

March 2026 Body Art Regulations Review & Revisions

[Link to finalized regulations w/ comments]

- Sections re-ordered for clarity and readability, according to the following list:
 - 1. Purpose**
 - 2. Authority**
 - 3. Definitions**
 - 4. Required Licenses, Permits, and Registrations**
 - 5. Exemptions**
 - 6. Prohibited Activities**
 - 7. Body Art Practitioner Requirements and Professional Standards**
 - 8. Jewelry Standards**
 - 9. Disinfection and Sterilization Procedures**
 - 10. Preparation and Care of the Procedure Site**
 - 11. Informed Consent and Release Forms**
 - 12. Requirements for Single-Use Items**
 - 13. Body Art Establishment Documentation Requirements**
 - 14. Body Art Establishment Requirements and Professional Standards**
 - 15. Body Art Practitioner License Requirements**
 - 16. Apprenticeship Program**
 - 17. Enforcement of Body Art Regulation**
 - 18. Variances**
 - 19. Severability**
- Section 1. Purpose:
 - Reduced content of section to be limited to rationale only, split previous content into Section 2. Authority or removed entirely.
- Section 2. Authority:
 - Added section clarifying source of legal authority and how the Commissioner may designate administration and enforcement authority over these regulations.
- Section 3. Definitions
 - Added the following definitions for clarity and specificity:
 - Adult
 - Biocompatible
 - Biohazardous Waste
 - Bloodborne Pathogen
 - Braiding
 - Gloves
 - Identification
 - Informed Consent and Release Form
 - Inspection
 - Licensee

- Maintenance
 - Municipal Solid Waste
 - Non-Critical Violations
 - Permanent Cosmetics
 - Personal Jewelry
 - Personnel
 - Physician
 - Procedure
 - Procedure Site
 - Sterile Gloves
- Removed the following definitions which were redundant or nonspecific in reflection of modern body art practices:
 - Dermis
 - Invasive
 - Liquid Chemical Germicide
 - Three Dimensional “3D” Body Art or Beading or Implantation
- Section 4. Required Licenses, Permits, and Registrations
 - Amended section 4.1 to clarify that body art may not be performed unless such person holds a valid Body Art Practitioner License or Apprentice Body Art License. Previously did not include Apprentice Body Art License.
- Section 5. Exemptions
 - Clarified the definition of Physician and expanded to include Dentists in list of exempt persons.
 - Removed language referring to “...the use of a so-called piercing gun”, as piercing guns are now prohibited
- Section 6. Prohibited Activities
 - Removed prohibition on genital piercings, instead only prohibiting genital modification as defined by “Modification of the genitalia by means of sub-incision, bifurcation, castration, male or female nullification or other surgical means is hereby prohibited unless performed by a doctor licensed by the Commonwealth of Massachusetts”, and clitoral piercings.
 - Added prohibited activities:
 - Coloring or other modification of the eyes
 - Use of a piercing gun
- Section 7. Body Art Practitioner Requirements and Professional Standards
 - Edited language regarding hygiene to include recommended fingernail maintenance.
 - Added a subsection prohibiting wearing jewelry on fingers, hands, and wrist, excepting simple bands such as a wedding ring or medical information jewelry.

- Added a subsection stipulating proper handwashing technique.
- Added a subsection regulating smoking, eating, and drinking within workstations.
- Moved regulations for incident reporting to this section.
- Moved regulations regarding licensure requirements to section 14.
- Section 8. Jewelry Standards
 - Created new section regulating standards for jewelry during initial piercing and regulating jewelry materials.
 - Added requirements to reflect current standards for implantation as created by the American Society for Testing and Materials (ASTM) and the International Organization for Standardization (ISO).
- Section 9. Disinfection and Sterilization Procedures
 - Created new section to specifically address operational procedures required for disinfection and sterilization.
 - Added language and moved subsections from other areas to address:
 - Personal protection
 - Surface disinfection
 - Cleaning and sterilization of reusable equipment
 - Storage of sterile equipment
 - Autoclave maintenance, including safety procedures in case of a positive spore test from an autoclave.
- Section 10. Preparation and Care of the Procedure Site
 - Created new section to specifically address best safety practices regarding the actual performance of body art.
 - Added required protocol for when and how gloves must be worn.
 - Added required protocol for the assessment and preparation of the skin, including observation for lesions or infection, skin disinfection, shaving the procedure area, and how to respond to bleeding.
- Section 11. Informed Consent and Release Forms
 - Section previously labeled “Customers / Clients”. Changed section title for clarity.
 - Added requirement to “aftercare instructions” subsection requiring aftercare instructions to include the name, address, and telephone number of the establishment.
 - Fully separated required information for minors into its own subsection for clarity and readability.
 - Added requirements for Body Artists to document certain information regarding each procedure. Body Artists must document for each procedure:
 - Type of body art procedure;
 - Location on body;
 - Design, if applicable;
 - Jewelry styles and sizes if applicable;
 - brand, color of all inks, and pigments used in the Body Art Procedure;

- Date and time of Body Art Procedure, and;
- Any complications that occurred during the body art procedure.

