



Ohio Administrative Code Rule 3701-9-01 Definitions.

Effective: September 1, 2014

As used in this chapter:

(A) "Aftercare" means verbal and written guidelines, specific to the body art procedure(s) performed, about caring for the body art and the surrounding area. These guidelines shall include, but not be limited to, information about physical restrictions, wound care, signs and symptoms of infection, and when to seek medical treatment, if necessary.

(B) "Antiseptic solution" means an agent that destroys pathogenic microorganisms on human skin or mucosa.

(C) "Approval" means written approval from the board of health indicating that the body art establishment has been inspected and meets all terms of this chapter.

(D) "Aseptic technique" means a set of specific practices and procedures performed under controlled conditions with the goal of minimizing contamination by pathogens.

(E) "Board of health" means the board of health of a city or general health district or the authority having the duties of a board of health under section 3709.05 of the Revised Code.

(F) "Body art" means the practice of physical body adornment, including tattooing, permanent cosmetics and/or body piercing. This definition does not include practices that are considered medical procedures by the state medical board, performed with medical devices, that include but are not limited to biopsy or dermal punches and scalpels.

(G) "Body artist" means an individual, including an operator, who performs one or more of the following procedures:

(1) Tattooing;



(2) Permanent cosmetics;

(3) Body piercing.

(H) "Body art establishment" means any place, whether temporary or permanent, stationary or mobile, where tattooing and/or body piercing is performed.

(I) "Body piercing" means the piercing of any part of the body by someone, other than a physician licensed under Chapter 4731. of the Revised Code, who utilizes a needle or other industry specific instrument for the purpose of inserting an object into the body for non-medical purposes; body piercing includes ear piercing except when the ear piercing procedure is performed on the earlobe with an ear piercing gun. Body piercing also includes surface anchors and surface piercing. This definition does not include practices that are considered medical procedures by the state medical board, performed with medical devices that include, but are not limited to, biopsy or dermal punches and scalpels.

(J) "Business" means any entity that provides body art services for compensation.

(K) "Custodian" has the same meaning as in section 2151.011 of the Revised Code.

(L) "Disinfectant" means a product, registered by the United States environmental protection agency, that kills or destroys nearly all disease-producing microorganisms, with the exception of bacterial spores.

(M) "Ear piercing gun" means a mechanical device that pierces the ear by forcing a disposable, single-use stud or solid needle through the earlobe.

(N) "Gloves" mean a medical-grade, disposable, single-use covering for the hands worn for protection against disease transmission.

(O) "Guardian" has the same meaning as in section 2111.01 of the Revised Code.



(P) "Hand washing" means the process of physically removing or reducing most microorganisms from the hands by thoroughly washing all surfaces of the hands and under fingernails with soap and warm running water for twenty seconds, rinsing hands well under running water and drying hands thoroughly with a clean single-use towel or mechanical hand dryer.

(Q) "Infectious waste" means waste as defined in section 3734.01 of the Revised Code.

(R) "Operator" means any person, firm, company, corporation or association that owns, controls, operates, conducts or manages a body art establishment. The operator may or may not be a body artist.

(S) "Patron" means a person requesting and receiving body art services or ear piercing services by an ear piercing gun.

(T) "Permanent cosmetics" means a tattoo, by someone other than a physician licensed under Chapter 4731. of the Revised Code, which includes but is not limited to eyebrows, eyelids, lips and other parts of the body for beauty marks, hair imitation, lash enhancement or areola repigmentation. This includes any procedures referred to as "permanent makeup," "microdermapigmentation," "micropigment implantation" or "dermagraphics" and for the purpose of these rules has the same meaning as "tattoo." This definition does not include practices that are considered medical procedures by the state medical board, performed with medical devices that include, but are not limited to, biopsy or dermal punches and scalpels.

(U) "Premises" means the physical location of a body art establishment.

(V) "Single use" means products or items that are intended for one-time, one-person use and are disposed of after use on any patron.

(W) "Sterilize or sterilization" means a process by which all forms of microbial life, including bacteria, viruses, spores, and fungi, are destroyed.

(X) "Standard precautions" means a set of minimum infection prevention guidelines and controls, published by the centers for disease control and prevention (CDC) that include:



- (1) Hand hygiene;
- (2) Use of protective equipment;
- (3) Safe needle practices;
- (4) Safe handling of potentially contaminated equipment or surfaces;
- (5) Respiratory hygiene/cough etiquette.

For the purposes of these rules "standard precautions" include "universal precautions" as used in section 3730.10 of the Revised Code.

(Y) "Surface anchor" means jewelry that is placed into the upper portion of the dermis, which has one point of entry, which also serves as the exit that exposes the jewelry stem to air.

(Z) "Surface piercing" means any piercing on the surface of the body, under the epidermis but not to subcutaneous tissue. The piercing canal is under the surface of the skin with exit and entry points perpendicular to the tissue.

(AA) "Tattoo" means any method utilizing needles or other industry specific instruments by someone other than a physician licensed under Chapter 4731. of the Revised Code, to permanently place designs, letters, scrolls, figures, symbols or any other marks upon or under the skin of a person with ink, dye, pigment or any other substance resulting in an alteration of the appearance of the skin. This definition does not include practices that are considered medical procedures by the state medical board, performed with medical devices that include, but are not limited to, biopsy or dermal punches and scalpels.