37.112.102 PURPOSE

(1) The rules in this chapter pertain to body art establishments under Title 50, chapter 48, MCA, that are licensed by the Department of Public Health and Human Services. Unless otherwise specified by the rules of the local health authority, the rules in this chapter do not apply to body art establishments that are licensed solely by local boards of health pursuant to 50-48-203, MCA.

Authorizing statute(s): 50-48-103, MCA

Implementing statute(s): 50-48-103, 50-48-203, MCA

History: NEW, 2007 MAR p. 351, Eff. 3/23/07; AMD, 2025 MAR, 37-1072, Eff. 4/26/25.

37.112.103 DEFINITIONS

In addition to the definitions contained in 50-48-102, MCA, the following definitions apply to this subchapter:

(1) "Aftercare instructions" means verbal and written instructions that the client should follow to prevent infection and promote healing of the skin after receiving a body art procedure.

(2) "Antiseptic" means a product that is labeled as useful in preventing diseases caused by microorganisms present on the skin and/or on mucosal surfaces of humans. This includes products meant to kill germs and/or labeled as “antiseptic,” “antimicrobial,” “antibacterial,” “microbicide,” “germicide,” or other similar terms.

(3) "Aseptic technique" means a procedure that prevents contamination of any object or person.

(4) “Autoclave” means a device that is intended for use by a user to sterilize products by means of pressurized steam. This device must comply with one of three types of steam programs defined as B, N, and S by standard EN13060, ISO 17665.

(5) “Automated instrument washer” means a mechanical washer designed specifically for the decontamination of instruments prior to sterilization. These devices must comply with ISO 158831/2.

(6) “Blood-borne pathogens” means pathogenic microorganisms that are present in human blood and can cause disease in humans. These pathogens include hepatitis B virus (HBV), hepatitis C virus (HCV), and human immunodeficiency virus (HIV).

(7) “Body art” means body piercing and tattooing. The term includes ear lobe piercing, branding and scarification.

(8) “Body artist” means a person performing body art services.

(9) "Body modification" is the intentional altering of the human body for any nonmedical reason.

(10) “Branding” means the process in which a mark or marks are burned into human skin tissue with the intention of leaving a permanent mark.

(11) "Cleaning room" means the room used to sterilize instruments and jewelry with an autoclave.

(12) "Client" means an individual on whom a body artist performs a body art procedure.

(13) "Contaminated" means the probable presence of blood or other potentially infectious materials on an item or surface.

(14) "Disinfectant" means a substance or solution, registered with the United States Environmental Protection Agency (EPA), which kills or inactivates viruses and pathogenic microorganisms, but not necessarily their spores.

(15) "Ear lobe piercing" means the puncturing of the ear lobe, but not the ear cartilage, to create a permanent hole for cosmetic purposes.

(16) "Easily cleanable" means a characteristic of a surface that allows effective removal of soil by normal cleaning methods.

(17) "Equipment" means all machinery, including fixtures, containers, vessels, instruments, tools, devices, implements, furniture, display and storage areas, sinks, and all other apparatus and appurtenances used in connection with the operation of an establishment.

(18) "Implant" means any transdermal or subdermal object that is embedded into a person's body. Implants do not include microdermal anchors or two-point piercings.

(19) "Infectious waste" has the meaning provided for in 75-10-1003, MCA.

(20) "Ink cup" means a small container for an individual portion of pigment which may be installed in a holder or palette, and in which a small amount of pigment is placed.

(21) "Instrument" means a hand piece, needle, and any other tool that may come in contact with a client's body or be exposed to blood or body fluids during a body art procedure.

(22) "Jewelry" means any biocompatible object that is worn through a body piercing.

(23) "Material certificate" means all documents intended to state the specifics of a material used for body jewelry. Names for these documents include but are not limited to mill certificates, material certificates, metal composition sheets, MSD, and material certification sheets.

(24) "Microdermal anchor" means a piece of jewelry used for single-point piercings that has a foot no larger than 8mm in length.

(25) "Mobile establishment" means a licensed facility where body art is conducted, utilizing a wheeled vehicle for movement from place to place.

(26) "Operator" means any owner of an establishment or any person who is responsible for the establishment as well as the other body artists working at the establishment, for the purpose of meeting the requirements of this chapter.

(27) "Permanent cosmetics" means a tattoo, whether permanent or semipermanent, which is applied to a body part, including eyebrows, eyelids, lips, and other parts of the body for beauty marks, hair imitation, lash enhancement, or areola repigmentation. This term also includes procedures commonly referred to as permanent makeup, micropigmentation, micropigment implantation, microblading, dermagraphics, cosmetic tattooing, and other similar types of procedures.

(28) "Physician" means a person licensed to practice medicine in Montana by the Montana Board of Medical Examiners under the Department of Labor and Industry.

(29) “Piercing gun” means a device approved by the department that pierces an individual’s ear lobe using a single-use stud and clasp ear piercing system.

(30) "Sanitization" means the effective treatment of surfaces of inanimate objects by a product registered by the EPA that provides a sufficient concentration of chemicals and enough time to reduce the bacterial count, including pathogens, to a safe level.

(31) “Scarification” means the process in which a mark or marks are cut into human skin tissue with the intention of leaving a permanent mark.

(32) "Sharps" means any discarded instrument or article that may be contaminated with blood or other bodily fluid and may cause punctures or cuts, including needles, scalpel blades, uncovered razors, and broken glass. A disposable shaving razor with protective cap in place is not considered a sharp.

(33) "Single-point piercing" means a piercing that creates a hole in the skin that acts as both the entry and exit for a microdermal or transdermal anchor.

(34) "Single-use" means products or items that are intended for one-time, one-person use and that are disposed of after use on a client, including cotton swabs or cotton balls, tissues or paper products, paper or plastic cups, gauze and sanitary coverings, razors, needles, scalpel blades, stencils, ink cups, and protective gloves.

(35) "Sterilize" means to treat an object or surface with a procedure that kills or irreversibly inactivates all microorganisms, including bacteria, viruses, and pathogenic fungi, including their spores.

(36) “Strike branding” means the process by which a mark is burned with heated metal into the tissue of a person.

