

Frequently Asked Questions for Tattooing, Cosmetic Tattooing, Body Piercing, and Ear Piercing

Updated January 2014

Q. Is a license required for tattooing, cosmetic tattooing, body piercing, or ear piercing in Montana?

A. Yes, a license has been required since 2007. (Title 50, Chapter 48, subchapter 1 MCA and ARM Title 37, Chapter 112, subchapter 1)

Yellowstone County and Gallatin County have their own licensing program, in place of the state's program. They regulate body art operations locally, using regulations required to be at least as stringent as the state's standards. In all other counties, the State of Montana license is required.

Q. If I tattoo or pierce for no charge, do I still need a license?

A. Yes. Offering the services of tattooing, cosmetic tattooing, body piercing or ear piercing on any person other, than yourself, requires a license in Montana.

Q. Why is licensing for ear lobe piercing different from ear cartilage piercing?

A. Most complications reported in ear piercing have been located in the cartilage, not lobes. Infections from upper ear cartilage piercing can be very difficult to treat because cartilage does not have its own blood supply and antibiotics cannot travel to the infection site.

Q. If I have a tattooing license, can I remove tattoos?

A. No. The Montana Board of Medical Examiners has determined tattoo removal is the practice of medicine. Unless you also have the required license from the Montana Board of Medical Examiners, you cannot remove tattoos.

Q. Once I have my license for tattooing or piercing, can I tattoo or pierce at a client's home, another business, or an event?

A. A license is valid for only one location. Tattooing and piercing are not allowed in a client's home, where conditions of sanitation can greatly vary. If you are visiting another licensed body art establishment, you may join them as a guest artist for less than 60 days. In this case, the licensee has the responsibility of ensuring compliance with the administrative rules. A separate license is required when tattooing or piercing at a temporary event, such as a concert or rally.

Q. If my mobile unit is licensed, can I tattoo or pierce anywhere in Montana?

A. Yes, a licensed mobile unit may be used in any county in Montana, whether the license is from Yellowstone County, Gallatin County, or Montana DPHHS. If the mobile unit is not used, then an additional temporary event license is required.

Q. Where can I get the required training for General Sanitation, First Aid and Bloodborne Pathogens?

A. The General Sanitation quiz can be taken online from www.fcass.mt.gov or can be taken in person with your local environmental health office. First Aid and Bloodborne Pathogen training can be taken either in person, or there are many websites that offer online training. Bloodborne Pathogen training

should meet the OSHA Bloodborne Pathogens Standard (OHS 29 CFR 1910.1030).

Q. *What are the Montana requirements for sterilization?*

A. Tattooing and piercing establishments are required to use autoclave sterilization for all items that come into contact with the customer. Establishments may also use prepackaged sterile disposable items and prepackaged sterile jewelry. Montana rule requires that the package be opened in view of the client.

Q. *How do I know if my tattoo ink is safe?*

A. Although a number of color additives are approved for use in cosmetics by the U.S. Food & Drug Administration (FDA), none is approved for injection into the skin. Inks are not required to be sterilized by the manufacturer, so this is a very difficult question to answer. Purchase your inks from a reputable supplier and be diligent in preventing contamination. The current rules in Montana require that pigments or dyes disapproved or under recall by FDA or under the Montana Food, Drug, and Cosmetic Act may not be used.

Q. *Are there any types of body art that are not allowed?*

A. Yes. Some techniques of body art have a higher chance of disease or injury and are not allowed. Some examples are implants (except microdermal anchors), tongue splitting, dental modification and ear shaping. For more information, refer to the Administrative Rules of Montana, Title 37, Chapter 112, subchapter 165.

Q. *Where can I get more information?*

A. For a copy of the rules, plan review application or other materials, contact the following:

DPHHS FCS BODY ART PROGRAM
P O BOX 202951
HELENA, MT 59620-2951
Web www.fcsmt.gov or Phone 406-444-2408

Yellowstone County:

RIVERSTONE CITY/COUNTY HEALTH DEPT
123 S 27TH ST
BILLINGS MT 59101
Phone 406-256-2770
E-mail anna.laf@riverstonehealth.org or Marilyn.tap@riverstonehealth.org

Gallatin County:

GALLATIN CITY/COUNTY HEALTH DEPT
215 W MENDENHALL
BOZEMAN, MT 59715
Phone 406-582-3120
E-mail sean.hill@gallatin.mt.gov