pursuant to Chapter 7, §4c(2).
- (2) Immediately prior to, and immediately following, the performance of a Body Art Procedure, the Technician shall scrub hands and forearms with liquid soap and dry Single Use towel.
- (3) The Technician must don intact disposable gloves prior to each procedure. If the gloves tear, or if contact is made with a contaminated surface during a procedure, or if any other breaks in the sterility chain occurs, the gloves shall be discarded immediately and replaced with a new pair of gloves.
- (4) Each needle and tube set/Sharps shall be either Single Use in commercially prepackaged in paper peel-packs, or heat-sealed plastic or other Autoclave packaging.
  - (a) All Sterilized instruments shall remain in sterile packages until opened in front of the client.
  - (b) Packaging material shall contain colorimetric sterilizer indicator.
  - (c) Expiration dates shall be based on commercial manufactures recommendation.
  - (d) No rusty, defective or faulty needles shall be used for Body Art.
- (5) All inks and similar products must be dispensed into Single Use cups for each client (no drawing directly from the storage bottle/jar)
- (6) All products applied to the skin, such as but not limited to, stencils, applicators, gauze and razors, shall be Single Use and disposable.
- (7) Prior to piercing or before placing the design on the patron's skin, the Technician shall treat the area with hospital grade antimicrobial solution, which shall be applied with a new, Single Use cotton, paper product or gauze. Evidence of abrasion, laceration, skin eruptions, or infection shall cause the Technician to refuse to perform the procedure.
- (8) Immediately upon completion of the procedure, used needles shall be placed into an acceptable Sharps Container for storage until final disposal from the premises.
- (9) If the Body Art Procedure area requires covering, it must be done with sterile, non-stick gauze, non-stick bandage or non-stick tissue and fastened to the body with an appropriate, adhesive first-aid type bandaging tape.
- (10) Each client shall be provided with Sanitarian-approved written instructions for the Aftercare of the Body Art and the Technician shall verbally review the provisions of the instructions with the client before departure.

## g. Tattooing Specific Procedures

- (1) Tattoo machine bodies and power cords must be covered with new plastic wrap before each client.
- (2) When necessary to shave the area to be tattooed, only Single Use, disposable razors shall be used.
- (3) Single Use containers shall be used to hold the inks and dyes for each procedure, and shall be discarded immediately after use. All inks, dyes, pigments, solid core needles and equipment shall be specifically manufactured for performing Body Art Procedures and shall be used according to manufacturer's instructions.
- (4) The completed tattoo shall be washed using a hospital grade antimicrobial solution. The area shall be allowed to air dry, after which the artist shall apply a sterile ointment to the surface and

cover it with a Single Use, sterile dressing. Use of plastic wrap, napkins, paper towels, or any other material other than a Single Use sterile dressing is prohibited.

h. Body Piercing, Scarification, and Branding Procedures

- (1) Ear Piercing guns and Single Use, Sterilized Ear Piercing studs are to be used for Ear Piercing only. The Ear Piercing device may not be used to pierce any other part of the body.
- (2) Jewelry to be used for a Body Art Procedure must consist only of those materials listed in the definition of Jewelry in this title. Corroded, defective, or faulty needles and Jewelry shall not be used for Body Piercing.
- (3) For oral Piercings, or for Piercing of the cheek or lips, the artist shall require the client to swish with an approved antibacterial mouth rinse for a minimum of thirty (30) seconds.
- (4) The artist shall use a Single Use, sterile stainless steel needle for each piercing procedure, and upon completion of the procedure shall place it into an acceptable Sharps Container for storage until final disposal from the premises.