(37) "Subdermal object" means an item that is implanted under the skin.

(38) "Tattooist" means a person who engages in the practice of tattooing.

(39) "Temporary establishment" means a facility where body art is conducted for not more than 14 days at one location in a calendar year.

(40) "Transdermal anchor" means a piece of jewelry used for single-point piercings that has a foot larger than 8mm in length.

(41) "Transdermal object" means an item that is passed, entered, or made by penetration through the skin. Transdermal objects do not include microdermal anchors.

(42) "Two-point piercing" means a piercing that punctures the skin creating a distinct entry and exit point.

(43) “Ultrasonic unit” means a device that removes debris by a process called cavitation, in which waves of acoustic energy are propagated in aqueous solutions to disrupt the bonds that hold particulate matter to surfaces.

(44) "Universal precautions" means the current set of guidelines and controls published by the U.S. Centers for Disease Control and Prevention that includes specific recommendations for the use of protective equipment such as gloves, masks, or protective eye wear whenever contact with blood or body fluids containing blood is anticipated.

(45) "Work room" means a designated room or area in which body art takes place. The work room includes the client chair or table, counter, mayo stand, instrument tray, storage drawer, and body artist’s chair.

Authorizing statute(s): 50-48-103, MCA

Implementing statute(s): 50-48-102, 50-48-103, MCA

History: NEW, 2007 MAR p. 351, Eff. 3/23/07; AMD, 2013 MAR p. 156, Eff. 2/1/13; AMD, 2025 MAR, 37-1072, Eff. 4/26/25.

37.112.108 GENERAL FACILITY REQUIREMENTS

(1) Work rooms, cleaning rooms, restrooms, handwashing facilities, waiting areas, and all establishment areas to which clients have access must be kept clean and free of garbage, litter, unnecessary articles, dust, dirt, and sources of airborne dust or fumes.

(2) Utility rooms, storage rooms, and all other auxiliary rooms separated from other areas of the establishment by closed doors must be in good repair and cleaned as often as necessary to prevent insect or rodent harborage, airborne dust, airborne hazardous chemicals, or other contaminants.

(3) All rooms in the establishment must be provided with an artificial light source equivalent to 20 foot-candles of light three feet off the floor, except as required for work rooms in ARM 37.112.117(5).

(4) An establishment may not be operated in any room or area used as living or sleeping quarters, including bathroom or handwashing sink areas. An establishment must be separated from any living or sleeping quarters by solid self-closing doors. Access to the establishment must be separate from access to living areas.

Authorizing statute(s): 50-48-103, MCA

Implementing statute(s): 50-48-103, MCA

History: NEW, 2007 MAR p. 351, Eff. 3/23/07; AMD, 2013 MAR p. 156, Eff. 2/1/13; AMD, 2025 MAR, 37-1072, Eff. 4/26/25.

37.112.109 WATER SUPPLY

(1) An adequate and potable supply of water must be provided.

(2) A nonpublic water supply system must meet the requirements of Food and Consumer Safety (FCS) Circular 1-2012 when:

(a) the water supply is constructed after the effective date of this rule;

(b) modifications are made to the water system; or

(c) the local health authority determines compliance with FCS circular 1-2012 is necessary to meet the requirements of this subchapter.

(3) Before a license may be issued, an establishment using an individual, shared, or multiple user water supply must submit the following to the department or its designee:

(a) satisfactory coliform bacteria and nitrate test results as specified in ARM Title 17, chapter 38, subchapter 2; and

(b) the results of an onsite sanitary survey of the water supply system to detect sanitary deficiencies.

(4) A supplier of an individual, shared, or multiple user water supply must conduct a coliform bacteria test of the system at least twice a year with one sample collected between April 1 through June 30 and the second sample collected between August 1 through October 31, and must conduct a nitrate test of the system at least once every three years. Water tests must be analyzed at a certified laboratory. A supplier must keep sampling result records for at least three years.

(5) A public water supply system must be constructed and operated in accordance to current applicable laws as regulated by the Montana Department of Environmental Quality.

(6) Nonpotable water sources must be marked "not for human consumption".

(7) Plumbing must be installed and maintained in a manner to prevent cross connections between the potable water supply and any nonpotable or questionable water supply or any source of pollution through which the potable water supply might become contaminated. The potable water system must be installed to preclude the possibility of backflow. A hose may not be attached to a faucet unless a backflow prevention device is installed.

(8) A water supply system is determined to have failed and requires treatment, replacement, repair, or disinfection, when the water supply becomes unsafe, when it exceeds the maximum contaminant levels specified in ARM Title 17, chapter 38, subchapter 2, or inadequate when it is found to be less than 20 psi measured at the extremity of the distribution line during the instantaneous peak usage.

(9) Extension, alteration, repair, or replacement of a water supply system or development of a new water supply system must be in accordance with all applicable state and local laws.

(10) Bottled and packaged potable water must be obtained from a licensed and approved source and must be handled and stored in a way that protects it from contamination.

Authorizing statute(s): 50-48-103, MCA

Implementing statute(s): 50-48-103, MCA

History: NEW, 2007 MAR p. 351, Eff. 3/23/07; AMD, 2013 MAR p. 156, Eff. 2/1/13.

37.112.115 SEWAGE SYSTEM AND SOLID WASTE

(1) An adequate and safe wastewater system must be provided for conveying, treating, and disposing of all sewage. Immediate measures must be taken to alleviate health and sanitation hazards caused by wastewater at the establishment when they occur.

(2) All sewage, including liquid waste, must be disposed of by a public sewage system approved by the Montana Department of Environmental Quality or by a sewage treatment and disposal system constructed and operated in accordance to applicable state and local laws. Nonwater-carried sewage disposal facilities are prohibited, except as permitted by ARM 37.112.121 for temporary or mobile establishments.

(3) A wastewater system has failed and requires replacement or repair if any of the following conditions occur:

(a) the system fails to accept, treat, or dispose of wastewater as designed;

(b) effluent from the wastewater system contaminates a potable water supply or state waters; or

(c) the wastewater system is subjected to mechanical failure, including electrical outage, or collapse or breakage of a septic tank, lead line, or drainfield line.

