

Kansas Administrative Regulations

Kansas State Board of Cosmetology

Article 15.—Tattooing, Body Piercing, and Permanent Cosmetics

69-15-1. Definitions.

Each of the following terms, as used in this article, shall have the meaning specified in this regulation:

(a) "Antiseptic" means a chemical germicide used on skin and tissue to stop or inhibit the growth of bacteria.

(b) "Clean" means washed with soap or detergent to remove all soil and dirt.

(c) "Closed-book" means without aid from or availability of written material, including materials stored or accessed on an electronic device.

(d) "Completed procedure" means, for the purposes of determining qualification for licensure, a tattoo or piercing that has been finished, including any touchups or additional work following initial healing, with the client released from service.

(e) "Conch," when used to describe an ear piercing, means the piercing of the concha, which is the deep, bowl-shaped central shell of the ear.

(f) "Disinfectant" means an agent used on inanimate surfaces that is intended to destroy or irreversibly inactivate specific viruses, bacteria, or pathogenic fungi.

(g) "Enclosed storage area" means a separate room, closet, cupboard, or cabinet.

(h) "Establishment" means tattoo establishment, body piercing establishment, or cosmetic tattooing establishment.

(i) "Equivalent" means comparable but not identical, and covering the same subject matter.

(j) "Gross incompetence" means a demonstrated lack of ability, knowledge, or fitness to effectively or safely perform services for which one is licensed.

(k) "Infectious or contagious disease" means any disease that is diagnosed by a licensed health care professional as being contagious or transmissible, as designated in K.A.R. 28-1-2, and that could be transmitted during the performance of cosmetic tattooing, tattooing, or body piercing. Blood-borne diseases, including acquired immune

deficiency syndrome or any causative agent thereof, hepatitis B, hepatitis C, and any other disease not transmitted by casual contact, shall not constitute infectious or contagious diseases for the purpose of this article.

(l) "Instruments" means needles, probes, forceps, hemostats, or tweezers.

(m) "Labret," when used to describe a piercing, means the piercing of the lips or the area immediately around the lips.

(n) "Linens" means cloths or towels used for draping or protecting a table or similar functions.

(o) "Lower labret," when used to describe a piercing, means the piercing of the lower lip or the area immediately around the lower lip.

(p) "Needle" has the meaning specified in K.S.A. 65-1940, and amendments thereto.

(q) "Needle bar" means the metal device used to attach the needle to a tattoo machine.

(r) "Official transcript" means a document certified by a school accredited by the Kansas board of regents or equivalent regulatory institution in another state or jurisdiction, indicating the hours and types of coursework, examinations, and scores that were completed by a student.

(s) "Piercing gun" means a hand-held tool manufactured exclusively for piercing the earlobe, into which studs and clutches are placed and inserted into the earlobe by a hand-squeezed or spring-loaded action to create a permanent hole. The tool shall be made of plastic, stainless steel, or a disposable material.

(t) "Place or places of business" means each name, mailing address, and location, not a post office box, where the licensee or applicant for license performs services.

(u) "Protective gloves" means gloves made of nitrile or latex.

(v) "Public view" means open to view and easy for the public to see.

(w) "Repigmentation" means any of the following:

(1) Recoloration of the skin as a result of any of the following:

(A) Dermabrasion, chemical peels, removal or resolution of birthmarks, vitiligo, or other skin conditions that result in the loss of melanin to the skin;

(B) scars resulting from surgical procedures, including face-lifts, mole or wart removal, or cauterization; or

(C) burn grafts and other skin irregularities resulting from burns or photo damage;
(2) recreation of an areola or nipple, following mastectomy; or
(3) use of cheek blush or other blending of pigments into skin in order to camouflage blotchy or irregularly pigmented skin.

(x) "Rook," when used to describe an ear piercing, means the piercing of the upper portion of the antihelix.

(y) "Sanitization" means effective bactericidal treatment by a process that reduces the bacterial count, including pathogens, to a safe level on equipment.

(z) "Sharps" means any object that can penetrate the skin, including needles, scalpel blades, lancets, glass tubes that could be broken during handling, razors, and syringes that have been removed from their original, sterile containers.

(aa) "Sharps container" means a puncture-resistant, leakproof container that can be closed for handling, storage, transportation, and disposal. The container shall be red and shall be labeled with the "biohazard" symbol.

(bb) "Single-use," when used to describe products or items, means that the products or items, including cotton swabs or balls, tissues or paper products, paper or plastic cups, gauze, and sanitary coverings, are disposed of after each use.

(cc) "Snug," when used to describe an ear piercing, means the horizontal piercing of the vertical portion of the antihelix.

(dd) "Sterilization" means destruction of all forms of microbiotic life, including spores.

(ee) "Universal precautions" means a method of infection control approved by the United States centers for disease control and prevention (CDC), in which all human blood and certain bodily fluids are handled as if the blood and bodily fluids were known to be infected with a blood-borne pathogen.

(Authorized by K.S.A. 2014 Supp. 65-1946 and K.S.A. 74-2702a; implementing K.S.A. 2014 Supp. 65-1946 and 65-1949; effective Aug. 22, 1997; amended June 6, 2014; amended Sept. 18, 2015.)

***** Authenticated Kansas Administrative Regulation *****