



# TATTOOING REGULATIONS

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## STATUTES

Title 54.1, Chapter 7



Department of Professional and Occupational Regulation

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## STATEMENT OF PURPOSE

This booklet contains the information you will need to obtain your license. The law that governs your profession is found in the *Code of Virginia*, 1950, as amended, in Title 54.1, Chapter 7. That law permits the Department of Professional and Occupational Regulation to issue regulations that tell you more about what is expected of you in your profession. This booklet contains a copy of the regulations that you will need to know and obey to get and keep your license.

**BE SURE YOU READ AND UNDERSTAND THE STANDARDS OF PRACTICE AND CONDUCT. YOUR FAILURE TO OBEY THESE STANDARDS COULD RESULT IN A MONETARY PENALTY OR LOSS OF YOUR LICENSE.**

It is the goal of the Department of Professional and Occupational Regulation to provide you with the information you need to comply with the law and regulations. If you have a question and cannot find the answer to it in this booklet, please write to:

Board for Barbers and Cosmetology  
Perimeter Center, Suite 400  
9960 Mayland Drive  
Richmond, VA 23233

Or call the Agency at (804) 367-8509

Or e-mail at [barbercosmo@dpor.virginia.gov](mailto:barbercosmo@dpor.virginia.gov)

Information is also available on the Department of Professional and Occupational Regulation website:

[www.dpor.virginia.gov](http://www.dpor.virginia.gov)

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## CHAPTER 50.

### TATTOOING REGULATIONS

#### PART I.

#### GENERAL.

##### **18 VAC 41-50-10. Definitions.**

The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise. All terms defined in Chapter 7 (§ [54.1-700](#) et seq.) of Title 54.1 of the Code of Virginia are incorporated in this chapter.

"Apprenticeship program" means an approved tattooing training program conducted by an approved apprenticeship sponsor.

"Apprenticeship sponsor" means an individual approved to conduct tattooing apprenticeship training who meets the qualifications in [18VAC41-50-70](#).

"Aseptic technique" means a hygienic practice that prevents and hinders the direct transfer of microorganisms, regardless of pathogenicity, from one person or place to another person or place.

"Business entity" means a sole proprietorship, partnership, corporation, limited liability company, limited liability partnership, or any other form of organization permitted by law.

"Direct supervision" means (i) that a Virginia licensed tattooer shall be present in the tattoo parlor at all times when services are being performed by an apprentice; (ii) that a Virginia licensed and certified tattooing instructor shall be present in the tattooing school at all times when services are being performed by a student; (iii) that a Virginia licensed and certified permanent cosmetic tattooing instructor shall be present in the permanent cosmetic tattooing school at all times when services are being performed by a student; (iv) that a Virginia licensed and certified master permanent cosmetic tattooer instructor shall be present in the permanent cosmetic tattooing school at all times when master permanent cosmetic tattooer services are being performed by a student; or (v) that a Virginia licensed tattooer shall be present in the tattoo parlor at all times when services are being performed by a guest tattooer.

"Endorsement" means a method of obtaining a license by a person who is currently licensed in another state or jurisdiction of the United States.

"Event tattoo parlor" means a tattoo parlor temporary location licensed to operate for a maximum of five consecutive days.

"Firm" means any business entity recognized under the laws of the Commonwealth of Virginia.

"Gratuitous services" as used in § [54.1-700.5](#) of the Code Virginia means providing tattooing services without receiving compensation or reward, or obligation. Gratuitous services do not include services provided at no charge when goods are purchased.

"Guest tattooer" means a tattooer, permanent cosmetic tattooer, or master permanent cosmetic tattooer residing outside of Virginia who is licensed only to work for a two-week period at a specified tattoo parlor or permanent cosmetic tattoo salon.

"Guest tattooer sponsor" means a licensed tattoo parlor or permanent cosmetic tattooing salon that is sponsoring and providing direct supervision of a guest tattooer.

"Licensee" means any person, sole proprietorship, partnership, corporation, limited liability company, limited liability partnership, or any other form of organization permitted by law holding a license issued by the Board for Barbers and Cosmetology, as defined in § [54.1-700](#) of the Code of Virginia.

"Master permanent cosmetic tattooer" means any person who for compensation practices permanent cosmetic tattooing known in the industry as advanced permanent cosmetic tattooing, including scalp micropigmentation, eye shadow, and breast and scar repigmentation or camouflage.

"Permanent cosmetic tattoo salon" means any place in which permanent cosmetic tattooing is offered or practiced for compensation.

"Permanent cosmetic tattooer" means any person who for compensation practices permanent cosmetic tattooing known in the industry as basic permanent cosmetic tattooing including eyebrows, microblading, scalp micropigmentation, eyeliners, lip coloring, lip liners, or full lips.

"Permanent cosmetic tattooer" means any person who for compensation practices permanent cosmetic tattooing known in the industry as basic permanent cosmetic tattooing, including eyebrows, microblading, scalp micropigmentation, eyeliners, lip coloring, lip liners, or full lips.

"Permanent cosmetic tattooing" means placing marks upon or under the skin of any person with ink or any other substance, resulting in the permanent coloration of the skin on the face, including eyebrows, eyeliners, lip coloring, lip liners, full lips, cheek blush, eye shadow, forehead and scalp micropigmentation, and on the body for breast and scar repigmentation or camouflage, also known as permanent makeup or micropigmentation.

"Permanent cosmetic tattooing school" means a place or establishment licensed by the board to accept and train students and offers a permanent cosmetic tattooing curriculum approved by the board.

"Pigments" means tattooing ink designed for use on human skin.

"Post-secondary educational level" means an accredited college or university that is approved or accredited by an accrediting agency recognized by the U.S. Department of Education.

"Reinstatement" means having a license restored to effectiveness after the expiration date has passed.

"Renewal" means continuing the effectiveness of a license for another period of time.

"Responsible management" means the following individuals:

1. The sole proprietor of a sole proprietorship;
2. The partners of a general partnership;
3. The managing partners of a limited partnership;
4. The officers of a corporation;
5. The managers of a limited liability company;
6. The officers or directors of an association or both; and

7. Individuals in other business entities recognized under the laws of the Commonwealth as having a fiduciary responsibility to the firm.

"Sole proprietor" means any individual, not a corporation, who is trading under that individual's own name or under an assumed or fictitious name pursuant to the provisions of §§ [59.1-69](#) through [59.1-76](#) of the Code of Virginia.

"Sterilization area" means a separate room or area separate from workstations with restricted client access in which tattooing instruments are cleaned, disinfected, and sterilized.

"Tattoo convention" means an event where Virginia and out-of-state tattooers gather for no more than five consecutive days to offer tattooing services to the public.

"Tattooing instructor" means a person who has been certified by the board who meets the competency standards of the board as an instructor of tattooing.

"Temporary location" means a fixed location at which tattooing is performed for a specified length of time of not more than five days in conjunction with a single event or convention.

#### Historical Notes

Derived from [Volume 22, Issue 25](#), eff. October 1, 2006; amended, Virginia Register [Volume 39, Issue 22](#), eff. September 1, 2023.

## PART II.

### ENTRY.

#### **18 VAC 41-50-20. General Requirements for Tattooer, Guest Tattooer, Permanent Cosmetic Tattooer, or Master Permanent Cosmetic Tattooer.**

A. Any individual wishing to engage in tattooing, guest tattooing, permanent cosmetic tattooing, or master permanent cosmetic tattooing shall obtain a license in compliance with § [54.1-703](#) of the Code of Virginia, and applicant must meet the following qualifications:

1. The applicant must be in good standing as a tattooer, guest tattooer, permanent cosmetic tattooer, or master permanent cosmetic tattooer in every jurisdiction where licensed, certified, or registered. The applicant shall disclose to the board at the time of application for licensure any disciplinary action taken in Virginia or any other jurisdiction in connection with the applicant's practice as a tattooer, guest tattooer, permanent cosmetic tattooer, or master permanent cosmetic tattooer. This disclosure includes monetary penalties, fines, suspensions, revocations, surrender of a license in connection with a disciplinary action, or voluntary termination of a license. The applicant shall disclose to the board at the time of application for licensure if the applicant has been previously licensed in Virginia as a tattooer, guest tattooer, permanent cosmetic tattooer, or master permanent cosmetic tattooer.

Upon review of the applicant's prior disciplinary action, the board, in its discretion, may deny licensure to any applicant wherein the board deems the applicant is unfit or unsuited to engage in tattooing, guest tattooing, permanent cosmetic tattooing, or master permanent cosmetic tattooing. The board will decide each case by taking into account the totality of the circumstances. Any plea of nolo contendere or comparable plea shall be considered a disciplinary action for the purposes of this subdivision. The applicant shall provide a certified copy of a final order, decree, or case decision by a court, regulatory agency, or board with the lawful authority to issue such order, decree, or case decision, and such copy shall be admissible as prima facie evidence of such disciplinary action.

2. The applicant shall disclose the applicant's physical address. A post office box is not acceptable.
3. The applicant shall sign, as part of the application, a statement certifying that the applicant has read and understands the Virginia tattooing license laws and this chapter.
4. In accordance with § [54.1-204](#) of the Code of Virginia, each applicant shall disclose the following information regarding criminal convictions in Virginia and all other jurisdictions:
  - a. All misdemeanor convictions involving moral turpitude, sexual offense, non-marijuana drug distribution, or physical injury within two years of the date of the application; and
  - b. All felony convictions within 20 years of the date of application.

Any plea of nolo contendere shall be considered a conviction for purposes of this subdivision. The record of a conviction received from a court shall be accepted as prima facie evidence of a conviction or finding of guilt. The board, in its discretion, may deny licensure to any applicant in accordance with § [54.1-204](#) of the Code of Virginia.

5. The applicant shall provide evidence satisfactory to the board that the applicant has passed the board approved examination, administered either by the board or by a designated testing service.

**B. Eligibility to sit for board-approved examination.**

1. Training in the Commonwealth of Virginia. Any person completing an approved tattooing apprenticeship program in a Virginia licensed tattoo parlor or completing an approved tattooing training program in a Virginia licensed tattoo school, or completing a permanent cosmetic tattooing or master permanent cosmetic tattooing training program, completing a permanent cosmetic tattooing training program in a Virginia licensed permanent cosmetic tattooing school shall be eligible to sit for the applicable examination.
2. Training outside of the Commonwealth of Virginia but within the United States or jurisdiction of the United States. Any person completing a tattooing, permanent cosmetic tattooing, master permanent cosmetic tattooing training program, or tattooing apprenticeship that is substantially equivalent to the Virginia program but is outside of the Commonwealth of Virginia must submit to the board documentation of the successful completion of training or apprenticeship to be eligible for examination. If less than the required hours were completed, an applicant must submit (i) documentation acceptable to the board verifying the completion of a substantially equivalent tattooing training, tattooing apprenticeship, permanent cosmetic tattooing training, or master permanent cosmetic tattooing or documentation of three years of work experience within the preceding five years as a tattooer and (ii) documentation of completion of a minimum of five hours of health education to include (a) bloodborne pathogens, sterilization, and aseptic techniques related to tattooing; (b) first aid; and (c) CPR that is acceptable to the board in order to be eligible for examination.

**Historical Notes**

Derived from Virginia Register [Volume 22, Issue 25](#), eff. October 1, 2006; amended, Virginia Register [Volume 39, Issue 22](#), eff. September 1, 2023.