(4) Extension, alteration, replacement, or repair of any wastewater system must be done in accordance with all applicable state and local laws.

(5) Mop water or soiled cleaning water may not be disposed of in any sink other than a mop or utility sink or a toilet.

(6) Solid waste must be collected, stored, and disposed of in a manner that does not create a sanitary nuisance and meets the requirements of ARM 37.112.137 for disposal of infectious waste. Solid waste must be removed from the premises at least weekly to a licensed solid waste disposal facility.

Authorizing statute(s): 50-48-103, MCA

Implementing statute(s): 50-48-103, MCA

History: NEW, 2007 MAR p. 351, Eff. 3/23/07.

37.112.116 TOILETS AND HANDWASHING SINKS

(1) Each establishment must have a toilet and handwashing sink conveniently available to clients and body artists during all hours of operation.

(2) The toilet room must be located within 200 feet by a normal pedestrian route of the work room and not more than one floor-to-floor flight of stairs.

(3) The toilet room must be ventilated, well lit, equipped with a door, toilet tissue, and waste receptacle.

(4) Floors, walls, and ceilings of the toilet room must be in good repair and in clean condition.

(5) Equipment and supplies used for body art procedures must not be stored or used within the toilet room.

(6) The handwashing sink must be located either within the toilet room or within ten feet of the toilet room door.

(7) The handwashing sink must be provided with hot and cold running water by means of a mixing valve or combination faucet, except as provided in ARM 37.112.121(2) for temporary or mobile establishments.

(8) Any self-dispensing, slow-closing, or metering faucet used must be designed to provide a flow of water for at least 20 seconds without the need to reactivate the faucet.

(9) Steam mixing valves are prohibited.

(10) Soap must be conveniently located to the handwashing sink.

(11) Each handwashing sink must be provided with single-use towels that are kept clean for drying hands and a waste receptacle. Non-disposable single-use towels may be used, subject to the following requirements:

(a) the towels must be mechanically washed and hot air dried;

(b) the wash cycle must run with sufficient detergent and for a time demonstrated to thoroughly remove all visible soil;

(c) the towels must be thoroughly hot air tumble dried to at least 130ºF (54ºC) for ten minutes; and

(d) laundered towels must be kept protected from contamination from soiled laundry and other sources by using separate labeled carts or containers for transportation, by providing sufficient space for sorting, folding, and storage, and by washing hands between touching soiled and clean laundry.

Authorizing statute(s): 50-48-103, MCA

Implementing statute(s): 50-48-103, MCA

History: NEW, 2007 MAR p. 351, Eff. 3/23/07; AMD, 2013 MAR p. 156, Eff. 2/1/13; AMD, 2025 MAR, 37-1072, Eff. 4/26/25.

37.112.117 WORK ROOM REQUIREMENTS

(1) All body art procedures must take place in the work room only.

(2) The work room must be separated by a barrier from the waiting area. The room does not need to have complete physical separation, but it must be segregated by counters, self-closing doors, or other barriers so that clients or other employees may not enter the work room unless they open the barrier to gain access.

(3) The work room may not be used as a corridor for access to other rooms.

(4) Animals are not allowed in the establishment except for:

(a) patrol dogs accompanying security or law enforcement;

(b) service animals such as guide dogs; and

(c) aquatic species within fish aquariums located in waiting rooms and areas outside of the work room provided that the aquatic species can survive underwater for a minimum of 48 hours.

(5) The work room must have a minimum of 50 foot-candles of light measured at the level where the procedure is implemented. Spot lighting may be used to achieve this degree of illumination.

(6) The work room must have adequate ventilation.

(7) Openings to the outside must be protected by such means as self-closing doors, screened or closed windows, or air currents to protect against the entrance of insects, rodents, or other animals. Screening material must not be less than 16 mesh to the inch.

(8) Work rooms must have at least one handwashing sink unless there is a handwashing sink outside the work room within ten feet of the work room door.

(a) If any client chair is more than fifteen feet from a handwashing sink, additional sinks may be required within the work room.

(b) If the handwashing sink is outside the work room, the work room door must have a two-way self-closing door. The two-way self-closing door may be a solid door, swinging café door, or curtain.

(c) The handwashing sink cannot be in the same room as the toilet.

(d) If controls for wrist or foot activation are not available, single service towels must be used for turning controls off after washing hands.

(e) The handwashing sink must be sanitized with an EPA-certified disinfectant at least once at the beginning of each day while the establishment is in operation.

(f) The handwashing sink must be provided with hot and cold running water by means of a mixing valve or combination faucet, except as provided in ARM 37.112.121(2) regarding temporary or mobile establishments.

(g) Any self-dispensing, slow-closing, or metering faucet used must be designed to provide a flow of water for at least 20 seconds without the need to reactivate the faucet.

(h) Steam mixing valves are prohibited.

(i) Soap must be conveniently located near the handwashing sink.

(j) Individual, disposable towels must be conveniently located for drying hands.

(9) The work room must have a sufficient number of waste receptacles for the disposal of waste materials.

(a) Waste receptacles must be lined and covered. The receptacles must be cleanable, kept clean, and have self-closing lids with hands-free controls.

(b) Waste receptacles in the work room must be emptied daily or more often, as needed.

(c) A dedicated container for the disposal of sharps and a dedicated container for other contaminated waste must be located in the work room in accordance with ARM 37.112.137 for disposal of infectious material.

(10) The work room must be maintained in a clean condition.

(11) The floor of the work room must be constructed of smooth and impervious materials that are easily cleanable and in good condition. The floor must be wet-mopped daily.

(12) Except as provided in (12)(a), tobacco use, vaping, eating, and drinking are prohibited in the work room where body art preparations and procedures are performed and any location where instruments or supplies are stored or cleaned.

(a) Eating and drinking is allowed when needed for first aid purposes. The use of bottled water and covered drinks is allowed. Hands must be washed and body artists must use a new pair of gloves before returning to the procedure area.

Authorizing statute(s): 50-48-103, MCA

Implementing statute(s): 50-48-103, MCA

History: NEW, 2007 MAR p. 351, Eff. 3/23/07; AMD, 2013 MAR p. 156, Eff. 2/1/13; AMD, 2025 MAR, 37-1072, Eff. 4/26/25.

