

Town of Chelmsford  
General Provisions, Chapter 200  
Board of Health  
Article XV  
Body Piercing  
(Added 9-8-1997; amended 9-14-1998)

**§ 201-105. PURPOSE**

- A. The Town of Chelmsford is promulgating rules and regulations which provide minimum requirements to be met by any person performing body piercing upon any individual and for any establishment where body piercing is performed. These requirements shall include, but are not limited to, general sanitation of premises wherein body piercing is to be performed along with sterilization of instruments. These rules and regulations are necessary to protect the public's health by preventing diseases, including, but not limited to, transmission of Hepatitis B and/or human immunodeficiency virus (HIV/AIDS).
- B. In addition, these rules and regulations shall establish procedures for registration with the Board of Health of all persons performing body piercing, for the requirement of minimal training standards for the prevention of disease transmission, and for knowledge of anatomy and physiology, for regular inspection of premises wherein body piercing is performed, and for revocation of the registration of any person or establishment deemed in violation of the rules and regulations promulgated under this section. An annual, non-transferable registration fee, set by the Chelmsford Board of Health, shall be paid by any person or establishment registered under this section.

**§ 201-106. DEFINITION**

The following words as used in these rules and regulations, unless the context otherwise requires, shall have the following meanings:

**“Antibacterial Solution”**- Any solution used to retard the growth of bacteria for application to human skin and is so labeled.

**“Board of Health”**- The Director of the Chelmsford Board of Health and his clerk, officers, agents, assistants/and or inspectors.

**“Body Piercer”**- Any person who performs piercing of any part of the body other than the earlobe which is pierced by use of an appropriate piercing gun.

**“Body Piercer Permit”**- A written instrument, issued by the Board of Health, authorizing the person named therein to engage in the work of body piercing.

**“Body Piercing”**- Any method of inserting a needle into the body to place jewelry in the perforation produced by the needle. Establishments and/or individuals involved in the piercing of earlobes only and using approved ear piercing guns are subject only to the general rules and regulations.

**“Germicidal Solution”**- Any solution which destroys germs, and is so labeled.

**“Minor”**- Any person under the age of eighteen (18).

**“Operator”**- Any person who owns, controls, operates, conducts, or manages any piercing establishment, whether actually performing the work of piercing or not.

**“Piercing Studio”**- Any room or space where piercing is practiced or where the business of piercing is conducted or any part thereof.

**“Sanitary”**- Clean and free of agents of infection or disease.

**“Sanitized”**- Effective bacterial treatment by a process that provides sufficient concentration of chemicals for enough time to reduce the bacteria count including pathogens to a safe level on equipment.

**“Sterilization”**- Holding in an autoclave for thirty (30) minutes, at twenty (20) pounds of pressure, at a temperature of 275 degrees Fahrenheit.

#### **§ 201-107. GENERAL RULES AND REGULATIONS**

- A. No minor shall receive body piercing, unless accompanied by a parent or legal guardian who has signed a consent form. No piercing of the genitalia of minors shall be allowed.
- B. No piercing of animals shall be allowed in piercing studios.
- C. Pre-procedural consultation to discuss body piercing, its risks and potential complications shall be required with each client not less than seventy-two hours prior to the procedure. An informed consent form shall be signed by all clients. Clients shall be supplied a copy of the consent form and the consent form shall be kept on file by the body piercer. Clients should be told to consult with their physician regarding any medical condition which could be exacerbated by the piercing procedure (i.e., hemophilia, open sores, etc.).
- D. Patrons who admit to or are obviously under the influence of alcohol or other judgement altering drugs shall not receive a body piercing.
- E. Body piercers shall not be under the influence of any substance, legal or illegal which might impair their judgement or ability to properly perform body piercing.
- F. Patrons shall receive verbal and written instructions on the cleaning, use of antiseptics and other specific instructions for each piercing after the piercing, including the signs and symptoms of complications.
- G. Appropriate disinfectants must be used to disinfect the surface of the skin in the area to be pierced, prior to piercing.
- H. Infections and adverse reactions of any kind suspected from the application of piercing which become known to the body piercer shall be reported to the Board of Health within 24 hours and the patron referred to a physician for examination.
- I. Body piercers who receive needle stick injuries and/or any potential exposure to blood-borne pathogens on the job shall follow OSHA guidelines on the reporting and follow-up on needle stick injuries. OSHA guidelines for needle stick follow-up shall be posted in employee area (Code of Federal Regulations 29 CFR 1910.1030(f)).
- J. It is mandated that body piercers receive the series of Hepatitis B Vaccinations and tetanus doses or booster shot.
- K. The gun used for the piercing of ear lobes only must be disinfected with an EPA approved disinfectant such as madicide or a similar product.
- L. Failure to comply with any of the above regulations may result in immediate revocation of registration.