**18 VAC 41-50-30. License by Endorsement.**

Upon proper application to the board, any person currently licensed to practice as a tattooer, permanent cosmetic tattooer, or master permanent cosmetic tattooer in any other state or jurisdiction of the United States and who has completed a training or apprenticeship program and an examination that is substantially equivalent to that required by this chapter may be issued a tattooer license, permanent cosmetic tattooer license, or master permanent cosmetic tattooer license, respectively, without an examination. The applicant must also meet the requirements set forth in [18VAC41-50-20](#) A 1 through A 4.

### **Historical Notes**

Derived from Virginia Register [Volume 22, Issue 25](#), eff. October 1, 2006; amended, Virginia Register [Volume 39, Issue 22](#), eff. September 1, 2023.

### **18 VAC 41-50-40. Examination Requirements and Fees.**

A. Applicants for initial licensure shall pass an examination approved by the board. The examinations may be administered by the board or by a designated testing service.

B. Any candidate failing to appear as scheduled for examination shall forfeit the examination fee.

C. The applicant shall follow all procedures established by the board with regard to conduct at the examination. Such procedures shall include any written instructions communicated prior to the examination date and any instructions communicated at the site, either written or oral, on the date of the examination. Failure to comply with all procedures established by the board and the testing service with regard to conduct at the examination may be grounds for denial of application.

D. Any applicant who does not pass a reexamination within one year of the initial examination date shall be required to submit a new application.

E. The fee for examination or reexamination is subject to contracted charges to the board by an outside vendor. These contracts are competitively negotiated and bargained for in compliance with the Virginia Public Procurement Act § [2.2-4300](#) et seq. of the Code of Virginia. Fees may be adjusted and charged to the candidate in accordance with these contracts. The fee shall not exceed \$225 per candidate.

F. Any candidate failing to apply for initial licensure within five years of passing the written examination shall be required to retake the examination. Records of examinations shall be maintained for a maximum of five years.

### **Historical Notes**

Derived from [Volume 22, Issue 25](#), eff. October 1, 2006; amended, Virginia Register [Volume 39, Issue 22](#), eff. September 1, 2023.

### **18 VAC 41-50-50. Reexamination Requirements. Repealed.**

### **Historical Notes**

Derived from [Volume 22, Issue 25](#), eff. October 1, 2006; amended, Virginia Register [Volume 39, Issue 22](#), eff. September 1, 2023.

### **18 VAC 41-50-60. Examination Administration. Repealed.**

### **Historical Notes**

Derived from Virginia Register [Volume 22, Issue 25](#), eff. October 1, 2006; repealed, Virginia Register [Volume 39, Issue 22](#), eff. September 1, 2023.

### **18VAC41-50-70. General Requirements for a Tattooing Apprenticeship Sponsor.**

A. Upon filing an application with the Board for Barbers and Cosmetology, any person meeting the qualifications set forth in this section may be eligible to sponsor a tattooing apprentice if the person:

1. Holds a current Virginia tattooer license;
2. Provides documentation of legally practicing tattooing for at least five years; and

3. Provides documentation indicating that he is in good standing in all jurisdictions where the practice of tattooing is regulated.

B. Apprenticeship sponsors shall be required to maintain a tattooer license.

C. Apprenticeship sponsors shall ensure compliance with the 1500 hour tattooing apprenticeship program and tattooing apprenticeship standards.

#### **Historical Notes**

Derived from [Volume 22, Issue 25](#), eff. October 1, 2006.

#### **18VAC41-50-80. Tattoo Parlor, Event Tattoo Parlor, or Permanent Cosmetic Salon License.**

A. Any firm wishing to operate a tattoo parlor, event tattoo parlor, or permanent cosmetic tattoo salon shall obtain a tattoo parlor license, event tattoo parlor license, or permanent cosmetic tattoo salon license in compliance with § [54.1-704.1](#) of the Code of Virginia and shall meet the following qualifications in order to receive a license:

1. The applicant and all members of the responsible management shall be in good standing as a licensed parlor or salon in Virginia and all other jurisdictions where licensed. The applicant and all members of the responsible management shall disclose to the board at the time of application for licensure any disciplinary action taken in Virginia and all other jurisdictions in connection with the applicant's operation of any tattoo parlor, event tattoo parlor, or permanent cosmetic tattoo salon or practice of the profession. This disclosure includes monetary penalties, fines, suspensions, revocations, surrender of a license in connection with a disciplinary action, or voluntary termination of a license. The applicant shall disclose to the board at the time of application for licensure if the applicant or any member of the responsible management has been previously licensed in Virginia as a tattoo parlor, event tattoo parlor, or permanent cosmetic tattoo salon.

Upon review of the applicant's and all members of the responsible management's prior disciplinary action, the board, in its discretion, may deny licensure to any applicant wherein it deems the applicant is unfit or unsuited to engage in the operation of a tattoo parlor, event tattoo parlor, or permanent cosmetic tattoo salon. The board will decide each case by taking into account the totality of the circumstances. Any plea of nolo contendere or comparable plea shall be considered a disciplinary action for the purposes of this subdivision. The applicant shall provide a certified copy of a final order, decree, or case decision by a court, regulatory agency, or board with the lawful authority to issue such order, decree, or case decision, and such copy shall be admissible as prima facie evidence of such disciplinary action.

2. The applicant shall disclose the applicant's physical address. A post office box is not acceptable.

3. The applicant shall sign, as part of the application, a statement certifying that the applicant has read and understands the Virginia tattooing license laws and this chapter.

4. In accordance with § [54.1-204](#) of the Code of Virginia, each applicant shall disclose the following information about the firm and all members of the responsible management regarding criminal convictions in Virginia and all other jurisdictions:

a. All misdemeanor convictions involving moral turpitude, sexual offense, non-marijuana drug distribution, or physical injury within two years of the date of the application; and

b. All felony convictions within 20 years of the date of application.

Any plea of nolo contendere shall be considered a conviction for purposes of this subdivision. The record of a conviction received from a court shall be accepted as prima facie evidence of a conviction or finding of guilt. The board, in its discretion, may deny licensure to any applicant in accordance with § [54.1-204](#) of the Code of Virginia.

5. The applicant shall disclose the firm's responsible management.

B. A tattoo parlor license, event tattoo parlor license, or permanent cosmetic tattoo salon license shall not be transferable and shall bear the same name and address of the business. Any changes in the name, or address of the parlor or salon shall be reported to the board in writing within 30 days of such changes. The new responsible management shall be responsible for applying for a new license within 30 days of the changes.

C. Whenever the legal business entity holding the license is dissolved or altered to form a new business entity, the original license becomes void and shall be returned to the board within 30 days of the change. Additionally, the firm shall apply for a new license within 30 days of the change in the business entity. Such changes include:

1. Death of a sole proprietor;
2. Death or withdrawal of a general partner in a general partnership or the managing partner in a limited partnership; and
3. Conversion, formation, or dissolution of a corporation, a limited liability company, an association, or any other business entity recognized under the laws of the Commonwealth of Virginia.

D. Any change in the officers of a corporation, managers of a limited liability company, or officers or directors of an association shall be reported to the board in writing within 30 days of the change.

E. Any tattoo parlor or permanent cosmetic tattoo salon wishing to host a guest tattooer must identify itself as the guest tattooer sponsor and must provide direct supervision of any tattooing by the guest tattooer.

F. Any firm wishing to operate a tattoo parlor in a temporary location must have a tattoo parlor license or event tattoo parlor license issued by the board.

G. An event tattoo parlor license is effective for five consecutive days prior to the expiration date.

H. A firm may obtain a maximum of five event tattoo parlor licenses within a calendar year.

#### **Historical Notes**

Derived from [Volume 22, Issue 25](#), eff. October 1, 2006; amended, Virginia Register [Volume 39, Issue 22](#), eff. September 1, 2023.

#### **18 VAC 41-50-90. Limited Term Tattooer License. Repealed.**

#### **Historical Notes**

Derived from [Volume 22, Issue 25](#), eff. October 1, 2006; amended, Virginia Register [Volume 39, Issue 22](#), eff. September 1, 2023.

#### **18VAC41-50-91. Guest Tattooer License.**

A. A guest tattooer license is effective for 14 days prior to the expiration date.

B. An out-of-state resident may obtain up to five guest tattooer licenses per calendar year.

C. A guest tattooer applicant must meet the following qualifications:

1. Requirements set forth in [18VAC41-50-20](#) A 1 through A 4.
2. Present documentation showing out-of-state residency.
3. Documentation of health education knowledge to include (i) bloodborne disease, sterilization, and aseptic techniques related to tattooing; (ii) first aid; and (iii) CPR that is acceptable to the board.
4. Documentation showing guest tattooer sponsor, including signature of sponsor parlor's responsible management.

D. A guest tattooer must provide the name and license number of the guest tattooer's sponsor and the duration of the guest tattooer's tattooing for all guest tattooer locations.

E. A guest tattooer applicant is not required to complete [18VAC41-50-20](#) A 5.

#### **Historical Notes**

Derived from Virginia Register [Volume 39, Issue 22](#), eff. September 1, 2023.

#### **18VAC41-50-92. Guest Tattooer Sponsor.**

A. The licensed tattoo parlor sponsoring a guest tattooer shall ensure that the guest tattooer:

1. Has a valid, current guest tattooer license for the entire duration of the guest tattooer tattooing at the parlor.
2. Is directly supervised by a licensed tattooer.
3. Complies with all Virginia regulations relating to health, sanitation, client qualifications, and standards of practice.

B. The licensed permanent cosmetic tattoo salon sponsoring a guest tattooer shall ensure that the guest tattooer:

1. Has a valid, current guest tattooer licensed for the entire duration of the guest tattooer's tattooing at the salon.
2. Is directly supervised by a licensed tattooer or permanent cosmetic tattooer.
3. Complies with all Virginia regulations relating to health, sanitation, client qualifications, and standards of practice.

C. With the exception of tattoo conventions, a member of the guest tattooer sponsor's responsible management must sign the guest tattooer application certifying the sponsor will ensure the requirements of subsections A and B of this section.

D. The guest tattooer sponsor shall be responsible for the acts or omissions of the guest tattooer in the performance of tattooing or permanent cosmetic tattooing.

#### **Historical Notes**

Derived from Virginia Register [Volume 39, Issue 22](#), eff. September 1, 2023.

**18 VAC 41-50-100. School License.**

A. Any firm wishing to operate a tattooing school or permanent cosmetic tattooing school shall obtain a school license in compliance with § [54.1-704.2](#) of the Code of Virginia and shall meet the following qualifications in order to receive a license:

1. The applicant and all members of the responsible management shall be in good standing as a licensed parlor or salon in Virginia and all other jurisdictions where licensed. The applicant and all members of the responsible management shall disclose to the board at the time of application for licensure any disciplinary action taken in Virginia and all other jurisdictions in connection with the applicant's operation of any tattoo parlor, event tattoo parlor, or permanent cosmetic tattoo salon or practice of the profession. This disclosure includes monetary penalties, fines, suspensions, revocations, surrender of a license in connection with a disciplinary action, or voluntary termination of a license. The applicant shall disclose to the board at the time of application for licensure if the applicant or any member of the responsible management has been previously licensed in Virginia as a tattoo parlor, event tattoo parlor, or permanent cosmetic tattoo salon.