37.112.121 TEMPORARY OR MOBILE ESTABLISHMENT

(1) A temporary or mobile establishment may be operated if:

(a) the operator submits to the department or its designee a written plan that demonstrates how the temporary or mobile establishment will meet the provisions of these rules, or will use alternatives that provide equivalent protection as provided by these rules; and

(b) the department or its designee issues written approval of the plan.

(2) A temporary or mobile establishment that cannot provide mechanically heated water may provide temperate water for hand washing as long as the water is provided in a system that is constructed and operated in accordance with applicable state and local laws for potable water.

(3) A temporary or mobile establishment that cannot meet ARM 37.112.115(1) regarding sewage systems may use an acceptable portable toilet unit with final waste disposal that complies with applicable state and local laws.

(4) Mobile establishments, such as a trailer, mobile home, or mobile vehicle, must have four solid walls. Outdoor tents are prohibited.

(5) Mobile establishments must be equipped with a gravity or pressurized water storage tank. The water storage tank, or tanks, shall be sufficient capacity to meet the peak water demands of the body art establishment.

(a) Mobile establishments using disposable equipment only must have a water storage tank, or tanks, with a capacity of at least 38 liters (10 gallons) for handwashing.

(b) Mobile establishments that reuse equipment must have a water storage tank, or tanks, with a capacity of at least 151 liters (40 gallons) for handwashing, equipment washing, and sanitizing purposes.

(6) The venue for a temporary event must be approved by the department or local health authority prior to the event. The venue must be indoors and meet all requirements of ARM 37.112.117.

(7) Temporary or mobile establishments must be used solely for the purpose of body art procedures. Food prep and habitation are prohibited.

(8) Mobile and temporary establishments must properly sterilize instruments and provide evidence of a spore test performed on sterilization equipment no later than 30 days prior to the date of the event. Otherwise only single-use, prepackaged, sterilized instruments marked with a expiration date, lot number, and method of sterilization can be used. A clean room is required if equipment is reusable, cleaned and sanitized.

Authorizing statute(s): 50-48-103, MCA

Implementing statute(s): 50-48-103, MCA

History: NEW, 2007 MAR p. 351, Eff. 3/23/07; AMD, 2025 MAR, 37-1072, Eff. 4/26/25.

37.112.129 BLOOD-BORNE PATHOGEN EXPOSURE CONTROL

(1) An establishment operator employing at least one body artist shall meet the applicable requirements of 29 CFR 1910.1030, which provides standards for blood-borne pathogen exposure control as promulgated by the U.S. Department of Labor, Occupational Safety and Health Administration. The department adopts and incorporates by reference 29 CFR 1910.1030, as amended May 14, 2019. Copies of this federal regulation may be obtained by contacting the Department of Public Health and Human Services, Public Health and Safety Division, Environmental Health and Food Safety Section, 1400 Broadway, P.O. Box 202951, Helena, MT 59620-2951 or by visiting https://www.ecfr.gov/.

Authorizing statute(s): 50-48-103, MCA

Implementing statute(s): 50-48-103, MCA

History: NEW, 2007 MAR p. 351, Eff. 3/23/07; AMD, 2025 MAR, 37-1072, Eff. 4/26/25.

37.112.131 STERILIZATION OF EQUIPMENT AND JEWELRY

(1) All nondisposable instruments used for body art that can come into contact with blood or body fluids must be individually wrapped and sterilized by an autoclave. All disposable instruments that come into contact with blood or body fluids must come from the supplier individually wrapped and sterile or be sterilized at the time of use.

(2) All jewelry must be sterilized by one of the following methods:

(a) individually wrapped and autoclaved; or

(b) come from the supplier individually wrapped and sterile.

(3) Whenever an autoclave is used, the following requirements apply:

(a) Autoclave packaging and a testing indicator for verifying temperatures must be used each time the autoclave is used.

(b) The autoclave must be allowed to run a complete cycle for 20 minutes at 15 pounds of pressure at a temperature of 250°F (121°C), or in accordance with the autoclave manufacturer's instructions.

(c) After autoclaving, the package must be dated and initialed by the body artist. If the autoclaved instrument or jewelry is not used within six months of the sterilization date, or if the packaging is no longer intact, the article must be rewrapped and resterilized before use.

(d) Monthly biological monitoring must be conducted on the autoclave using standard spore units that are analyzed by a certified laboratory. The results of the monthly spore test must be posted in a conspicuous place.

(e) The department or its designee may require that an operator submit the results of a monthly spore test directly to its office if the establishment fails to perform a monthly spore test or has one or more failed spore tests.

(f) In the event of a failed spore test, the operator must immediately cease use of the autoclave and contact the health authority within one business day.

(g) Following sterilization, equipment and jewelry must remain in the autoclave packaging.

(4) Sterile packages must be opened in full view of the client.

Authorizing statute(s): 50-48-103, MCA

Implementing statute(s): 50-48-103, MCA

History: NEW, 2007 MAR p. 351, Eff. 3/23/07; AMD, 2013 MAR p. 156, Eff. 2/1/13; AMD, 2025 MAR, 37-1072, Eff. 4/26/25.

37.112.132 CLEANING AND ULTRASONIC USE

(1) All reusable instruments used for body art procedures must be cleaned thoroughly with an appropriate soap or detergent and rinsed completely with potable water.

(2) Establishments that reuse instruments must have at least a one-compartment sink with hot and cold running water for the cleaning of instruments or an automated instrument washer. The sink must be used only for cleaning contaminated instruments and shall not be used for hand washing. The sink must be of an adequate size to submerge the instruments being cleaned, except as provided in (3).

(3) Establishments that use ultrasonic units with heating elements to clean their instruments are not required to have hot water at the cleaning sink, provided the heating elements can heat the cleaning solution and maintain the temperature according to the manufacturer's specifications.

(4) An ultrasonic unit must be used in accordance with the manufacturer's instructions. An ultrasonic unit does not satisfy the sterilization requirements in ARM 37.112.131, with or without the addition of chemical sanitizers.