i. Sterilization Procedures

- (1) All reusable and non-disposable items used to provide Body Art services shall be thoroughly cleaned prior to Sterilization using one (1) of the following methods.
  - (a) The instruments shall be cleansed of all foreign materials and placed in an approved Ultrasonic Cleaner filled with an approved ultrasonic solution according to the manufacturer's directions.
  - (b) Instruments unable to be cleaned ultrasonically are to be placed in an EPA approved hospital grade Disinfectant solution for a minimum of twenty (20) minutes or according to the manufacturer recommendation.
- (2) Following cleaning, instruments are to be dried and then placed into individual Autoclave Sterilization bags, then sealed and marked with the date of Sterilization and an expiration date not to exceed six (6) months. A tape marker must be placed on the bag to indicate that the packet has been exposed to Autoclaving.
- (3) Sterilization shall be accomplished in an approved steam Autoclave. The Autoclave shall be used and maintained according to manufacturer's specifications.
- (4) If the indicator tape indicates that the packets have been exposed to Sterilizing conditions, the instrument packets shall be stored in a clean, covered container to minimize contamination until used.
- (5) The Autoclave shall be monitored monthly for effectiveness via a spore analyses by an independent commercial testing laboratory contracted by the Owner/Operator.
- (6) The following procedures shall be followed in the event of a positive test result indicating an improperly functioning Autoclave.
  - (a) Immediately, upon notice of the positive test, the Autoclave shall be taken out of service, and:
    - (i) all unused items processed in the Autoclave since the most recent negative test shall be considered non-sterile; and
    - (ii) the Sanitarian must be notified.
  - (b) While the Autoclave remains out of service, Body Art Procedures may continue, provided either another properly functioning Autoclave is placed in service in the establishment or all Single Use, pre-Sterilized instruments are used.
  - (c) All measures taken to correct or repair the Autoclave following a positive test shall be logged, and records of such maintained.
  - (d) The Autoclave shall not be restored to service unless it has been confirmed to be functioning properly through follow-up testing.

- (7) The Ultrasonic Cleaner(s) and Autoclave(s) shall not be located or operated in workrooms or any other areas frequented by the public.
- (8) An Autoclave is not required in establishments that exclusively use prepackaged, Single Use, Sterilized equipment and supplies including Body Piercing equipment and Jewelry. In such cases the Salon's registration shall include a written statement by the Owner/Operator attesting to the fact that only Single Use equipment shall be used.
- (9) All surfaces which are directly in contact with the client or with the instruments used to provide a Body Art procedure, as well as the surfaces immediately adjacent to the Work Area, including lights, chairs, tables, telephones, and walls, shall be cleaned immediately following a procedure using an EPA approved hospital grade Disinfectant.
- (10) Disposables and Single Use items shall be disposed into an approved container immediately following completion of the procedure. Under no circumstances is a Single Use item to be re-used. Sharps Containers must be located in close proximity of each Work Area. One (1) container may be used for multiple Technicians, but a minimum of one (1) Sharps Container for each separate room shall be provided.

j. Reporting

- (1) All Exposure Incidents (i.e. needle sticks/Sharps accidents) shall immediately be reported to the Sanitarian. An Exposure Incident record shall be maintained onsite.
- (2) A written report of any injury, infection complication or disease as a result of a Body Art Procedure, or complaint of injury, infection complication, or disease, shall be forwarded by the Operator to the Sanitarian within five (5) business days of its occurrence or knowledge thereof. The report shall include:
  - (a) the name and contact information of the affected client;
  - (b) the name and location of the Salon establishment involved;
  - (c) the nature of the injury, infection complication, or disease;
  - (d) the name and address of the affected client's health care provider, if any; and,
  - (e) any other information considered relevant to the situation.
- (3) The Sanitarian shall be immediately notified of a positive test indicating an improperly functioning Autoclave.
- (4) The Sanitarian shall be notified whenever a Technician had practiced Body Art on clients and later it was learned that the Technician had been contagious with a communicable disease.

k. Record Keeping – The following records must be kept and retained on-site for a period of at least two (2) years.

- (1) Technician Records
  - (a) All First Aid and Bloodborne Pathogen training certificates and records
  - (b) Written evidence of Hepatitis B vaccination for each Technician and any other employee who may come in contact with bloodborne pathogens. An employee may refuse vaccination for hepatitis B, but a signed statement attesting to his/her refusal must be a part of his/her record.
- (2) Client Records
  - (a) All client consent forms including the health questionnaire and documents of parental consent.
  - (b) All client injury and Exposure Incident reports pursuant to paragraph j(1). of this section. A copy of the report shall be provided to the client prior to his/her departure.
- (3) Decontamination and Sterilization
  - (a) Written procedures for the Decontamination and Sterilization of equipment and surfaces.