Upon review of the applicant's and all members of the responsible management's prior disciplinary action, the board, in its discretion, may deny licensure to any applicant wherein it deems the applicant is unfit or unsuited to engage in the operation of a tattoo parlor, event tattoo parlor, or permanent cosmetic tattoo salon. The board will decide each case by taking into account the totality of the circumstances. Any plea of nolo contendere or comparable plea shall be considered a disciplinary action for the purposes of this subdivision. The applicant shall provide a certified copy of a final order, decree, or case decision by a court, regulatory agency, or board with the lawful authority to issue such order, decree, or case decision, and such copy shall be admissible as prima facie evidence of such disciplinary action.

2. The applicant shall disclose the applicant's physical address. A post office box is not acceptable.

3. The applicant shall sign, as part of the application, a statement certifying that the applicant has read and understands the Virginia tattooing license laws and this chapter.

4. In accordance with § [54.1-204](#) of the Code of Virginia, each applicant shall disclose the following information about the firm and all members of the responsible management regarding criminal convictions in Virginia and all other jurisdictions:

a. All misdemeanor convictions involving moral turpitude, sexual offense, non-marijuana drug distribution, or physical injury within two years of the date of the application; and

b. All felony convictions within 20 years of the date of application.

Any plea of nolo contendere shall be considered a conviction for purposes of this subdivision. The record of a conviction received from a court shall be accepted as prima facie evidence of a conviction or finding of guilt. The board, in its discretion, may deny licensure to any applicant in accordance with § [54.1-204](#) of the Code of Virginia.

5. The applicant shall disclose the firm's responsible management.

B. A tattooing school license or permanent cosmetic tattooing school license shall not be transferable and shall bear the same name and address as the school. Any changes in the name or address of the school shall be reported to the board in writing within 30 days of such change. The name of the school must indicate that it is an educational institution. All signs or other advertisements must reflect the name as indicated on the license issued by the board and contain language indicating it is an educational institution.

C. Whenever the legal business entity holding the license is dissolved or altered to form a new business entity, the original license becomes void and shall be returned to the board within 30 days of the change.

Additionally, the firm shall apply for a new license within 30 days of the change in the business entity. Such changes include:

1. Death of a sole proprietor;
2. Death or withdrawal of a general partner in a general partnership or the managing partner in a limited partnership; and
3. Conversion, formation, or dissolution of a corporation, a limited liability company, an association, or any other business entity recognized under the laws of the Commonwealth of Virginia.

D. Within 30 days of the closing, the school shall return the license to the board and provide a written report to the board on performances and hours of each student who has not completed the program.

E. Any change in the officers of a corporation, managers of a limited liability company, or officers or directors of an association shall be reported to the board in writing within 30 days of the change.

#### **Historical Notes**

Derived from [Volume 22, Issue 25](#), eff. October 1, 2006; amended, Virginia Register [Volume 39, Issue 22](#), eff. September 1, 2023.

#### **18 VAC 41-50-110. Tattooing Instructor Certificate.**

A. Upon filing an application with the Board for Barbers and Cosmetology, any person meeting the qualifications set forth in this section shall be eligible for a tattooing instructor certificate if the person:

1. Holds a current Virginia tattooer license;
2. Provides documentation of legally tattooing for at least five years; and
3. Passes a course on teaching techniques in a post-secondary education level.

B. Tattooing instructors shall be required to maintain a tattooer license.

#### **Historical Notes**

Derived from [Volume 22, Issue 25](#), eff. October 1, 2006; amended, Virginia Register [Volume 39, Issue 22](#), eff. September 1, 2023.

#### **18 VAC 41-50-120. Permanent Cosmetic Tattooing Instructor Certificate.**

A. Upon filing an application with the Board for Barbers and Cosmetology, any person meeting the qualifications set forth in this section shall be eligible for a permanent cosmetic tattooing instructor certificate if the person:

1. Holds a current Virginia permanent cosmetic tattooer license or master permanent cosmetic tattooer license;
2. Provides documentation of legally tattooing for at least five years; and
3. Passes a course on teaching techniques at the post-secondary education level.

B. Permanent cosmetic tattooing instructors shall be required to maintain a permanent cosmetic tattooer license or master permanent cosmetic tattooer license.

**Historical Notes**

Derived from [Volume 22, Issue 25](#), eff. October 1, 2006; amended, Virginia Register [Volume 39, Issue 22](#), eff. September 1, 2023.

**PART III.**

**FEES.**

**18 VAC 41-50-130. Fees**

The following fees apply:

FEE TYPE	AMOUNT DUE September 1, 2022, through August 31, 2024	AMOUNT DUE September 1, 2024, and after	WHEN DUE
<b>Individuals:</b>			
Application	\$90	\$105	With application
License by Endorsement	\$90	\$105	With application
Renewal	\$90	\$105	With renewal card prior to expiration date
Reinstatement	\$180* *includes \$90 renewal fee and \$90 reinstatement fee	\$210* *includes \$105 renewal fee and \$105 reinstatement fee	With reinstatement application
<b>Instructors:</b>			
Application	\$110	\$125	With application
Renewal	\$110	\$125	With renewal card prior to expiration date
Reinstatement	\$220* * includes \$110 renewal fee and \$110 reinstatement fee	\$250* *includes \$125 renewal fee and \$125 reinstatement fee	
<b>Parlors or Salons:</b>			
Application	\$165	\$190	With application
Renewal	\$165	\$190	With renewal card prior to expiration date
Reinstatement	\$330* *includes \$165 renewal fee and \$165 reinstatement fee	\$380* *includes \$190 renewal fee and \$190 reinstatement fee	With reinstatement application

Schools:			
Application	\$185	\$220	With application
Renewal	\$185	\$220	With renewal card prior to expiration date
Reinstatement	\$370* *includes \$185 renewal fee and \$185 reinstatement fee	\$440* *includes \$220 renewal fee and \$220 reinstatement fee	With reinstatement application

**Historical Notes**

Derived from [Volume 22, Issue 25](#), eff. October 1, 2006; amended, Virginia Register [Volume 27, Issue 23](#), eff. September 1, 2011; [Volume 30, Issue 10](#), eff. March 1, 2014; [Volume 32, Issue 24](#), eff. September 1, 2016; [Volume 34, Issue 22](#), eff. June 25, 2018; [Volume 36, Issue 21](#), eff. September 1, 2020; [Volume 38, Issue 25](#), eff. September 1, 2022; [Volume 39, Issue 22](#), eff. September 1, 2023.

**18 VAC 41-50-140. Refunds.**

All fees are nonrefundable and shall not be prorated.

**Historical Notes**

Derived from [Volume 22, Issue 25](#), eff. October 1, 2006.

**PART IV.**

**RENEWAL AND REINSTATEMENT.**

**18 VAC 41-50-150. License Renewal Required.**

- A. Tattooer licenses, tattoo parlor licenses, tattooing instructors certificates, tattooing schools licenses, permanent cosmetic tattooer licenses, master permanent cosmetic tattooer licenses, permanent cosmetic tattoo salon licenses, permanent cosmetic tattooing instructor certificate, and permanent cosmetic tattooing schools licenses shall expire two years from the last day of the month in which they were issued.
- B. Guest tattooer licenses will expire 14 days after the effective date of the license and may not be renewed.

**Historical Notes**

Derived from [Volume 22, Issue 25](#), eff. October 1, 2006; amended, Virginia Register [Volume 39, Issue 22](#), eff. September 1, 2023.

**18 VAC 41-50-160. Continuing Education Requirement.**

All licensed tattooers, permanent cosmetic tattooers, and master permanent cosmetic tattooers shall be required to satisfactorily complete health education to include (i) bloodborne disease, sterilization, and aseptic techniques related to tattooing; (ii) first aid and (iii) CPR during their licensed term. Documentation of training completion shall be provided at the time of renewal along with the required fee.

### Historical Notes

Derived from [Volume 22, Issue 25](#), eff. October 1, 2006; amended, Virginia Register [Volume 39, Issue 22](#), eff. September 1, 2023.

### 18 VAC 41-50-170. Notice of Renewal.

The Department of Professional and Occupational Regulation will mail a renewal notice to the licensee outlining the procedures for renewal. Failure to receive this notice, however, shall not relieve the licensee of the obligation to renew. If the licensee fails to receive the renewal notice, a copy of the old license may be submitted as evidence of intent to renew, along with the required fee.

### Historical Notes

Derived from [Volume 22, Issue 25](#), eff. October 1, 2006.

### 18 VAC 41-50-180. Failure to Renew.

A. When a licensed or certified individual or business entity fails to renew its license within 30 days following the expiration date of the license, the licensee shall meet the renewal requirements as prescribed in [18VAC41-50-170](#) and apply for reinstatement of the license by submitting to the Department of Professional and Occupational Regulation a reinstatement application along with the required renewal and reinstatement fees.

B. When a licensed or certified individual or business entity fails to renew its license within two years following the expiration date, reinstatement is no longer possible. To resume practice:

1. The former licensee shall apply for licensure as a new applicant, shall meet all current application requirements, shall pass the board's current examination, and shall receive a new license.

2. An individual initially granted licensure under an examination exemption, known as grandfathering, pursuant to [18VAC41-50-20 A 6](#), shall submit a new application showing the individual met the requirements of the applicable examination waiver provision, demonstrate five years of licensed experience, and pass the required examination.

C. The application for reinstatement for a school license shall provide (i) the reasons for failing to renew prior to the expiration date, and (ii) a notarized statement that all students currently enrolled or seeking to enroll at the school have been notified in writing that the school's license has expired. All of these materials shall be called the application package. Reinstatement will be considered by the board if the school consents to and satisfactorily passes an inspection of the school and if the school's records are maintained in accordance with [18VAC41-50-250](#) and [18VAC41-50-330](#). Pursuant to [18VAC41-50-100](#), [18VAC41-50-230](#), and [18VAC41-50-310](#) upon receipt of the reinstatement fee, application package, and inspection results, the board may reinstate the school's license or require requalification or both. If the reinstatement application package and reinstatement fee are not received by the board within six months following the expiration date of the school's license, the board will notify the testing service that prospective graduates of the unlicensed school are not acceptable candidates for the examination. Such notification will be sent to the school and must be displayed in a conspicuous manner by the school in an area that is accessible to the public. No student shall be disqualified from taking the examination because the school was not licensed for a portion of the time the student attended if the school license is reinstated by the board.

D. The date a renewal fee is received by the Department of Professional and Occupational Regulation, or its agent, will be used to determine whether the requirement for reinstatement of a license is applicable and an additional fee is required.

E. When a license is reinstated, the licensee shall have the same license number and shall be assigned an expiration date two years from the date of the last day of the month of reinstatement.

F. A licensee that reinstates its license shall be regarded as having been continuously licensed without interruption. Therefore, a licensee shall be subject to the authority of the board for activities performed prior to reinstatement.

G. A licensee that fails to reinstate its license shall be regarded as unlicensed from the expiration date of the license forward. Nothing in this chapter shall divest the board of its authority to discipline a licensee for a violation of the law or regulations during the period of time for which the individual was licensed.

#### Historical Notes

Derived from Virginia Register [Volume 22, Issue 25](#), eff. October 1, 2006; amended, Virginia Register [Volume 39, Issue 22](#), eff. September 1, 2023; [Volume 39, Issue 22](#), eff. October 1, 2023.