(5) Ultrasonic unit use, cleaning, dusting, or vacuuming is prohibited during times when clients are being tattooed or pierced.

(6) The covered ultrasonic unit and the sink used for rinsing and scrubbing contaminated tools must be separated from the autoclave to prevent contamination. If space is an issue, the establishment may install a Plexiglas, stainless steel, or other nonporous barrier to prevent cross contamination.

(7) Except as provided in (8), all reusable instruments must be cleaned in a separate cleaning room.

  (a) The cleaning room must be enclosed by four solid walls except for windows and doors and not open to the public.

  (b) The cleaning room must only be used for cleaning, disinfecting, sterilizing, storage, and related tasks. No other services, including tattooing, piercing, or retail sales, may occur within this sterilization room/area.

  (c) If any items are stored in the cleaning room, cabinets or drawers must be made of smooth, nonporous wipeable materials.

(8) Reusable tattoo machines and ear piercing guns must be cleaned in accordance with manufacturer instructions and guidelines.

Authorizing statute(s): 50-48-103, MCA

Implementing statute(s): 50-48-103, MCA

History: NEW, 2007 MAR p. 351, Eff. 3/23/07; AMD, 2025 MAR, 37-1072, Eff. 4/26/25.

37.112.133 SKIN PREPARATION, ASEPTIC TECHNIQUE, AND AFTERCARE

(1) Aftercare instructions appropriate for the body art procedure that describe effective means of infection prevention must be provided to the client both verbally and in writing before every procedure.

(2) At all times during the body art procedure, body artists must use sterile instruments as specified in ARM 37.112.131 and aseptic techniques.

(3) Before performing the body art procedure, body artists must remove all rings, watches, and bracelets, and before and after performing the body art procedure, a body artist must thoroughly wash their hands, wrists, and lower arms in warm running water with soap for at least 20 seconds, scrubbing around and under their fingernails, rinsing completely, drying with clean, individual, disposable towels, and use a new clean disposable towel to turn off the faucet.

(4) Body artists must wear a clean outer garment. A hair restraint must be worn if necessary to prevent the body artist's hair from contact with the client. All necklaces, bracelets, or other personal items of the body artist that could come in contact with the client must be removed.

(5) If it is necessary to shave the client's skin, the body artist must use single-use razors. Straight razors, electric razors, and replaceable blade units may not be used. After shaving the client's skin, the body artist must:

(a) wash and scrub their hands as described in (3); and

(b) wash and rinse the client's area of skin that was shaved.

(6) A body artist must wear gloves when washing or shaving the client's skin. Following washing or shaving of the client’s skin, the body artist must remove the gloves, wash hands, and put on a new pair of gloves before continuing the body art procedure.

(7) Before performing the body art procedure, the skin and surrounding area where the procedure is to be done must be thoroughly dampened with an antiseptic using a clean single-use cotton ball, gauze, or tissue.

(8) If it is necessary to use a marking device, the marking device will be used only once and disposed of.

(9) New gloves must be put on before each body art procedure.

(10) If the body artist's gloved hands become contaminated during the body art procedure, then the body artist must remove the gloves, wash hands, and put on a new pair of gloves before resuming the procedure.

(a) Inadvertent contamination of gloved hands may include touching eyes, nose or mouth, answering the phone, opening a door, or retrieving an item from the floor.

(b) If the body artist sustains a needle stick, the body artist must resume the body art procedure with clean and sterile equipment after rewashing hands and regloving. If a needle stick occurs, the department recommends consulting a health care provider.

(11) Upon completion of the body art procedure, body artists must apply an antiseptic solution to the procedure area in accordance with the manufacturer's instructions with a clean single-use cotton ball, gauze, or tissue. In the event of bleeding, all products used to stop the flow of blood or to absorb blood must be sterile, single-use items that are disposed of immediately after use in appropriate covered containers. All products used to cover the procedure site must be used in accordance with the manufacturer's instructions.

Authorizing statute(s): 50-48-103, MCA

Implementing statute(s): 50-48-103, MCA

History: NEW, 2007 MAR p. 351, Eff. 3/23/07; AMD, 2013 MAR p. 156, Eff. 2/1/13; AMD, 2025 MAR, 37-1072, Eff. 4/26/25.

37.112.137 HANDLING AND DISPOSAL OF INFECTIOUS MATERIAL

(1) Waste that may have been contaminated with blood or body fluids must be separated from other waste and stored in a container with a biohazard warning label.

(2) An adequate supply of sharps containers must be maintained on the premises. A sharps container must:

(a) be leakproof, rigid, and strong enough to protect the handler and others from accidental cuts or puncture wounds;

(b) be closed or capped securely to prevent the loss of contents for disposal; and

(c) not be filled more than 3/4 full.

(3) Waste that may have been contaminated with blood or body fluids, other than sharps, must be placed in moisture-proof single-use containers or bags of a strength sufficient to prevent ripping, tearing, or bursting under normal conditions of use. Also, the bags must be:

(a) securely tied to prevent leakage or the expulsion of solid or liquid wastes during storage, handling, and transportation; and

(b) placed in a durable, leakproof container for storage and transportation.

(4) A body artist must use adequate protections, such as a brush, dust pan, or tongs to pick up any broken glassware in the work room. After engaging in such cleaning, the body artist must wash hands and reglove as described in ARM 37.112.133 before working with a client.

(5) Laundry that may have been contaminated with blood or body fluids must be stored separately in a leakproof and closed container or bag prior to cleaning.

(6) All infectious waste must be treated and disposed of in accordance with Title 75, chapter 10, part 10, MCA.

Authorizing statute(s): 50-48-103, MCA

Implementing statute(s): 50-48-103, MCA

History: NEW, 2007 MAR p. 351, Eff. 3/23/07; AMD, 2013 MAR p. 156, Eff. 2/1/13; AMD, 2025 MAR, 37-1072, Eff. 4/26/25.

37.112.141 RECORD KEEPING AND REVIEW

(1) Client records, consent forms, autoclave sterilization test results, and any other records required by this chapter must be maintained on the establishment premises for a minimum of three years. The records must be:

(a) available for review and verification by the department or its designee; and

(b) typed, printed in ink, or electronic.