- (b) Written records of maintenance and sanitation of operating equipment, including repairs of Autoclaves and Ultrasonic Cleaners.
- (c) Written procedures for removing Sharps Containers from the premises.
- (d) Written records of biological monitoring of Sterilization devices conducted monthly, including spore test reports prepared by an independent testing agency approved by the department.
- (e) Written records of Autoclave maintenance and repairs.

## § 6. Events Involving Body Art

- a. Licensing of Technicians
  - (1) Only individuals who have or obtain a Mashantucket license to practice tattooing, may participate in the event.
  - (2) The organizer or sponsor of the event must submit the fees and documentation required under Ch. 4 §1(a)(2) for each individual practicing tattooing in Mashantucket and submit such documentation to the Sanitarian no less than thirty (30) days prior to the beginning of the event.
- b. Equipment and Facilities
  - (1) Only Single Use disposable Sterilized supplies and or instruments shall be used. Each Technician shall bring enough pre-Sterilized Single Use instruments and supplies to last for the entire Event.
  - (2) Required toilet facilities must be available as specified within ch. 7, §1h. and are to be maintained as specified within ch. 7, §2g.
  - (3) Temporary Work Stations shall meet the following minimum requirements:
    - (a) be at least 10 ft.x10ft., and be constructed in a manner to separate the Technician from the public in such a way as to protect the procedure area from contamination, and to prevent accidental exposure of the public to potentially infectious materials created during the procedure;
    - (b) work chairs, benches, or tables shall be provided for each Salon Technician.
    - (c) floors and surfaces of the chairs, benches or tables shall be constructed of material that is smooth, non-absorbent, and Easily Cleanable.
    - (d) be supplied with an adequate supply of Single Use barrier materials for the purpose of covering and draping equipment, hardware, spray bottles or any other surfaces that might come into contact with the gloved hands of the Body Artist so as to prevent potential contamination from one person to another;
    - (e) have Easily Cleanable, waste receptacles and Sharps Container in close proximity of each individual Work Station; containers must be emptied regularly and not allowed to over fill.
    - (f) have temporary hand-washing facilities located within close proximity of each Work Station or demonstration area. A temporary hand-washing facility shall consist of liquid hand cleanser, Single Use paper towels and warm potable water dispensed from an insulated container with a spigot that is raised a minimum of twenty-five (25) inches off the floor. Wastewater shall be collected in a bucket placed on the floor under the spigot. Warm potable water shall be replenished and wastewater removed as necessary.
    - (g) have at least 50 foot-candles of light available at the level where the Body Art is being practiced. Spotlighting may be used to meet this requirement.
  - (4) At least one Work Station that is capable of being completely screened from public view for clients requesting privacy shall be provided at each Event.

## c. Operations

- (1) Body Art shall not be practiced on any individual under the age of 16.
  - (a) Minors, under the age of 18, require written consent from a documented legal parent or guardian.
  - (b) Such parental consent must be provided in person at the time the procedure is performed. A copy of the parent or guardian driver's license or similar state issued photo ID shall be retained.
- (2) No client shall receive Body Art if they are judged to be intoxicated or under the influence of drugs.
- (3) At no time shall a Technician or a client consume food or drink in an area specifically designated for Body Art Procedures.
- (4) The use of styptics or alum blocks to control bleeding is expressly prohibited.
- (5) The surfaces of furniture, equipment and fixtures that come in contact with the body of a client or that may be directly or indirectly be exposed to contamination from blood, blood products, and other body fluids during the course of a procedure must be covered with Single Use barrier material.
- (6) The Event Manager shall provide for pick-up and proper disposal of all waste.
- (7) Technicians are required to adhere to the operational sanitation requirements:
  - (a) for dispensing of products identified within ch. 7, §3(a);
  - (b) for general hygiene identified within ch. 7, §4;
  - (c) for Technicians specified within ch. 8, §5(b);
  - (d) for Body Art Procedures identified within ch. 8, §5 (f), (g), and (h); and,
  - (e) for tattooing specific procedures specified within ch. 8 §5(g).
- (8) All Exposure Incidents (i.e. needle sticks/Sharps accidents) shall immediately be reported to the Sanitarian. Exposure Incident records specified within ch. 8, §5(j)(2) shall be maintained onsite.
- (9) The Event Manager must maintain written records of services as described in ch. 8, §5(k).

d. The Event is subject to inspection without notice, and written records must be made available to the Sanitarian on request.