## PART V.

### APPRENTICESHIP PROGRAMS

#### 18 VAC 41-50-190. General Requirements.

A. Any person desiring to enroll in the tattooing apprenticeship program shall be required to provide documentation of satisfactory completion of a minimum of five hours of health education to include but not limited to bloodborne disease, sterilization, and aseptic techniques related to tattooing, and first aid and CPR.

B. Any tattooer desiring approval to perform the duties of an apprenticeship sponsor and offer the board's tattooing apprenticeship program shall meet the requirements of [18VAC41-50-70](#).

C. All apprenticeship training shall be conducted in a tattoo parlor that has met the requirements of [18VAC41-50-80](#).

#### Historical Notes

Derived from [Volume 22, Issue 25](#), eff. October 1, 2006.

#### 18 VAC 41-50-200. Apprenticeship Curriculum Requirements.

Apprenticeship curriculum requirements are as follows:

1. Microbiology.
  - a. Microorganisms, viruses, bacteria, fungi;
  - b. Transmission cycle of infectious diseases; and
  - c. Characteristics of antimicrobial agents.
2. Immunization.
  - a. Types of immunizations;
  - b. Hepatitis A—G transmission and immunization;
  - c. HIV/AIDS;

- d. Tetanus, streptococcal, zoonotic, tuberculosis, pneumococcal, and influenza;
- e. Measles, mumps, and rubella;
- f. Vaccines and immunization; and
- g. General preventative measures to be taken to protect the tattooer and client.

3. Sanitation and disinfection.

a. Definition of terms.

- (1) Sterilization;
- (2) Disinfection and disinfectant;
- (3) Sterilizer or sterilant;
- (4) Antiseptic;
- (5) Germicide;
- (6) Decontamination; and
- (7) Sanitation.

b. The use of steam sterilization equipment and techniques;

c. The use of chemical agents, antiseptics, disinfectants, and fumigants;

d. The use of sanitation equipment;

e. Preservice sanitation procedure; and

f. Post-service sanitation procedure.

4. Safety.

a. Proper needle handling and disposal;

b. How to avoid overexposure to chemicals;

c. The use of Material Safety Data Sheets;

d. Blood spill procedures;

e. Equipment and instrument storage; and

f. First aid and CPR.

5. Bloodborne pathogen standards.

a. OSHA and CDC bloodborne pathogen standards;

b. Control plan for bloodborne pathogens;

c. Exposure control plan for tattooers;

d. Overview of compliance requirements; and

e. Disorders and when not to service a client.

6. Professional standards.

- a. History of tattooing;
- b. Ethics;
- c. Recordkeeping:
  - (1) Client health history;
  - (2) Consent forms; and
  - (3) HIPAA (Health Insurance Portability and Accountability Act of 1996 Privacy Rule) Standards.
- d. Preparing station, making appointments, parlor ethics:
  - (1) Maintaining professional appearance, notifying clients of schedule changes; and
  - (2) Promoting services of the parlor and establishing clientele.
- e. Parlor management:
  - (1) Licensing requirements; and
  - (2) Taxes.
- f. Supplies:
  - (1) Usages;
  - (2) Ordering; and
  - (3) Storage.

7. Tattooing.

- a. Client consultation;
- b. Client health form;
- c. Client disclosure form;
- d. Client preparation;
- e. Sanitation and safety precautions;
- f. Implement selection and use;
- g. Proper use of equipment; and
- h. Material selection and use;
- i. Needles;
- j. Ink;
- k. Machine:
  - (1) Construction;
  - (2) Adjustment; and

- (3) Power supply;
- l. Art, drawing; and
- m. Portfolio.

8. Anatomy:

- a. Understanding of skin; and
- b. Parts and functions of skin.

9. Virginia tattooing laws and regulations.

**Historical Notes**

Derived from [Volume 22, Issue 25](#), eff. October 1, 2006;

**18 VAC 41-50-210. Hours of Instruction and Performances.**

A. Curriculum requirements specified in [18VAC41-50-200](#) shall be taught over a minimum of 1500 hours as follows:

1. 350 hours shall be devoted to theory pertaining to subdivisions 1, 2, 4, 5, 6, 8, and 9 of [18VAC41-50-200](#);
2. 150 hours shall be devoted to theory pertaining to subdivision 3 of [18VAC41-50-200](#); and
3. The remaining 1000 hours shall be devoted to practical training to include apprenticeship curriculum requirements and a minimum of 100 performances pertaining to subdivision 7 of [18VAC41-50-200](#).

B. An approved tattooing apprenticeship program may conduct an assessment of an apprentice's competence in the theory and practical requirements for tattooing and, based on the assessment, give a maximum of 700 hours of credit toward the requirements in subdivisions A 1 and A 3 of this section. No credit shall be allowed for the 150 hours required in subdivision A 2 of this section.

**Historical Notes**

Derived from [Volume 22, Issue 25](#), eff. October 1, 2006; amended, Virginia Register [Volume 39, Issue 22](#), eff. September 1, 2023.

**PART VI.**

**TATTOOING SCHOOLS**

**18 VAC 41-50-220. Applicants for Tattooing School License.**

Any person or entity desiring to operate a tattooing school shall submit an application to the board at least 60 days prior to the date for which approval is sought.

**Historical Notes**

Derived from [Volume 22, Issue 25](#), eff. October 1, 2006

**18VAC41-50-230. General Requirements.**

A tattooing school shall:

1. Hold a tattooing school license for each and every location.
2. Hold a tattoo parlor license.
3. Employ a staff of licensed and certified tattooing instructors.
4. Develop individuals for entry-level competency in tattooing.
5. Submit its curricula for board approval. All changes to curricula must be resubmitted and approved by the board.
6. Inform the public that all services are performed by students if the tattooing school receives compensation for services provided in its clinic by posting a notice in the reception area of the shop or salon in plain view of the public.
7. Conduct classroom instruction in an area separate from the area where practical instruction is conducted and services are provided.
8. Conduct all instruction and training of students under the direct supervision of a licensed and certified tattooing instructor.

**Historical Notes**

Derived from [Volume 22, Issue 25](#), eff. October 1, 2006; amended, Virginia Register [Volume 39, Issue 22](#), eff. September 1, 2023.

**18VAC41-50-240. School Identification. Repealed.**

**Historical Notes**

Derived from [Volume 22, Issue 25](#), eff. October 1, 2006; amended, Virginia Register [Volume 39, Issue 22](#), eff. September 1, 2023.

**18VAC41-50-250. Records.**

A. Schools are required to keep upon graduation, termination or withdrawal, written records of hours and performances showing what instruction a student has received for a period of five years after the student terminates or completes the curriculum of the school. These records shall be available for inspection by the Department of Professional and Occupation Regulation. All records must be kept on the premises of each school.

B. For a period of five years after a student completes the curriculum, terminates or withdraws from the school, schools are required to provide documentation of hours and performances completed by a student upon receipt of a written request from the student.

C. Schools shall within 21 days upon receipt of a written request from a student provide documentation of hours and performances completed by the student as required to be maintained by subsection A of this section.

D. Prior to a school changing ownership or a school closing, the schools are required to provide to current students documentation of hours and performances completed.

E. For a period of one year after a school changes ownership, schools are required to provide documentation of hours and performances completed by a current student upon receipt of a written request from the student.

### **Historical Notes**

Derived from [Volume 22, Issue 25](#), eff. October 1, 2006; amended, Virginia Register [Volume 39, Issue 22](#), eff. September 1, 2023.

### **18VAC41-50-260. Hours Reported. Repealed.**

### **Historical Notes**

Derived from [Volume 22, Issue 25](#), eff. October 1, 2006; amended, Virginia Register [Volume 39, Issue 22](#), eff. September 1, 2023.

### **18VAC41-50-270. Health Education. Repealed.**

### **Historical Notes**

Derived from [Volume 22, Issue 25](#), eff. October 1, 2006; amended, Virginia Register [Volume 39, Issue 22](#), eff. September 1, 2023.

### **18VAC41-50-280. Tattooing School Curriculum Requirements.**

A. Any person desiring to enroll in the tattooing school shall be required to provide documentation of satisfactory completion of a minimum of five hours of health education to include (i) bloodborne disease, sterilization, and aseptic techniques related to tattooing; (ii) first aid; and (iii) CPR.

B. Tattooing school curriculum requirements are as follows:

1. Microbiology.

- a. Microorganisms, viruses, bacteria, fungus;
- b. Transmission cycle of infectious diseases; and
- c. Characteristics of antimicrobial agents.

2. Immunization.

- a. Types of immunizations;
- b. Hepatitis A through G transmission and immunization;
- c. HIV/AIDS;
- d. Tetanus, streptococcal, zoonotic, tuberculosis, pneumococcal, and influenza;
- e. Measles, mumps, and rubella;
- f. Vaccines and immunization; and
- g. General preventative measures to be taken to protect the tattooer and client.

3. Sanitation and disinfection.

- a. Definition of terms:
  - (1) Sterilization;

- (2) Disinfection and disinfectant;
- (3) Sterilizer or sterilant;
- (4) Antiseptic;
- (5) Germicide;
- (6) Decontamination; and
- (7) Sanitation.

- b. The use of steam sterilization equipment and techniques;
- c. The use of chemical agents, antiseptics, disinfectants, and fumigants;
- d. The use of sanitation equipment;
- e. Preservice sanitation procedure; and
- f. Post service sanitation procedure.

4. Safety.

- a. Proper needle handling and disposal;
- b. How to avoid overexposure to chemicals;
- c. The use of Material Safety Data Sheets;
- d. Blood spill procedures;
- e. Equipment and instrument storage; and
- f. First aid and CPR.

5. Bloodborne pathogen standards.

- a. OSHA and CDC bloodborne pathogen standards;
- b. Control plan for bloodborne pathogens;
- c. Exposure control plan for tattooers;
- d. Overview of compliance requirements; and
- e. Disorders and when not to service a client.

6. Professional standards.

- a. History of tattooing;
- b. Ethics;
- c. Recordkeeping:
  - (1) Client health history;
  - (2) Consent forms; and

(3) HIPAA (Health Insurance Portability and Accountability Act of 1996 Privacy Rule) Standards;

d. Preparing station, making appointments, parlor ethics:

(1) Maintaining professional appearance, notifying clients of schedule changes; and

(2) Promoting services of the parlor and establishing clientele;

e. Parlor management.

(1) Licensing requirements; and

(2) Taxes; and

f. Supplies.

(1) Usages;

(2) Ordering; and

(3) Storage.

7. Tattooing.

a. Client consultation;

b. Client health form;

c. Client disclosure form;

d. Client preparation;

e. Sanitation and safety precautions;

f. Implement selection and use;

g. Proper use of equipment;

h. Material selection and use;

i. Needles:

(1) Groupings;

(2) Properties; and

(3) Making;

j. Ink;

k. Machine:

(1) Construction;

(2) Adjustment; and

(3) Power supply;

l. Art, drawing; and

m. Portfolio.

8. Anatomy.

a. Understanding of skin; and

b. Parts and functions of skin.

9. Virginia tattooing laws and regulations.

C. A licensed tattoo school may conduct an assessment of a student's competence in the respective profession and, based on the assessment, give credit toward the hours requirements specified in this section and [18VAC41-50-290](#).