#### **§ 201-108. REGISTRATION REQUIRED; FEES; VIOLATIONS AND PENALTIES**

- A. No person, or body piercer shall perform body piercing, display a sign or in any other way advertise or purport to be a body piercer unless that person holds a valid certificate or registration from the Board of Health.
- B. An applicant for registration shall pay a \$100.00 fee with an annual renewal fee of \$100.00 and shall show to the satisfaction of the Board of Health that the applicant:
  - (1) Has complied with applicable rules and regulations of the Board of Health.
  - (2) Upon application, has provided evidence in the form of a drivers license/state identification card or federal identification card that applicant is not less than 18 years of age.

- (3) Upon application, has signed a form consenting to abide by the rules and regulations and recommended procedures on the prevention of disease transmission in body piercing, sanitation, sterilization, handling of infections, universal body fluid precautions, sharp and biologic waste disposal and wound care as stated in the Federal register of the EPA Rules and Regulations on blood borne pathogens.
- (4) Upon application, shall notify the Board of Health in writing of the regular address of the place where the person performs or intends to perform body piercing and shall keep the registration certificate conspicuously posted in the place of business at all times. Body piercers shall operate only out of facilities approved by the Board of Health to perform body piercing. Body piercers shall be required to demonstrate proper sanitary procedures and to develop and submit their policy on infection control to the Board of Health.

C. **Minimal Requirements-** Whoever, not being registered as a qualified nurse under Section 74, Chapter 112 of the Massachusetts General Laws or as a qualified physician under Section 2, Chapter 112 of the Massachusetts General Laws, or correspondence of earlier laws, punctures a body part (excluding the ear) of any person by means of body piercing, shall be punished by a fine of not more than one thousand dollars.

## **§ 201-109. FACILITIES AND EQUIPMENT**

### **A. Facilities**

- (1) Facilities must be located in area zoned for business.
- (2) Studio design, furniture, lighting, plumbing, water and sewage must be in accordance with local by-laws.
- (3) With the exception of service animals (e.g., guide dogs); no animals should be allowed on the premises.
- (4) The floor and all other surfaces shall be maintained in a clean condition at all times. The walls and ceilings shall be kept clean in good repair at all times. Light fixtures, decorative materials and similar equipment attached to the walls or ceilings shall be kept clean.
- (5) Adequate ventilation (such as air conditioning, etc.) to keep the area dry and air circulating should be used. ("Adequate Ventilation" shall mean a free and unrestricted circulation of fresh air throughout the body piercing studio and the expulsion of foul or stagnant air.) The use of H.E.P.A ventilation system is required.
- (6) Convenient, clean and sanitary toilet and hand washing facilities shall be made accessible to customers. A sign shall be posted in the bathroom which forbids insertion or handling of piercing/jewelry. The plumbing fixtures and toilet room shall be maintained in a sanitary manner and in good repair. Single service hand towels or mechanical means for hand drying shall be provided.
- (7) Proper biological waste and sharps disposal of single-use items and needles exposed to body fluids shall be required in accordance with state and local regulations. Only medical grade sharps containers that are puncture-resistant, with tight fitting lids are acceptable.
- (8) Body piercers shall be equipped with appropriate sterilizing equipment (i.e. a working steam autoclave). Autoclaves must be spore tested monthly by independent laboratories to insure they are working adequately and a record kept available for review by the Board of Health.
- (9) Body piercers shall be equipped with appropriate cleansing equipment (i.e. a working ultrasonic cleaner).

