

# HOUSE BILL REPORT

## HB 1383

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### As Passed House:

March 13, 2007

**Title:** An act relating to preventing the spread of disease in body piercing practices through standard universal precautions and sterilization requirements.

**Brief Description:** Regulating body piercing.

**Sponsors:** By Representatives Appleton, Campbell, Cody, Hinkle, Morrell, Walsh, Schual-Berke, Curtis, Green, Clibborn, Lantz, Moeller, Condotta, Hasegawa, Kagi and Santos.

### Brief History:

#### Committee Activity:

Health Care & Wellness: 2/13/07, 2/14/07 [DP].

#### Floor Activity:

Passed House: 3/13/07, 93-3.

### Brief Summary of Bill

- Requires the Secretary of Health to establish sterilization and disease prevention standards for body art and body piercing procedures.

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## HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

**Majority Report:** Do pass. Signed by 12 members: Representatives Cody, Chair; Morrell, Vice Chair; Alexander, Assistant Ranking Minority Member; Barlow, Campbell, Condotta, Curtis, Green, Moeller, Pedersen, Schual-Berke and Seaquist.

**Staff:** Chris Blake (786-7392).

### Background:

The Secretary of Health establishes requirements for the sterilization of needles and instruments used by electrologists and tattoo artists. These rules address both sterilization procedures and universal precautions for preventing the spread of disease. There are no similar provisions for body piercing.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Summary of Bill:**

The Secretary of Health must establish requirements for universal precautions for preventing the spread of disease and sterilizing needles, jewelry, and other instruments used for body piercing and body art. The failure to comply with the universal precautions is a misdemeanor and shall be considered negligence per se in a civil action.

The term "body art" is defined as physical cosmetic adornment, including branding and scarification. The term "body piercing" is defined as penetrating the skin to insert an object for cosmetic purposes, but does not include the use of stud and clasp piercing systems to pierce the earlobe. Neither term includes health-related procedures performed by a licensed health care practitioner.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:**

(In support) Body piercing is an unregulated industry and there are people performing body piercing without any sterilization or hygiene requirements. This will regulate body piercing in a similar manner to tattooing. Body piercing does not present a high risk to public health.

(Opposed) This bill lacks an enforcement mechanism for body piercers and will give the public a false sense of security. There are no education or inspection requirements, or consumer complaint processes. There is no way to hold facilities accountable or to respond to a public health threat.

**Persons Testifying:** (In support) Representative Appleton, prime sponsor; Yoshe Revelle; and Troy Amundson.

(Opposed) Kitty Candelaria, National Hepatitis C Institute.

**Persons Signed In To Testify But Not Testifying:** None.