The school shall make the assessment based on a review of the student's transcript and the successful completion of a board-approved competency examination administered by the school. The school may also request a copy of a catalog or bulletin giving the full course description when making the evaluation. The number of credit hours awarded shall not exceed the actual hours of instruction verified on the transcript or the number of hours specified in the board-approved curriculum for a specific topic. Credit may only be given for in-person training.

#### **Historical Notes**

Derived from [Volume 22, Issue 25](#), eff. October 1, 2006; amended, Virginia Register [Volume 39, Issue 22](#), eff. September 1, 2023.

#### **18VAC41-50-290. Hours of Instruction and Performances.**

A. Curriculum requirements specified in [18VAC41-50-280](#) shall be taught over a minimum of 1,000 hours as follows:

1. 350 hours shall be devoted to theory pertaining to [18VAC41-50-280](#) B 1, 2, 4, 5, 6, 8 and 9
2. 150 hours shall be devoted to theory pertaining to of [18VAC41-50-280](#) B 3; and
3. The remaining 500 hours shall be devoted to practical training to include tattooing curriculum requirements and a minimum of 100 performances pertaining to [18VAC41-50-280](#) B 7.

B. An approved tattooing school may conduct an assessment of a student's competence in the theory and practical requirements for tattooing and, based on the assessment, give a maximum of 700 hours of credit toward the requirements in subdivisions A 1 and A 3 of this section. No credit shall be allowed for the 150 hours required in subdivision A 2 of this section.

C. Individuals enrolled in a program prior to July 1, 2022, may complete the program at the hours in effect at the time they enrolled.

#### **Historical Notes**

Derived from [Volume 22, Issue 25](#), eff. October 1, 2006; amended, Virginia Register [Volume 39, Issue 22](#), eff. September 1, 2023.

## **PART VII.**

### **PERMANENT COSMETIC TATTOOING SCHOOLS**

**18VAC41-50-300. Applicants for Permanent Cosmetic Tattooing School License.**

Any person or entity desiring to operate a permanent cosmetic tattooing school shall submit an application to the board at least 60 days prior to the date for which approval is sought.

**Historical Notes**

Derived from [Volume 22, Issue 25](#), eff. October 1, 2006.

**18VAC41-50-310. General Requirements.**

A permanent cosmetic tattooing school shall:

1. Hold a permanent cosmetic tattooing school license for each and every location.
2. Hold a permanent cosmetic tattoo salon license if the school receives compensation for services provided in the area where practical instruction is conducted and services are provided.
3. Employ a staff of licensed and certified permanent cosmetic tattooing instructors or licensed and certified master permanent cosmetic tattooing instructors.
4. Develop individuals for entry-level competency in permanent cosmetic tattooing or master permanent cosmetic tattooing.
5. Submit its curricula for board approval.
6. Inform the public that all services are performed by students if the permanent cosmetic tattooing school receives compensation for services provided in its clinic by posting a notice in the reception area of the shop or salon in plain view of the public.
7. Conduct classroom instruction in an area separate from the area where practical instruction is conducted and services are provided.
8. Conduct all instruction and training of permanent cosmetic tattooers under the direct supervision of a licensed and certified permanent cosmetic tattooing instructor or a licensed and certified master permanent cosmetic tattooing instructor.
9. Conduct all instruction and training of master permanent cosmetic tattooers under the direct supervision of a licensed and certified master permanent cosmetic tattooing instructor.

**Historical Notes**

Derived from [Volume 22, Issue 25](#), eff. October 1, 2006; amended, Virginia Register [Volume 39, Issue 22](#), eff. September 1, 2023.

**18VAC41-50-320. School Identification. Repealed.**

**Historical Notes**

Derived from [Volume 22, Issue 25](#), eff. October 1, 2006; amended, Virginia Register [Volume 39, Issue 22](#), eff. September 1, 2023.

**18VAC41-50-330. Records.**

A. Schools are required to keep upon graduation, termination or withdrawal, written records of hours and performances showing what instruction a student has received for a period of five years after the student

terminates or completes the curriculum of the school. These records shall be available for inspection by the department. All records must be kept on the premises of each school.

B. For a period of five years after a student completes the curriculum, terminates or withdraws from the school, schools are required to provide documentation of hours and performances completed by a student upon receipt of a written request from the student.

C. Prior to a school changing ownership or a school closing, schools are required to provide to current students documentation of hours and performances completed.

D. For a period of one year after a school changes ownership, schools are required to provide documentation of hours and performances completed by a current student upon receipt of a written request from the student.

#### **Historical Notes**

Derived from [Volume 22, Issue 25](#), eff. October 1, 2006.

#### **18VAC41-50-340. Hours Reported. Repealed.**

#### **Historical Notes**

Derived from [Volume 22, Issue 25](#), eff. October 1, 2006; amended, Virginia Register [Volume 39, Issue 22](#) eff. September 1, 2023.

#### **18VAC41-50-350. Health Education. Repealed.**

#### **Historical Notes**

Derived from [Volume 22, Issue 25](#), eff. October 1, 2006; amended, Virginia Register [Volume 39, Issue 22](#), eff. September 1, 2023.

#### **18VAC41-50-360. Permanent Cosmetic Tattooing School Curriculum Requirements.**

A. Any person desiring to enroll in the permanent cosmetic tattooing school shall be required to provide documentation of satisfactory completion of health education on bloodborne disease.

B. Permanent cosmetic tattooing school curriculum requirements are as follows:

1. Virginia tattooing laws and regulations.
2. Machines and devices.
  - a. Coil machine;
  - b. Hand device; and
  - c. Others devices.
3. Needles.
  - a. Types;
  - b. Uses; and
  - c. Application.

4. Anatomy.

- a. Layers of skin;
- b. Parts and functions of skin; and
- c. Diseases.

5. Color theory.

- a. Skin and pigment color; and
- b. Handling and storage of pigments.

6. Transmission cycle of infectious diseases.

7. Immunization.

- a. Types of immunizations; and
- b. General preventative measures to be taken to protect the tattooer and client.

8. Sanitation and disinfection.

a. Definition of terms:

- (1) Sterilization;
- (2) Disinfection and disinfectant;
- (3) Sterilizer or sterilant;
- (4) Antiseptic;
- (5) Germicide;
- (6) Decontamination; and
- (7) Sanitation;

- b. The use of steam sterilization equipment and techniques;
- c. The use of chemical agents, antiseptics, and disinfectants;
- d. The use of sanitation equipment;
- e. Preservice sanitation procedure; and
- f. Post service sanitation procedure.

9. Safety.

- a. Proper needle handling and disposal;
- b. Blood spill procedures;
- c. Equipment and instrument storage; and
- d. First aid.

10. Bloodborne pathogen standards.

- a. OSHA and CDC bloodborne pathogen standards;
- b. Overview of compliance requirements; and
- c. Disorders and when not to service a client.

11. Anesthetics.

- a. Use;
- b. Types;
- c. Application; and
- d. Removal.

12. Equipment.

- a. Gloves;
- b. Masks;
- c. Apron;
- d. Chair;
- e. Lighting; and
- f. Work table.

13. Professional standards.

- a. History of permanent cosmetic tattooing;
- b. Ethics;
- c. Recordkeeping:
  - (1) Client health history; and
  - (2) Consent forms;
- d. Preparing station, making appointments, salon ethics:
  - (1) Maintaining professional appearance, notifying clients of schedule changes; and
  - (2) Promoting services of the salon and establishing clientele; and
- e. Salon management:
  - (1) Licensing requirements; and
  - (2) Taxes.

14. Permanent cosmetic tattooing.

- a. Client consultation;
- b. Client health form;
- c. Client disclosure form;

- d. Client preparation;
- e. Drawing and mapping;
- f. Sanitation and safety precautions;
- g. Implement selection and use;
- h. Proper use of equipment;
- i. Material selection and use.
- j. Eyebrows;
- k. Microblading
- l. Eyeliner;
- m. Lip coloring;
- n. Lip liners; and
- o. scalp micropigmentation.

C. Master permanent cosmetic tattooing program curriculum requirements are as follows:

1. Virginia tattooing laws and regulations.
2. Machines and devices:
  - a. Coil machine;
  - b. Hand device; and
  - c. Others devices.
3. Needles:
  - a. Types;
  - b. Uses; and
  - c. Application.
4. Advanced practical clinical anatomy:
  - a. Eyelid anatomy;
  - b. Lip anatomy; and
  - c. Breast anatomy.
5. Advanced color theory.
6. Organic and inorganic pigment.
7. Understanding the surgical process:
  - a. The latissimus dorsi flap procedure;

- b. Abdominoplasty and breast reconstruction;
- c. Other reconstruction procedures:
  - (1) Deep inferior epigastric artery perforator DIEP flap; and
  - (2) Superior gluteal artery perforator DIEP flap;
- d. Flap size versus areola size; and
- e. Implant reconstruction:
  - (1) Tissue expansion;
  - (2) Placing the implant;
  - (3) Implant versus flap reconstruction;
  - (4) Saline versus silicone;
  - (5) Radiation therapy; and
  - (6) Lymphedema.

8. Client consultation.

9. Breast areolar pigmentation:

- a. Chart notes;
- b. Health Insurance Portability and Accountability Act (HIPAA);
- c. Room setup;
- d. Anesthetic for breast procedures;
- e. Color selection;
- f. Needle selection;
- g. Design and placement;
  - (1) Position of the areola/nipple complex;
  - (2) The Penn Triangle;
  - (3) Diameter of the areola; and
  - (4) Nipple reconstruction;
- h. Creating three-dimensional nipple/areola;
  - (1) Understanding and creating a reflection of light; and
  - (2) The value of color;
- i. Covering scar tissue and periareolar scar blending;
- j. Aftercare;
  - (1) Tegaderm aftercare instructions; and

(2) Follow up; and

k. Precautions and contraindications.

10. Skin cancer:

- a. Basal cell carcinomas;
- b. Squamous cell carcinomas; and
- c. Melanoma.

11. The art of camouflage:

- a. Client/patient selection and handling;
- b. Contraindications and when not to perform services;
- c. Skin tones;
- d. Color selection and skin tone matching;
- e. Scars;
- f. Burn scar; and
- g. Common needle configurations used for camouflage.

12. Side effects.

13. Insurance.

14. Master permanent cosmetic tattooing procedures:

- a. Lip;
- b. Areola;
- c. Blush;
- d. Camouflage; and
- e. Eyeshadow

D. A licensed school with an approved permanent cosmetic tattooing or master permanent cosmetic tattooing program may conduct an assessment of a student's competence in the respective profession and, based on the assessment, give credit toward the hours requirements specified in the respective subsection of this section and [18VAC41-50-370](#).

The school shall make the assessment based on a review of the student's transcript and the successful completion of a board-approved competency examination administered by the school. The school may also request a copy of a catalog or bulletin giving the full course description when making the evaluation. The number of credit hours awarded shall not exceed the actual hours of instruction verified on the transcript or diploma or the number of hours specified in the board-approved curriculum for a specific topic. Credit may only be given for in-person training.

#### **Historical Notes**

Derived from [Volume 22, Issue 25](#), eff. October 1, 2006; amended, Virginia Register [Volume 39, Issue 22](#), eff. September 1, 2023.