### **B. Work Area**

- (1) Each body piercing studio shall have a separate work area not used for any other purpose.
- (2) No one shall be pierced at any other location in the studio other than the work area.
- (3) No customer should be allowed to perform their own piercing/insertions anywhere on the premises.

- (4) Work areas shall not be used as a corridor for access to other rooms.
- (5) Body piercing must be performed in a room approved by the Board of Health.
- (6) The floors, chairs and table tops where body piercing equipment and body piercing work is done should be non-porous. Carpet is not permitted as a floor covering in the work area where the body piercing is applied.
- (7) The work area should be well lighted. Work area shall have at least fifty (50) foot candles of light measured at the height of the work table.
- (8) Facilities shall be equipped with sinks and basins with hot and cold running water for the exclusive use of the piercers for washing their hands and preparing their clients for body piercing.
- (9) A covered waste receptacle with disposable liner bags shall be located in the work area.
- (10) No person shall smoke, consume any food or drink in the work area.
- (11) No other activities, (such as hair styling, etc.) shall be performed in any room designated for body piercing.

## **§ 201-110. OPERATION PROCEDURES**

### **A. Business Procedure and Jewelry**

- (1) Body piercers shall, prior to body piercing, complete all business transactions and complete the client consent form and provide a copy to the client.
- (2) Client and piercer must have appropriate size and quality jewelry chosen before the procedure begins.
- (3) Only appropriate jewelry should be used in piercing. Appropriate jewelry is made of implant grade, high quality surgical steel (316E Series), solid 14K or 18K gold, niobium, titanium, platinum. Appropriate jewelry has no nicks, scratches, or irregular surfaces which might endanger the tissues.
- (4) Ear studs or other jewelry designed for earlobe piercing are not appropriate jewelry for other body parts and must not be used by piercers.

### **B. Hand Washing and General Health of Body Piercer.**

Before working on each patron, the body piercer shall:

- (1) Inspect hands for small cuts and abrasions.
- (2) Refrain from body piercing or handling equipment if they have open sores, weeping dermatitis or lesions on hands or arms until the condition has cleared.
- (3) Refrain from body piercing until the condition has cleared, if they have a cold, flu or other communicable disease.
- (4) Wash hands, wrists and up to elbows with antibacterial solution.
- (5) Dry hands thoroughly with single use disposable towel such as a paper towel or air dry under a heat dryer.

### **C. Body Piercing Procedures**

- (1) Body piercers shall set up equipment in front of client.
- (2) Sealed autoclave bags containing any equipment required to be sterile, shall be opened in front of the client, and the autoclave bag discarded.
- (3) All jewelry contaminated with only air borne pathogens (not previously worn or contaminated) should be disinfected with non-hazardous hard surface disinfectant and must comply with OSHA regulations. All jewelry contaminated or potentially contaminated with blood borne pathogens (previously worn by another person) should be autoclaved, stored in sterile indicator bags, sealed and dated.
- (4) All needles used in piercing must be pre-sterilized, used on one person, in one setting, for single piercing and immediately disposed of in a medical sharps container.

- (5) All forceps, tubes, etc. must be pre-sterilized, stored in sterile indicator bags, sealed and dated, used on one person in one sitting. After one such use, they must be autoclaved and stored in sterile indicator bags, sealed and dated.

