

HOUSE BILL REPORT

SHB 1042

As Amended by the Senate

Title: An act relating to sterilization procedures in the commercial practices of electrology and tattooing.

Brief Description: Establishing sterilization requirements for the commercial practices of electrology and tattooing.

Sponsors: By House Committee on Health Care (originally sponsored by Representatives Campbell, Schual-Berke, Skinner, Haigh and Lantz).

Brief History:

Committee Activity:

Health Care: 1/23/01, 1/25/01 [DPS].

Floor Activity:

Passed House: 2/22/01, 98-0.

Senate Amended.

Passed Senate: 4/9/01, 49-0.

Brief Summary of Substitute Bill

- Requires the Secretary of Health to adopt by rule sterilization requirements for needles and instruments used by electrologists in permanent hair removal and by tattoo artists in professional practices.
- A violation of sterilization requirements is a misdemeanor.

HOUSE COMMITTEE ON HEALTH CARE

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives Campbell, Republican Co-Chair; Cody, Democratic Co-Chair; Schual-Berke, Democratic Vice Chair; Skinner, Republican Vice Chair; Alexander, Ballasiotes, Conway, Edmonds, Marine, McMorris and Ruderman.

Staff: John Welsh (786-7133).

Background:

Currently there are no enforceable legal sterilization requirements for electrologists and tattoo artists in commercial practice using needles and instruments in serving their clients.

An electrologist is a person engaged in the business of permanently removing unwanted hair of a client through the use of solid needle electrode probes.

A tattoo artist is a person engaged in the business of inserting decorative designs in the skin of a client using dyes or pigments for cosmetic or figurative purposes.

The American Electrology Association and the Association of Professional Tattooists have adopted recommended sterilization standards for use by professional electrologists and tattooists respectively.

Summary of Bill:

There is a declaration of legislative intent that the practices of electrology and tattooing involve invasive procedures with the use of needles which may present a risk of infecting a client with bloodborne pathogens if not properly sterilized.

An electrologist is defined as a person who employs a process for permanently removing hair from a client using solid electrode needle probes involving thermolysis or electrolysis.

A tattoo artist uses needles for inserting dyes or pigments into the skin for making an indelible mark, figure or decorative design for cosmetic or figurative purposes.

The Secretary of Health is directed to adopt by rule sterilization requirements for needles and instruments used by electrologists and tattoo artists in accordance with nationally recognized professional standards.

A violation of sterilization requirements is a misdemeanor.

EFFECT OF SENATE AMENDMENT(S):

A violation of the sterilization requirements is considered negligence per se in any civil action.

Appropriation: None.

Fiscal Note: Requested on January 16, 2001.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: There is a need for statewide sterilization standards for electrology and tattoo artists in the use of needles and instruments.

Testimony Against: None.

Testified: (Support) Ray Figueroa, APT Living Art Association; Gregg Pack, Altered States Tattoo Shop; and Sharon Ortiz, Washington State Electrologists Association.

(Support Concept) Patty Hayes, Department of Health.