Authorizing statute(s): 50-48-103, MCA

Implementing statute(s): 50-48-103, MCA

History: NEW, 2007 MAR p. 351, Eff. 3/23/07; AMD, 2025 MAR, 37-1072, Eff. 4/26/25.

37.112.142 CLIENT RECORD

(1) The operator must maintain a client record for each client. At a minimum, the client record must include:

(a) a copy of the signed consent form required by ARM 37.112.144;

(b) the name of the body artist who performed the body art procedure;

(c) the address, telephone number, and name of the establishment;

(d) special instructions or information regarding the client's medical or skin conditions which are relevant to the body art procedure; and

(e) a written physician referral if one is required by ARM 37.112.158.

Authorizing statute(s): 50-48-103, MCA

Implementing statute(s): 50-48-103, MCA

History: NEW, 2007 MAR p. 351, Eff. 3/23/07; AMD, 2013 MAR p. 156, Eff. 2/1/13; AMD, 2025 MAR, 37-1072, Eff. 4/26/25.

37.112.144 CONSENT FORM

(1) The client must sign a consent form before each body art procedure. If the client is under the age of 18, then the client's parent or legal guardian must sign the consent form, in person, before the procedure.

(2) The consent form must contain:

(a) the client's name and address, the date of the procedure, the design of the tattoo, if applicable, the location of the procedure on the client's body, and any other information that the body artist may consider appropriate;

(b) a description of potential complications and side-effects, including abscesses, allergies, excessive bleeding (from body piercing), heavy metal poisoning, infection, keloid formation, muscle paralysis, nerve paralysis, scarring, swelling, blood-borne pathogens, tongue swelling, throat closure, and tooth fracture (from oral piercing).

(c) symptoms of infection such as fever, swelling, redness, or drainage;

(d) instructions to consult a licensed medical provider if symptoms of infection or other complications occur;

(e) the permanent nature of the body art procedures; and

(f) a statement by the client that the client:

(i) has been provided with the aftercare instructions, both in writing and verbally by the body artist; and

(ii) consents to the body art procedure.

Authorizing statute(s): 50-48-103, MCA

Implementing statute(s): 50-48-103, MCA

History: NEW, 2007 MAR p. 351, Eff. 3/23/07; AMD, 2013 MAR p. 156, Eff. 2/1/13; AMD, 2025 MAR, 37-1072, Eff. 4/26/25.

37.112.147 TRAINING

(1) Operators and body artists must complete formal training in at least general sanitation, first aid, and universal precautions for preventing the transmission of blood-borne pathogens before licensure. Training may be provided by the department, its designee, or an organization approved by the department or its designee as having adequate content in each subject.

(2) Operators and body artists must maintain current training certification with approved providers for first aid, and universal precautions for preventing the transmission of blood-borne pathogens and follow certifying organizations guidelines for expiration and renewal.

(3) Guest body artists and new body artists must complete formal training and provide the inspecting authority with documentation of this training prior to working in a licensed facility.

(4) Equivalent formal training that is not provided by the department or its designee may be permitted if the training contains the same subject matter requirements as specified in (1), and the department or its designee has approved the training.

(5) Each formal training course must provide written documentation to trainees indicating successful completion the course.

Authorizing statute(s): 50-48-103, MCA

Implementing statute(s): 50-48-103, MCA

History: NEW, 2007 MAR p. 351, Eff. 3/23/07; AMD, 2013 MAR p. 156, Eff. 2/1/13; AMD, 2025 MAR, 37-1072, Eff. 4/26/25.

37.112.150 LICENSE REQUIREMENT AND DISPLAY

(1) No person shall operate an establishment without a license issued by the department. Only a person who complies with the requirements of this chapter shall be entitled to receive or retain such a license. Licenses are not transferable.

(2) A valid license must be posted in every establishment in a conspicuous location.

Authorizing statute(s): 50-48-103, MCA

Implementing statute(s): 50-48-103, 50-48-201, MCA

History: NEW, 2007 MAR p. 351, Eff. 3/23/07.

37.112.151 LICENSE APPLICATION

(1) Any person desiring to operate an establishment shall submit an application for a license on forms provided by the department. The application must include the name and address of the applicant, and the location and type of the proposed establishment.

(2) The applicant for licensure and all body artists working in the proposed establishment shall be at least 18 years of age at the time of application.

(3) Prior to approval of an application for a license, the department or its designee will inspect the proposed establishment to determine compliance with the requirements of this chapter.

(4) The department will issue a license to the applicant if the applicant demonstrates that the proposed establishment complies with all applicable requirements of this chapter by plan review, inspection, and upon receipt of the license fee.

(5) Obtaining a license from the department does not relieve the applicant from satisfying applicable requirements from other federal, state, or local agencies. These requirements may include:

(a) building code permits and inspections;

(b) fire and life safety inspections; and

(c) other business licenses.

Authorizing statute(s): 50-48-103, MCA

Implementing statute(s): 50-48-103, 50-48-201, MCA

History: NEW, 2007 MAR p. 351, Eff. 3/23/07; AMD, 2025 MAR, 37-1072, Eff. 4/26/25.

37.112.152 LICENSE FEE AND EXPIRATION

(1) Except as provided in (2), the license fee is $185 each for a tattoo license and body piercing license.

(2) The license fee for establishments that only pierce ear lobes is $125.

(3) The license will expire annually on December 31 following the date of its issuance.

Authorizing statute(s): 50-48-103, MCA

Implementing statute(s): 50-48-103, 50-48-201, MCA

History: NEW, 2007 MAR p. 351, Eff. 3/23/07; AMD, 2025 MAR, 37-1072, Eff. 4/26/25.

37.112.153 LICENSE DENIAL AND CANCELLATION

(1) A notice of license denial or cancellation, as provided for in 50-48-205, MCA, is properly served when it is hand-delivered to the operator of the license or the person in charge, or when it is sent by registered or certified mail to the last known address of the operator.

(2) The hearing process provided in 50-48-205, MCA, concerning license denial or cancellation, must be conducted by the department pursuant to Title 2, chapter 4, part 6, MCA, of the Montana Administrative Procedure Act regarding contested cases, and ARM 37.5.117.