#### **D. Disinfection Routine**

- (1) Body Piercers shall:
  - (a) Put on fresh gloves for disinfection routine.
  - (b) Move in such a manner to avoid recontamination of surfaces.
  - (c) Discard disposable items and remove from areas.
  - (d) Remove plastic, barrier film (if used) and disinfect surface areas, drawer pulls, cabinetry, telephones, lamps, chairs, sinks, ultrasonic tanks, tables, chairs, floor area and other surfaces that might have become contaminated.
  - (e) Dispose of single use (disposable) lap cloths.
  - (f) Remove gloves, discard gloves and wash hands.
  - (g) Double bag or use bio-hazard bags and discard materials after each client.
  - (h) Discard materials in medically appropriate manner.
- (2) All reusable non-sterilizable implements such as marking pen should be non-porous and disinfected after each use with EPA approved hard surface disinfection liquid. Non-spray wipes for surfaces and liquids for soaking jewelry are preferred over spray disinfectants which may disperse pathogens into the air.
- (3) Cleansing with ultrasonic cleaners should be the rule for removal of bacitracin or other triple antibiotic solutions, blood and other particles from a used contaminated implement (i.e., jewelry, forceps, insertion tapers, and pliers). Followed by steam autoclave.
- (4) Steam autoclave must be used on all equipment that may come in contact with the client or the jewelry (i.e., receiving tubes, rubber bands, insertion tapers, forceps, files, gauge wheels, pliers, etc.). Equipment shall be bagged, dated and sealed and stored in a non-porous dark, dry cool place such as a medical credenza, etc. Spore indicators shall be used with each load to ensure spore eradication. Instruments shall be autoclaved at a temperature of 275 degrees Fahrenheit under pressure of 20 PSI for 30 minutes from start. Autoclaves shall be spore tested by independent laboratories at least once each month to induce efficacy. Immersion in cold germicidal solutions provides incomplete sterilization and is inappropriate.
- (5) Appropriate ear piercing guns should only be used for piercing ear lobes and shall not be used for piercing any other body part.
- (6) Iodine, antiseptics and other ointments used shall be applied with single use applicators. Applicators that have touched a client once may not be used to retrieve antiseptics, iodine, etc. from containers and shall be disposed of after single use.

#### **§ 201-111. DISPOSAL OF WASTE**

- A. Bar setups, piercing needles, razor blades or other sharp instruments which are not to be sterilized shall be disposed of in medically approved sharps containers that are puncture resistant and have tight fitting lids.
- B. Containers of sharps wastes shall be sent to a facility where they are either incinerated or otherwise rendered non-hazardous.
- C. Disposable waste shall be placed in easily cleanable, closed containers with tight fitting lids to prevent leakage or spoilage.
- D. Waste containers shall be kept closed when not in use.
- E. Disposable waste shall be handled, stored, and disposed of to minimize direct exposure of personnel to waste material.
- F. The Board of Health Medical/Waste Generator Form” must be completed and returned to the Board of Health prior to issuance of a certificate of registration.

**§ 201-112. MOBILE ESTABLISHMENTS**

Mobile piercing studios shall not be allowed to operate in Chelmsford.

**§ 201-113. SUSPENSION OF REGISTRATION**

- A. The Piercers registration shall be suspended immediately upon notice to the holder (without a hearing) when the Board of Health has reason to believe that an imminent health hazard exists. In all other instances of violation of the provisions of this regulation the Board of Health shall serve the registrant a written notice specifying the violations and afford the registrant or certificate holder a reasonable opportunity to correct the same.
- B. Whenever a registrant has failed to comply with any written notice issued under the provisions of this section, the Board of Health may suspend the body piercers registration, on the tenth day following receipt of written notice of such suspension.

**§ 201-114. SEVERABILITY**

If any provision of these regulations is declared invalid or unenforceable, the other provisions shall not be affected thereby but shall continue in full force and effect.

**§ 201-115. EFFECTIVE DATE**

Regulations adopted by the Board of Health, Chelmsford, Massachusetts, in accordance with Chapter 111, Section 31, of the General Laws of the Commonwealth of Massachusetts, September 8, 1997. Revised: September 14, 1998