**18VAC41-50-370. Hours of Instruction and Performances.**

A. Curriculum and performance requirements specified in [18VAC41-50-360](#) and this section shall be taught over a minimum of 200 clock hours for permanent cosmetic tattooing program and 200 clock hours for a master permanent cosmetic tattooing program.

B. A minimum of 50 performances shall be completed as part of the permanent cosmetic tattooing instruction, including two eyebrow, two microblading procedures, two lip liners, one lip color, and one full lips.

C. A minimum of 60 performances shall be completed as part of the master permanent cosmetic tattooing instruction, including:

Lip (cleft lip repigmentation)	10
Areola	10
Blush application	10
Camouflage	10
Scar repigmentation	10
Eyeshadow	10

D. Completion of performances are determined as follows:

1. Two complete eyebrows constitutes one performance;
2. Two complete eye liners constitutes one performance; and
3. One complete lip liner constitutes one performance.

E. Individuals enrolled in a program prior to July 1, 2022, may complete the program at the hours in effect at the time they enrolled.

**Historical Notes**

Derived from [Volume 22, Issue 25](#), eff. October 1, 2006; amended, Virginia Register [Volume 39, Issue 22](#), eff. September 1, 2023.

**PART VIII.**

**STANDARDS OF PRACTICE.**

**18 VAC 41-50-380. Display of License.**

A. The responsible management for each tattoo parlor or permanent cosmetic tattoo salon shall ensure that all current licenses issued by the board shall be displayed at the licensee's station or in plain view of the public. Duplicate licenses shall be posted in a like manner in every parlor or salon or location where the licensee provides services.

B. The responsible management for each tattoo parlor owner or permanent cosmetic tattoo salon shall ensure that no licensee, apprentice, or student performs any service beyond the scope of practice for the applicable license.

C. The responsible management for each tattoo parlor or permanent cosmetic tattoo salon shall offer to licensees the full series of Hepatitis B vaccine.

D. The responsible management for each tattoo parlor or permanent cosmetic tattoo salon shall maintain a record for each licensee of one of the following:

1. Proof of completion of the full series of Hepatitis B vaccine;
2. Proof of immunity by blood titer; or
3. Written declaration of refusal of the responsible management's offer of a full series of Hepatitis B vaccine.

E. All licensees shall operate under the name in which the license is issued.

#### **Historical Notes**

Derived from [Volume 22, Issue 25](#), eff. October 1, 2006; amended, Virginia Register [Volume 39, Issue 22](#), eff. September 1, 2023.

#### **18 VAC 41-50-390. Physical Facilities.**

A. A parlor or salon must be in a permanent building or portion of a building, which must be in a location permissible under local zoning codes, if any. If applicable, the parlor or salon shall be separated from any living quarters by complete floor to ceiling partitioning and shall contain no access to living quarters.

B. The parlor, salon, or temporary location shall be maintained in a clean and orderly manner.

C. All facilities shall have a blood spill clean-up kit in the work area.

D. Work surfaces shall be cleaned with a U.S. Environmental Protection Agency (EPA) registered, hospital grade disinfectant. Surfaces that come in contact with blood or other body fluids shall be immediately disinfected with an EPA registered germicide solution. Appropriate personal protective equipment shall be worn during cleaning and disinfecting procedures.

E. Cabinets for the storage of instruments, pigments, single-use articles, stencils and other utensils shall be provided for each operator and shall be maintained in a sanitary manner.

F. Bulk single-use articles shall be commercially packaged and handled in such a way as to protect them from contamination.

G. All materials applied to the human skin shall be from single-use articles or transferred from bulk containers to single-use containers and shall be disposed of after each use.

H. The walls, ceilings, and floors shall be kept in good repair. The tattooing area shall be constructed of smooth, hard surfaces that are nonporous, free of open holes or cracks, light colored, and easily cleaned. New parlors shall not include any dark-colored surfaces in the tattooing area. Existing parlors or salons with dark-colored surfaces in the tattooing area shall replace the dark-colored surfaces with light-colored surfaces whenever the facilities are extensively remodeled or upon relocation of the business.

I. Parlors, salons, or temporary locations shall have adequate lighting of at least 50-foot candles of illumination in the tattooing and sterilization areas.

J. Adequate mechanical ventilation shall be provided in the parlor.

K. Each parlor, salon, or temporary location shall be equipped with hand-cleaning facilities for its personnel with unobstructed access to the tattooing area such that the tattooer can return to the area without having to touch anything with the tattooer's hands. Hand-cleaning facilities shall be equipped either with hot and cold or tempered running water under pressure and liquid germicidal soap or with a sanitizing solution to clean hands. Hand-cleaning facilities shall be equipped with single-use towels or mechanical hand drying devices and a covered refuse container. Such facilities shall be kept clean and in good repair. All facilities must have running water and soap accessible for cleaning of hands contaminated by body fluids.

L. Animals are not permitted in the parlor, salon, or temporary location except for guide or service animals accompanying persons with disabilities, or nonmammalian animals in enclosed glass containers such as fish aquariums, which shall be outside of the tattooing or sterilization areas. No animals are allowed in the tattooing or sterilization areas.

M. Use of tobacco products and consumption of alcoholic beverages shall be prohibited in the tattooing or sterilization areas.

N. No food or drink will be stored or consumed in the tattooing or sterilization areas except for client's use in order to sustain optimal physical condition; such food and drink must be individually packaged.

O. If tattooing is performed where cosmetology services are provided, it shall be performed in an area that is separate and enclosed.

P. All steam sterilizers shall be biological spore tested at least monthly.

Q. Biological spore tests shall be verified through an independent laboratory.

R. Biological spore test records shall be retained for a period of three years and made available upon request.

S. Steam sterilizers shall be used only for instruments used by the parlor's employees.

#### **Historical Notes**

Derived from [Volume 22, Issue 25](#), eff. October 1, 2006; amended, Virginia Register [Volume 39, Issue 22](#), eff. September 1, 2023.

#### **18 VAC 41-50-400. Tattooer or Permanent Cosmetic Tattooer or Master Permanent Cosmetic Tattooer Responsibilities.**

A. All tattooers shall provide to the responsible management with one of the following:

1. Proof of completion of the full series of Hepatitis B vaccine;
2. Proof of immunity by blood titer; or
3. Written declaration of refusal of the responsible management's offer of a full series of Hepatitis B vaccine.

B. All tattooers shall wear clean outer garments, maintain a high degree of personal cleanliness, and conform to hygienic practices while on duty.

C. All tattooers shall clean their hands thoroughly using hot or tempered water with a liquid germicidal soap or use sanitizing solution to clean hands before and after tattooing and as necessary to remove contaminants.

D. All tattooers must wear single-use examination gloves while assembling tattooing instruments and while tattooing.

E. Each time there is an interruption in the service, the gloves become torn or perforated, or whenever the ability of the gloves to function as a barrier is compromised:

1. Gloves shall be removed and disposed of; and
2. Hands shall be cleaned and a fresh pair of gloves used.

F. Tattooers shall use standard precautions while tattooing. A tattooer diagnosed with a communicable disease shall provide to the Department of Professional and Occupation Regulation a written statement from a health care practitioner that the tattooer's condition no longer poses a threat to public health.

G. Tattooers with draining lesions on their hands or face will not be permitted to work until cleared by a health care professional.

H. The area of the client's skin to be tattooed shall be cleaned with an approved germicidal soap according to label directions.

I. Tattooing pigments shall be placed in a single-use disposable container for each client. Following the procedure, the unused contents and container will be properly disposed of.

J. If shaving is required, razors shall be single-use. After use, razors shall be recapped and properly disposed of.

K. Each tattooer performing any tattooing procedures in the parlor or salon shall have the education, training, and experience, or any combination thereof to practice aseptic technique and prevent the transmission of bloodborne pathogens. All procedures shall be performed using aseptic technique.

L. Multiuse instruments, equipment, furniture, and surfaces that may be contaminated during the tattooing process should be covered or wrapped in a nonporous disposable barrier. This barrier should be removed and disposed of after each service.

M. After the disposable barrier is removed, covered items should be wiped down with a U.S. Environmental Protection Agency registered disinfectant that is bactericidal, virucidal, and fungicidal.

N. A set of individual, sterilized needles shall be used for each client. Single-use disposable instruments shall be disposed of in a puncture resistant container.

O. Used, nondisposable instruments, such as stainless steel tubes, tips, and grips, shall be kept in a separate, puncture resistant container until brush scrubbed in hot water soap and then sterilized by autoclaving. Contaminated instruments shall be handled with disposable gloves.

P. Used nondisposable instruments that are ultrasonically cleaned shall be rinsed under running hot water prior to being placed in the used instrument container;

Q. Used nondisposable instruments that are not ultrasonically cleaned prior to being placed in the used instrument container shall be kept in a germicidal or soap solution until brush scrubbed in hot water and soap and sterilized by autoclaving.

R. The ultrasonic unit shall be sanitized daily with a germicidal solution.

S. Nondisposable instruments shall be sterilized and shall be handled and stored in a manner to prevent contamination. Instruments to be sterilized shall be sealed in bags made specifically for the purpose of autoclave sterilization and shall include the date of sterilization. If nontransparent bags are utilized, the bag shall also list the contents.

T. Autoclave sterilization bags with a color code indicator that changes color upon proper sterilization shall be utilized during the autoclave sterilization process.

U. Nondisposable Instruments shall be placed in the autoclave in a manner to allow live steam to circulate around them.

V. A Sealed, puncture proof dirty tube receptacle with cool, liquid sterilant should be maintained in the biohazard or cleanup room.

W. Sharps containers should be located within reach of the tattooing area.

X. Contaminated disposable and single-use items shall be disposed of in accordance with federal and state regulations regarding disposal of biological hazardous materials.

Y. The manufacturer's written instructions of the autoclave shall be followed.

#### **Historical Notes**

Derived from [Volume 22, Issue 25](#), eff. October 1, 2006; amended, Virginia Register [Volume 39, Issue 22](#), eff. September 1, 2023.

#### **18 VAC 41-50-410. Client Qualifications, Disclosures, and Records.**

A. Except as permitted in § [18.2-371.3](#) of the Code of Virginia, a client must be a minimum of 18 years of age and shall present at the time of the tattooing or permanent cosmetic tattooing a valid, government issued, positive identification card including a driver's license, passport, or military identification. The identification must contain a photograph of the individual and a printed date of birth.

B. The tattooer, permanent cosmetic tattooer, or master permanent cosmetic tattooer shall verify and document in the permanent client record the client's age, date of birth, and the type of identification provided.

C. No person may be tattooed or permanent cosmetic tattooed who appears to be under the influence of alcohol or drugs.

D. Tattooing or permanent cosmetic tattooing shall not be performed on any skin surface that manifests any evidence of unhealthy conditions such as rashes, boils, infections, abrasions, or on any asymmetrical, irregular, blurred, or multicolored mole.

E. Before receiving a tattoo or permanent cosmetic tattoo, each client and client's parent or guardian, if applicable, shall be informed verbally and in writing, using the client disclosure form prescribed by the board, about the possible risk and dangers associated with the application of each tattoo. Signatures of

both the client and the tattooer shall be required on the client disclosure form to acknowledge receipt of both the verbal and written disclosures.