Authorizing statute(s): 50-48-103, MCA

Implementing statute(s): 2-4-201, 2-4-631, 50-48-205, MCA

History: NEW, 2007 MAR p. 351, Eff. 3/23/07.

37.112.156 REVIEW OF PLANS

(1) Whenever an initial license is applied for, the license applicant must submit properly prepared plans and specifications to the department or its designee for review and approval before construction, remodeling, or conversion begins.

(2) For initial plan reviews submitted to the department, the initial plan review fee is $200 and must be submitted by the applicant before the plan review will begin. A local board of health may establish its own fee for plans that are submitted to the local heath authority for review.

(3) The plans and specifications must demonstrate how the establishment will meet the requirements of this rule, including the following:

(a) a layout of work rooms, waiting areas, auxiliary rooms, toilet rooms, handwashing facilities, doorways, stairways, fixed equipment, and facilities;

(b) specifications for any autoclave that may be used, including manufacturer and model number;

(c) copies of the client consent form and client record form; and

(d) copies of formal training documentation as described in ARM 37.112.147.

(4) If the department or its designee disapproves of the plans, the department or its designee will make the deficiencies known to the applicant.

(5) If the facility was previously licensed or certified by the department as a body art establishment and no structural modification is involved, the department may waive the requirement for the submission of plans.

(6) Changes in the client consent form and client record form must be submitted to the department or its designee before implementation.

Authorizing statute(s): 50-48-103, MCA

Implementing statute(s): 50-48-103, MCA

History: NEW, 2007 MAR p. 351, Eff. 3/23/07; AMD, 2025 MAR, 37-1072, Eff. 4/26/25.

37.112.157 INSPECTION

(1) The department or its designee, after proper identification, must be permitted to enter any establishment at any reasonable time for the purpose of making inspections to determine compliance with this chapter and must be permitted to examine the records of the establishment pertaining to compliance with this chapter.

(2) The department or its designee shall conduct inspection of establishments at least once per year. Additional inspections of the establishment may be performed as often as necessary for the enforcement of this chapter. The department will charge a follow-up fee for a third or subsequent inspection if a violation of this chapter is not corrected by the end of the second visit to the establishment. The follow-up fee is $150.

(3) Whenever an inspection of an establishment is made, the department or its designee will document its findings on an inspection form. At the conclusion of the inspection, the department or its designee shall provide a copy of the completed inspection report and the notice to correct violations to the person in charge of the establishment and request a signed acknowledgment of receipt.

(a) Correction of the violations that the department or its designee finds must be accomplished within the period specified on the inspection form.

(b) Failure to comply with any time limits for corrections of critical item violations may result in cessation of establishment operations.

(c) The completed inspection report form is a public document that must be made available for public review or distribution upon payment of reasonable copying costs.

Authorizing statute(s): 50-48-103, MCA

Implementing statute(s): 50-48-103, 50-48-206, MCA

History: NEW, 2007 MAR p. 351, Eff. 3/23/07; AMD, 2025 MAR, 37-1072, Eff. 4/26/25.

37.112.158 RESTRICTIONS AND PROHIBITIONS

(1) A body art procedure may not occur if:

(a) either the body artist or the client is under the apparent influence of alcohol or other mind-altering drugs;

(b) the client has not signed the consent form required by ARM 37.112.144; or

(c) the client is under the age of 18, without the explicit in-person consent of the client's parent or legal guardian as provided in 45-5-623, MCA.

(2) If the client is under the age of 18, the parent or legal guardian must accompany the client throughout the procedure.

(3) A written physician referral is required before a body art procedure if the client:

(a) is taking any drug or dietary supplements that may induce bleeding tendencies or reduce clotting;

(b) has a medical condition that is known to cause bleeding tendencies or reduce clotting;

(c) shows signs of recent intravenous drug use;

(d) has a sunburn, a skin disease such a psoriasis or eczema, a skin infection, or lesions such as a mole in the proposed procedure site; or

(e) discloses or evidences allergies or contact sensitivity to pigments, soaps, or other substances that may be used in the procedure.

(4) The body artist may delay or require a medical referral before conducting any body art procedure for any person whose physical health, understanding, or judgment may be in question.

Authorizing statute(s): 50-48-103, MCA

Implementing statute(s): 50-48-103, MCA

History: NEW, 2007 MAR p. 351, Eff. 3/23/07; AMD, 2013 MAR p. 156, Eff. 2/1/13; AMD, 2025 MAR, 37-1072, Eff. 4/26/25.

37.112.159 VARIANCE

(1) A licensee may request a variance to waive or modify compliance with the health requirements of this subchapter by petitioning the department. An application for a variance must contain:

(a) a statement of the proposed variance from the chapter's requirements, citing the relevant rule numbers; and

(b) a rationale explaining how the potential public health hazards addressed by the relevant rules will be alternatively addressed by the proposal.

(2) The department may grant a variance by modifying or waiving the requirements of this chapter if, in the opinion of the department, a health hazard will not result from the variance.

(3) The failure to continuously demonstrate compliance with a variance or modification may result in license revocation or nonvalidation.

(4) The department reserves the right to deny or revoke a variance if, in its judgment, a health risk may occur.

Authorizing statute(s): 50-48-103, MCA

Implementing statute(s): 50-48-103, 50-48-204, MCA

History: NEW, 2007 MAR p. 351, Eff. 3/23/07; AMD, 2013 MAR p. 156, Eff. 2/1/13.

37.112.160 BRANDING SAFETY AND SANITATION REQUIREMENTS

(1) The work room must have walls that extend to the ceiling and a closeable door.

(2) A branding work room must be equipped with an ultraviolet air purifier appropriately sized to the room based on the square footage and the manufacturer's recommendations.

(3) Any person present during the branding procedure, including all personnel and the client, must wear a mask rated as N-95 or higher.

(4) Body artists must use the process of "strike branding" or use a thermal cautery unit (TCU).

(5) Only nongalvanized metal may be used for "strike branding."

(6) Body artists must use only propylene gas to heat the metal for "strike branding."

Authorizing statute(s): 50-48-103, MCA

Implementing statute(s): 50-48-103, MCA

History: NEW, 2025 MAR, 37-1072, Eff. 4/26/25.