➤ Section 12. Requirements for Single-Use Items

- Created new section to address standard practices for any single-use items.
- Added language clarifying what items or products must be single-use, including:
 - Body art stencils,
 - Pens,
 - Gauze,
 - Razors,
 - Markers, and
 - Any other items that are used to mark the skin.
- Added subsection stipulating prohibited instruments or materials, including:
 - Instruments or materials, such as styptic pencils or devices, alum, or any similar material, used to check the flow of blood;
 - Liquid sterilants for the attempted sterilization of any re-usable Instrument or component;
 - Multiple-use Instruments or components that are designed in such a manner that restrict or prevent proper washing, cleaning or Sterilization;
 - Drugs, chemicals or agents that require a licensed medical practitioner's authorization for use, application or dispensation;
 - Suturing kits or suturing devices, scalpels, biopsy or dermal punches, cauterizing tools or devices, or other tools, devices or instruments used for or in conjunction with any Prohibited Body Art Activity, and not otherwise properly used for any allowed Body Art activity;
 - Body art equipment including but not limited to tattooing machines and tattooing needles or piercing tapers for the sale or use by one not a Body Art Practitioner; or ;
 - Needles used in the practice of "play piercing," so-called.
- Removed the following subsections:
 - Linens: no longer required to have launderable or single-use linens
 - Rotary pens: subsection moved to Section 12 "Requirements for Single-Use Items"
 - Inks - Dyes - Pigments: subsection removed, relevant information moved either to Section 16 "Prohibited Activities" (regarding mixing/dilution of dyes) or Section 12 "Requirements for Single-Use Items"
 - Inserted Objects - Jewelry: contents now addressed in Section 7 "Jewelry Standards".
 - Single Use Equipment and Instruments: contents now addressed in Section 12 "Requirements for Single-Use Items"
- Added exception to required Ultrasonic Cleaning Unit and Autoclave such that it is not required for shops employing only single-use items.

➤ Section 13. Body Art Establishment Documentation Requirements

- The following documentation is now required:
 - Client Records, including:
 - Informed consent and release form(s)
 - Any injury report associated w/ the procedure
 - Body art procedure record as outlined in section 11.
 - Exposure incident reports
 - Autoclave spore testing
 - Mill certificates for jewelry
 - Waste Hauler Manifests
 - Exposure Control Plan
 - Permit Posting Requirement
 - Liability Insurance

➤ Section 14. Body Art Establishment Requirements and Professional Standards

- Changed requirements for 13.2 Physical Floorplan:
 - Removed requirement that client reception/waiting area, retail space, and instrument cleaning area are separated by solid walls extending from floor to either ceiling height or eight (8) feet.
 - Changed minimum size of Workstation from 60 square feet to 45 square feet.
 - Changed workstation separation to include the following options:
 - Solid walls extending from the floor to the minimum of either the ceiling height or eight (8) feet, or
 - Half walls of forty two (42) inches or more in height and five (5) feet of horizontal separation, or
 - Eight (8) feet of horizontal separation.
 - Added requirement that a fully stocked first aid kit is always available on the premises.
 - Added requirement for eyewash stations or portable eyewash bottles to be always available on the premises.

➤ Section 15. Body Art Practitioner License Requirements

- Changed evidence of satisfactory prior experience to include:
 - One or more years as a licensed Body Art Practitioner as documented by a copy of any licenses/permits issued
 - Documentation of successful completion of an apprenticeship process which meets or exceeds the requirements set forth in Section 15.
- Changed requirements for a temporary practitioner license to:
 - Meet all requirements for standard Body Art license as described in section 15.1.
 - Must be sponsored by a permitted body art establishment where they will be practicing.
 - Must be licensed in the jurisdiction for no more than 30 days.

- Added requirement that practitioners may need to demonstrate appropriate client intake process, appropriate workstation set-up and break-down, proper after-care instructions, and use of an autoclave if present in the Establishment, prior to receiving a license.
- Section 16. Apprenticeship Program
 - Added requirement that a Licensed Body Art Practitioner may sponsor no more than one Apprentice at a time.
 - Added requirement that a Permitted Body Art Establishment may have no more than three apprentices at any one time, regardless of the number of fully licensed practitioners at the Establishment.
 - Changed minimum requirements for completion of an apprenticeship program:
 - Minimum duration of 1800 hours of work in the Establishment
 - Minimum 100 completed body art procedures on clients other than the Apprentice or other Practitioners, as supervised by the mentor.
 - Added requirement that the Mentor and Apprentice prepare monthly documentation of their apprenticeship hours, activities, and procedures performed. This shall be recorded in a form specified by the Department, with copies retained by the Establishment and submitted to the Department.
 - Added requirement that, upon completion of an apprenticeship, the Mentor must provide a written statement to the Department including:
 - Name of Apprentice Artist
 - Name and license number of the Sponsoring Artist
 - The name and permit number of the Establishment where the apprenticeship was completed
 - That the apprentice has completed at least 1800 hours of apprenticeship work in the Establishment
 - That the apprentice has completed 100 or more body art procedures
 - That the Sponsoring Artist is satisfied in the Apprentice's mastery of safe body art practice and professional conduct
 - Added clause allowing Sponsoring Artists to discontinue an apprenticeship by providing a signed notice to the Department, including the Apprentice name, sponsoring artist name and license number, date of termination, and reason for termination.
 - Added clause stipulating that an apprentice must be inspected by the Department for appropriate practices prior to their first procedure on a client, including appropriate client intake process, appropriate workstation set-up and break-down, proper after-care instructions, and use of an autoclave if present in the Establishment.
- Section 17. Enforcement of Body Art Regulation
 - The Department may now request a demonstration of appropriate workstation operation during inspections. This involves setting up and breaking down a sterile

workstation as an opportunity to review sterile operation and proper sanitization procedures.

- Section 18. Variances
 - No changes.
- Section 19. Severability
 - No changes.