F. The tattoo parlor or temporary location or permanent cosmetic tattoo salon shall maintain proper records for each client. The information shall be permanently recorded and made available for examination by the Department of Professional and Occupation Regulation or authorized agent. Records shall be maintained at the tattoo parlor or permanent cosmetic tattoo salon for at least two years following the date of the last entry. The temporary location client records shall be maintained by the license holder. The permanent records shall include the following:

1. The name, address, and telephone number of the client;
2. The date tattooing or permanent cosmetic tattooing was performed;
3. The client's age, date of birth, and a copy of the positive identification provided to the tattooer, permanent cosmetic tattooer, or master permanent cosmetic tattooer;
4. The specific color or colors of the tattoo or permanent cosmetic tattoo and, when available, the manufacturer's catalogue or identification number of each color used;
5. The location on the body where the tattooing or permanent cosmetic tattooing was performed;
6. The name of the tattooer, permanent cosmetic tattooer, or master permanent cosmetic tattooer;
7. A statement that the client has received a copy of applicable written care instructions, and that the client has read and understands the instructions; and
8. The signature of the client and if applicable parent or guardian.

#### **Historical Notes**

Derived from [Volume 22, Issue 25](#), eff. October 1, 2006; amended, Virginia Register [Volume 39, Issue 22](#), eff. September 1, 2023.

#### **18VAC41-50-420. Grounds for License or Certificate Revocation, Suspension or Probation; Denial of Application, Renewal or Reinstatement; or Imposition of a Monetary Penalty.**

The board may, in considering the totality of the circumstances, fine any licensee or certificate holder and suspend, place on probation or revoke or refuse to renew or reinstate any license or certificate, or deny any application issued under the provisions of Chapter 7 (§ [54.1-700](#) et seq.) of Title 54.1 of the Code of Virginia and this chapter if it finds that the licensee, certificate holder, or applicant:

1. Is incompetent or negligent in tattooing, or incapable mentally or physically, as those terms are generally understood in the profession, to (i) practice as a tattooer, tattooer apprentice, permanent cosmetic tattooer, or master permanent cosmetic tattooer or (ii) operate a parlor, permanent cosmetic tattooing salon, or school;
2. Is convicted of fraud or deceit in the practice of tattooing or fails to teach the curriculum as provided for in this chapter;
3. Obtained, attempted to obtain, renewed or reinstated a license by false or fraudulent representation;
4. Violates or induces others to violate, or cooperates with others in violating, any of the provisions of this chapter or Chapter 7 (§ [54.1-700](#) et seq.) of Title 54.1 of the Code of Virginia or any local ordinance or regulation governing standards of health and sanitation of the establishment in which tattooers may practice or offer to practice;

5. Offers, gives, or promises anything of value or benefit to any federal, state, or local employee for the purpose of influencing that employee to circumvent, in the performance of that employee's duties, any federal, state, or local law, regulation, or ordinance governing tattooing as defined in § [54.1-700](#) of the Code of Virginia;
6. Fails to respond to the board or any of its agents or provides false, misleading, or incomplete information to an inquiry by the board or any of its agents;
7. Fails or refuses to allow the board or any of its agents to inspect during reasonable hours any licensed parlor, salon, or school for compliance with provisions of Chapter 7 § [54.1-700](#) et seq. or this chapter;
8. Fails to produce, upon request or demand of the board or any of its agents, any document, book, record, or copy thereof in a licensee's or responsible management's possession or maintained in accordance with this chapter;
9. Fails to notify the board of a change of name or address in writing within 30 days of the change for each and every license.
10. Makes any misrepresentation or publishes or causes to be published any advertisement that is false, deceptive, or misleading;
11. Fails to notify the board in writing within 30 days of the suspension, revocation, or surrender of a license or certificate in connection with a disciplinary action in any other jurisdiction or of any license or certificate that has been the subject of disciplinary action in any other jurisdiction;
12. Has been convicted or found guilty, regardless of the manner of adjudication in Virginia or any other jurisdiction of the United States, of a misdemeanor involving moral turpitude, sexual offense, non-marijuana drug distribution, or physical injury or any felony, there being no appeal pending therefrom or the time for appeal having elapsed. Review of convictions shall be subject to the requirements of § [54.1-204](#) of the Code of Virginia. Any plea of nolo contendere shall be considered a conviction for purposes of this subdivision. The record of a conviction certified or authenticated in such form as to be admissible in evidence under the laws of the jurisdiction where convicted shall be admissible as prima facie evidence of such conviction or guilt;
13. Fails to inform the board in writing within 30 days of pleading guilty or nolo contendere or being convicted or found guilty regardless of adjudication of any convictions as stated in subdivision 12 of this section;
14. Allows, as responsible management of a parlor, salon, or school, a person who has not obtained a license or guest tattooer license to practice as a tattooer, permanent cosmetic tattooer, or master permanent cosmetic tattooer, unless the person is duly enrolled as an apprentice;
15. Allows, as responsible management of a school, a person who has not obtained an instructor certificate to practice as a tattooing or permanent cosmetic tattooing instructor;
16. Fails to take sufficient measures to prevent transmission of communicable or infectious diseases or fails to comply with sanitary requirements provided for in this chapter or any local, state, or federal law or regulation governing the standards of health and sanitation for the practice of tattooing, or the operation of tattoo parlors or permanent cosmetic tattooing salons; or
17. Fails to comply with all procedures established by the board and the testing service with regard to conduct at any board examination.

#### **Historical Notes**

Derived from [Volume 22, Issue 25](#), eff. October 1, 2006; amended, Virginia Register [Volume 38, Issue 4](#), eff. December 1, 2021; [Volume 39, Issue 22](#), eff. September 1, 2023.

Included in this booklet for your convenience are relevant excerpts from the Code of Virginia. Please note that the Virginia General Assembly, not the Board for Barbers and Cosmetology, is responsible for creating and amending the statutes contained in the Code of Virginia. It is your responsibility to stay informed of revisions to the regulations and the statutes governing your profession or occupation. Please consult the General Assembly or your local library for annual changes.

## **Code of Virginia**

### **Title 54.1 - PROFESSIONS AND OCCUPATIONS.**

#### **Chapter 7 - Barbers and Cosmetologists**

##### **§ 54.1-700. Definitions.**

As used in this chapter, unless the context requires a different meaning:

"Barber" means any person who shaves, shapes or trims the beard; cuts, singes, or dyes the hair or applies lotions thereto; applies, treats or massages the face, neck or scalp with oils, creams, lotions, cosmetics, antiseptics, powders, clays or other preparations in connection with shaving, cutting or trimming the hair or beard, and practices barbering for compensation and when such services are not performed for the treatment of disease.

"Barbering" means any one or any combination of the following acts, when done on the human body for compensation and not for the treatment of disease, shaving, shaping and trimming the beard; cutting, singeing, or dyeing the hair or applying lotions thereto; applications, treatment or massages of the face, neck or scalp with oils, creams, lotions, cosmetics, antiseptics, powders, clays, or other preparations in connection with shaving, cutting or trimming the hair or a beard. The term "barbering" shall not apply to the acts described hereinabove when performed by any person in his home if such service is not offered to the public.

"Barber instructor" means any person who has been certified by the Board as having completed an approved curriculum and who meets the competency standards of the Board as an instructor of barbering.

"Barbershop" means any establishment or place of business within which the practice of barbering is engaged in or carried on by one or more barbers.

"Board" means the Board for Barbers and Cosmetology.

"Body piercer" means any person who for remuneration penetrates the skin of a person to make a hole, mark, or scar, generally permanent in nature.

"Body-piercing" means the act of penetrating the skin of a person to make a hole, mark, or scar, generally permanent in nature.

"Body-piercing salon" means any place in which a fee is charged for the act of penetrating the skin of a person to make a hole, mark, or scar, generally permanent in nature.

"Body-piercing school" means a place or establishment licensed by the Board to accept and train students in body-piercing.

"Cosmetologist" means any person who administers cosmetic treatments; manicures or pedicures the nails of any person; arranges, dresses, curls, waves, cuts, shapes, singes, waxes, tweezes, shaves, bleaches, colors, relaxes, straightens, or performs similar work, upon human hair, or a wig or hairpiece,

by any means, including hands or mechanical or electrical apparatus or appliances unless such acts as adjusting, combing, or brushing prestyled wigs or hairpieces do not alter the prestyled nature of the wig or hairpiece, and practices cosmetology for compensation. The term "cosmetologist" shall not include hair braiding upon human hair, or a wig or hairpiece.

"Cosmetology" includes, but is not limited to, the following practices: administering cosmetic treatments; manicuring or pedicuring the nails of any person; arranging, dressing, curling, waving, cutting, shaping, singeing, waxing, tweezing, shaving, bleaching, coloring, relaxing, straightening, or similar work, upon human hair, or a wig or hairpiece, by any means, including hands or mechanical or electrical apparatus or appliances, but shall not include hair braiding upon human hair, or a wig or hairpiece, or such acts as adjusting, combing, or brushing prestyled wigs or hairpieces when such acts do not alter the prestyled nature of the wig or hairpiece.

"Cosmetology instructor" means a person who has been certified by the Board as having completed an approved curriculum and who meets the competency standards of the Board as an instructor of cosmetology.

"Cosmetology salon" means any commercial establishment, residence, vehicle or other establishment, place or event wherein cosmetology is offered or practiced on a regular basis for compensation and may include the training of apprentices under regulations of the Board.

"Esthetician" means a person who engages in the practice of esthetics for compensation.

"Esthetics" includes, but is not limited to, the following practices of administering cosmetic treatments to enhance or improve the appearance of the skin: cleansing, toning, performing effleurage or other related movements, stimulating, exfoliating, or performing any other similar procedure on the skin of the human body or scalp by means of cosmetic preparations, treatments, or any nonlaser device, whether by electrical, mechanical, or manual means, for care of the skin; applying make-up or eyelashes to any person, tinting or perming eyelashes and eyebrows, and lightening hair on the body except the scalp; and removing unwanted hair from the body of any person by the use of any nonlaser device, by tweezing, or by use of chemical or mechanical means. However, "esthetics" is not a healing art and shall not include any practice, activity, or treatment that constitutes the practice of medicine, osteopathic medicine, or chiropractic. The terms "healing arts," "practice of medicine," "practice of osteopathic medicine," and "practice of chiropractic" shall mean the same as those terms are defined in § [54.1-2900](#).

"Esthetics instructor" means a licensed esthetician who has been certified by the Board as having completed an approved curriculum and who meets the competency standards of the Board as an instructor of esthetics.

"Esthetics spa" means any commercial establishment, residence, vehicle, or other establishment, place, or event wherein esthetics is offered or practiced on a regular basis for compensation under regulations of the Board.

"Master barber" means a licensed barber who, in addition to the practice of barbering, performs waving, shaping, bleaching, relaxing, or straightening upon human hair; performs similar work on a wig or hairpiece; or performs waxing limited to the scalp.

"Master esthetician" means a licensed esthetician who, in addition to the practice of esthetics, offers to the public for compensation, without the use of laser technology, lymphatic drainage, chemical exfoliation, or microdermabrasion, and who has met such additional requirements as determined by the Board to practice lymphatic drainage, chemical exfoliation with products other than Schedules II through VI controlled substances as defined in the Drug Control Act (§ [54.1-3400](#) et seq.), and microdermabrasion of the epidermis.

"Nail care" means manicuring or pedicuring natural nails or performing artificial nail services.

"Nail salon" means any commercial establishment, residence, vehicle or other establishment, place or event wherein nail care is offered or practiced on a regular basis for compensation and may include the training of apprentices under regulations of the Board.

"Nail school" means a place or establishment licensed by the board to accept and train students in nail care.

"Nail technician" means any person who for compensation manicures or pedicures natural nails, or who performs artificial nail services for compensation, or any combination thereof.

"Nail technician instructor" means a licensed nail technician who has been certified by the Board as having completed an approved curriculum and who meets the competency standards of the Board as an instructor of nail care.

"Physical (wax) depilatory" means the wax depilatory product or substance used to remove superfluous hair.

"School of cosmetology" means a place or establishment licensed by the Board to accept and train students and which offers a cosmetology curriculum approved by the Board.

"School of esthetics" means a place or establishment licensed by the Board to accept and train students and which offers an esthetics curriculum approved by the Board.

"Tattoo parlor" means any place in which tattooing is offered or practiced.

"Tattoo school" means a place or establishment licensed by the Board to accept and train students in tattooing.

"Tattooer" means any person who for remuneration practices tattooing.

"Tattooing" means the placing of designs, letters, scrolls, figures, symbols or any other marks upon or under the skin of any person with ink or any other substance, resulting in the permanent coloration of the skin, including permanent make-up or permanent jewelry, by the aid of needles or any other instrument designed to touch or puncture the skin.

"Wax technician" means any person licensed by the Board who removes hair from the hair follicle using a physical (wax) depilatory or by tweezing.

"Wax technician instructor" means a licensed wax technician who has been certified by the Board as having completed an approved curriculum and who meets the competency standards of the Board as an instructor of waxing.

"Waxing" means the temporary removal of superfluous hair from the hair follicle on any area of the human body through the use of a physical (wax) depilatory or by tweezing.

"Waxing salon" means any commercial establishment, residence, vehicle or other establishment, place or event wherein waxing is offered or practiced on a regular basis for compensation and may include the training of apprentices under regulations of the Board.

"Waxing school" means a place or establishment licensed by the Board to accept and train students in waxing.

1962, c. 639, § 1, § 54-83.2; 1966, c. 610; 1973, c. 86; 1974, c. 534; 1988, c. 765; 2000, c. [726](#); 2002, cc. [797](#), [869](#); 2003, c. [600](#); 2005, c. [829](#); 2012, cc. [803](#), [835](#); 2017, c. [390](#); 2018, cc. [219](#), [231](#), [237](#), [404](#).

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

**§ 54.1-701. Exemptions.**

The provisions of this chapter shall not apply to:

1. Persons authorized by the laws of the Commonwealth to practice medicine and surgery or osteopathy or chiropractic;
2. Registered nurses licensed to practice in the Commonwealth;
3. Persons employed in state or local penal or correctional institutions, rehabilitation centers, sanatoria, or institutions for care and treatment of individuals with mental illness or intellectual disability, or for care and treatment of geriatric patients, as barbers, cosmetologists, wax technicians, nail technicians, estheticians, barber instructors, cosmetology instructors, wax technician instructors, nail technician instructors, or esthetics instructors who practice only on inmates of or patients in such sanatoria or institutions;
4. Persons licensed as funeral directors or embalmers in the Commonwealth;
5. Gratuitous services as a barber, nail technician, cosmetologist, wax technician, tattooer, body piercer, or esthetician;
6. Students enrolled in an approved school taking a course in barbering, nail care, cosmetology, waxing, tattooing, body-piercing, or esthetics;
7. Persons working in a cosmetology salon whose duties are expressly confined to the blow drying, arranging, dressing, curling, or cleansing of human hair;
8. Apprentices serving in a barbershop, nail salon, waxing salon, cosmetology salon, or esthetics spa licensed by the Board in accordance with the Board's regulations;
9. Schools of barbering, nail care, waxing, or cosmetology in public schools; and
10. Persons whose activities are confined solely to applying make-up, including such activities that are ancillary to applying make-up.

1962, c. 639, § 4, § 54-83.5; 1968, c. 622; 1988, c. 765; 2000, c. [726](#); 2002, cc. [797](#), [869](#); 2003, c. [600](#); 2005, c. [829](#); 2012, cc. [476](#), [507](#), [803](#), [835](#); 2018, c. [404](#).

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

**§ 54.1-702. Board for Barbers and Cosmetology; membership; officers; quorum.**

The Board for Barbers and Cosmetology shall be composed of 10 members as follows: two members shall be licensed barbers, one of whom may be an owner or operator of a barber school; two members shall be licensed cosmetologists, at least one of whom shall be a salon owner and one of whom may be an owner or operator of a cosmetology school; one member shall be a licensed nail technician or a licensed cosmetologist engaged primarily in the practice of nail care, each of whom shall have been licensed in their respective professions for at least three years immediately prior to appointment; one member shall be either a licensed tattooer or a licensed body piercer; two members shall be licensed estheticians, at least one of whom shall be an esthetics salon owner and one of whom may be an owner, operator, or designated representative of a licensed esthetics school; and two citizen members. The terms of Board members shall be four years. No member shall serve for more than two full successive terms. The Board shall elect a chairman and a vice-chairman. A majority of the Board shall constitute a quorum.

1962, c. 639, § 21, § 54-83.22; 1974, c. 534; 1979, c. 327; 1981, c. 447; 1988, cc. 42, 765; 2000, c. [726](#); 2002, c. [869](#); 2004, c. [945](#); 2005, c. [829](#); 2010, c. [91](#).

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

**§ 54.1-703. License required.**

No person shall offer to engage in or engage in barbering, cosmetology, nail care, waxing, tattooing, body-piercing, or esthetics without a valid license issued by the Board, except as provided in § [54.1-701](#).

1979, c. 408, § 54-83.22:1; 1988, c. 765; 2000, c. [726](#); 2002, cc. [797](#), [869](#); 2003, c. [600](#); 2005, c. [829](#); 2012, cc. [803](#), [835](#).

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

**§ 54.1-703.1. Waiver of examination; wax technicians.**

The Board shall waive the examination requirements for licensure as a wax technician for any individual who (i) makes application for licensure between July 1, 2002, and July 1, 2003; (ii) otherwise complies with Board regulations relating to moral turpitude; and (iii) meets any of the following conditions:

1. Has at least three years of documented work experience as a wax technician that is deemed satisfactory by the Board;
2. Has completed a training program that is deemed satisfactory by the Board; or
3. Holds an unexpired certificate of registration, certification, or license as a wax technician issued to him on the basis of comparable requirements by a proper authority of a state, territory, or possession of the United States or the District of Columbia.

2002, c. [797](#).

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

**§ 54.1-703.2. Repealed.**

Repealed by Acts 2012, cc. [803](#) and [835](#), cl. 54.

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

**§ 54.1-703.3. Waiver of examination; estheticians.**

The Board shall waive the examination requirements for licensure as an esthetician or master esthetician for any individual who (i) makes application for licensure by July 31, 2009; (ii) otherwise complies with Board regulations relating to moral turpitude; and (iii) meets any of the following conditions:

1. Has at least three years of documented work experience as an esthetician or a master esthetician completed prior to July 1, 2008, that is deemed satisfactory by the Board;
2. Has completed a training program prior to July 1, 2008, that is deemed satisfactory by the Board; or

3. Holds an unexpired certificate of registration, certification, or license as an esthetician or a master esthetician issued to him prior to July 1, 2008, on the basis of comparable requirements by a proper authority of a state, territory, or possession of the United States, or the District of Columbia.

2005, c. [829](#); 2009, cc. [166](#), [328](#).

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

**§ 54.1-704. Temporary licenses.**

The Board may issue a temporary license to any person who is eligible for examination. Persons issued a temporary license shall be subject to the regulations of the Board.

The Board shall promulgate regulations consistent with this section to permit individuals to be granted temporary licenses for a specified period of time.

1984, c. 220, § 54-83.22:2; 1988, c. 765; 2000, c. [726](#).

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

**§ 54.1-704.1. License required for barbershop, cosmetology salon, nail care salon, waxing salon, tattoo parlor, body-piercing salon, and esthetics spa.**

No individual or entity shall operate a barbershop, cosmetology salon, nail care salon, waxing salon, tattoo parlor, body-piercing salon, or esthetics spa without a valid license issued by the Board.

The provisions of this section shall not apply to a licensed barber, cosmetologist, nail technician, waxing technician, tattooer, body piercer, or esthetician who does not have an ownership interest in a licensed barbershop, cosmetology salon, nail care salon, waxing salon, tattoo parlor, body-piercing salon, or esthetics spa in which he is employed.

2000, c. [726](#); 2002, cc. [797](#), [869](#); 2003, c. [600](#); 2005, c. [829](#); 2012, cc. [803](#), [835](#).

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

**§ 54.1-704.2. License required for schools of barbering, cosmetology, nail care, waxing, tattooing, body-piercing, or esthetics.**

Except as provided in § [54.1-701](#), no person, firm or corporation shall operate or attempt to operate a school of barbering, cosmetology, nail care, waxing, tattooing, body-piercing, or esthetics unless licensed by the Board pursuant to its regulations.

2000, c. [726](#); 2002, cc. [797](#), [869](#); 2003, c. [600](#); 2005, c. [829](#); 2012, cc. [803](#), [835](#).

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

**§ 54.1-705. Inspections.**

A. Inspectors and sanitarians of the State Department of Health, or an affiliated local health department, may inspect each barbershop, cosmetology salon, waxing salon, nail care salon, tattoo parlor, body-piercing salon, and esthetics spa in the Commonwealth regularly. Any infractions shall be immediately reported to the Health Department and the Director of the Department of Professional and Occupational Regulation for disciplinary action.

B. The Board may inspect barbershops, barber schools, cosmetology salons and schools, waxing salons and schools, nail care salons and schools, tattoo parlors and schools, body-piercing salons and schools, and esthetics spas and schools for compliance with regulations promulgated by the Board.

C. The Board shall specify procedures for enforcement of compliance with the disease control and disclosure requirements of § [18.2-371.3](#), including unannounced inspections by appropriate personnel.

D. The Board or the Virginia Department of Health, or an affiliated local health department, may regulate the sanitary condition of the personnel, equipment and premises of tattoo parlors and body-piercing salons.

1962, c. 639, § 26, § 54-83.27; 1974, c. 534; 1988, c. 765; 1993, c. 499; 2000, c. [726](#); 2002, cc. [797](#), [869](#); 2003, c. [600](#); 2005, c. [829](#); 2012, cc. [803](#), [835](#).

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

**§ 54.1-706. Different requirements for licensure.**

A. The Board shall have the discretion to impose different requirements for licensure for the practice of barbering, cosmetology, nail care, waxing, tattooing, body-piercing, and esthetics.

B. The Board shall issue a license to practice as a master barber in the Commonwealth to:

1. An individual who holds a valid, unexpired license as a barber issued by the Board prior to December 8, 2017; or

2. An applicant who has successfully (i) completed the educational requirements as required by the Board, (ii) completed the experience requirements as required by the Board, and (iii) passed the examination approved by the Board.

2000, c. [726](#); 2002, cc. [797](#), [869](#); 2003, c. [600](#); 2005, c. [829](#); 2012, cc. [803](#), [835](#); 2018, cc. [231](#), [237](#).

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