37.112.161 SCARIFICATION SAFETY AND SANITATION REQUIREMENTS

(1) The body artist must wear personal protective equipment (PPE) consisting of disposable sleeves.

(2) The scarification work room must have walls that extend to the ceiling and a closeable door.

(3) The scarification work room must be equipped with an ultraviolet air purifier appropriately sized to the room based on the square footage and the manufacturer's recommendations.

(4) The body artist must wear sterile gloves when coming into contact with sterile equipment during the procedure.

Authorizing statute(s): 50-48-103, MCA

Implementing statute(s): 50-48-103, MCA

History: NEW, 2025 MAR, 37-1072, Eff. 4/26/25.

37.112.162 TATTOOING: PATTERN TRANSFER

(1) If the method of pattern transfer involves a reusable plastic or acetate stencil, the stencil must be cleaned and sanitized immediately prior to the application.

(2) An adherent or emollient applied to facilitate a pattern transfer, or to cover a pattern after transfer, must be from a single-use container or must be extracted from a supply container in a manner to prevent contamination of the adherent or emollient supply.

Authorizing statute(s): 50-48-103, MCA

Implementing statute(s): 50-48-103, MCA

History: NEW, 2007 MAR p. 351, Eff. 3/23/07.

37.112.163 TATTOOING: COLORS, DYES, AND PIGMENTS

(1) Each tattooist shall use colors, dyes, and pigments from reputable suppliers, designed for tattooing, stored in appropriate clean and sterile containers, and labeled with the manufacturer name and lot number.

(2) Pigments mixed or prepared in the tattoo establishment must be prepared and stored in accordance with the manufacturer's instructions. When using water to mix colors, dyes, and pigments, distilled or sterilized water must be used.

(3) A tattooist who becomes aware of a client who has experienced an apparent reaction, allergy, or sensitivity to a pigment used in tattooing must report the condition and pigment information to the Department of Public Health and Human Services, Public Health and Safety Division, Environmental Health and Food Safety Section, 1400 Broadway, P.O. Box 202951, Helena, MT 59620-2951 or the local health officer.

(4) Adulterated pigments or those containing deleterious substances may be subject to voluntary hold, manufacturer recall, or other action under the Montana Food, Drug and Cosmetic Act, Title 50, chapter 31, MCA; the Federal Food, Drug and Cosmetic Act; or other federal, state, or local law.

(5) Pigments or dyes may not be used if they are disapproved of or under recall by the United States Food and Drug Administration or the department under the Montana Food, Drug and Cosmetic Act, Title 50, chapter 31, MCA.

(6) Individual pigment portions and ink cups must be used for one client, then disposed in accordance with ARM 37.112.137 pertaining to infectious waste.

(7) If additional pigment must be added to an ink cup during the tattooing, the tattooist shall wash hands and reglove, or use a single-use liner to handle the ink storage container.

Authorizing statute(s): 50-48-103, MCA

Implementing statute(s): 50-48-103, MCA

History: NEW, 2007 MAR p. 351, Eff. 3/23/07; AMD, 2025 MAR, 37-1072, Eff. 4/26/25.

37.112.164 JEWELRY STANDARDS FOR INITIAL BODY PIERCINGS

(1) All materials used for an initial body piercing must meet ASTM and/or ISO standards for implantation. Examples of allowable materials include:

(a) steel that is ASTM F138 compliant or ISO 5832-1 compliant;

(b) steel that is ISO 10993-6, 10993-10, and/or 10993-11 compliant;

(c) unalloyed titanium that is ASTM F67 or ISO 5832-2 compliant;

(d) alloyed titanium (Ti6Al4V ELI) that is ASTM F136 compliant or ISO 5832-3 compliant;

(e) alloyed titanium (Ti6Al7Nb ELI) that is ASTM F1295 compliant or ISO 5832-11 compliant; and

(f) any polymer or plastic material that is ISO 10993-6, 10993-10, and/or 10993-11 compliant and/or meets the U.S. Pharmacopeia (USP) Class VI classification, including polytetrafluoroethylene (PTFE) that is ASTM F754 compliant.

(2) Gold jewelry must be comprised of solid 14 karat or higher yellow, white, or rose gold that is nickel free and cadmium free. Gold jewelry may not be:

(a) plated, unless using materials approved by the department or local health authority that is solid 14 karat or higher yellow, white, or rose gold that is nickel free and cadmium free;

(b) gold filled; or

(c) gold overlay/vermeil.

(3) Platinum jewelry must be comprised of solid unalloyed or alloyed platinum that is nickel free and cadmium free.

(4) Niobium jewelry must be comprised of unalloyed niobium (Nb) that is ASTM B392 compliant. This includes commercial grade 2 niobium and commercial grade 4 niobium that contains 1% zirconium.

(5) Glass jewelry must be lead free. Examples of permissible glass jewelry materials include:

(a) fused quartz;

(b) borosilicate; and

(c) soda-lime.

(6) All threaded or press-fit jewelry must have internal tapping. Threads on exterior of posts and barbells are not permitted.

(7) Jewelry surfaces and ends must be smooth and free of nicks, scratches, burrs, stamps, hallmarks, and polishing compounds.

(8) Jewelry metals must have a consistent mirror finish on surfaces that frequently come in contact with tissue.

(9) All jewelry used for initial piercing on persons older than 12 years of age must be ASTM F2999 compliant.

(10) All jewelry used for initial piercing on persons 12 years of age or younger must be ASTM F2923 compliant.

(11) Receipts for jewelry purchased for initial piercings must include the specifications for items sold in accordance with the standards set forth in (1). Receipts must be retained by the establishment for at least three years, kept on premises for at least one year, and made available to the department or the local health authority upon request.

(12) Material certificates from jewelry suppliers for jewelry used for initial piercings must include the name of the purchaser of material, the name of the seller of the material, the date of material sales, the type of material purchased, the composition of material purchased, the quantity of material purchased, and the country of origin. Records must:

(a) be updated from the supplier for each new lot of material; and

(b) be retained by the establishment for a minimum of three years, kept on the premises for a minimum of one year, and made available to the department or the local health authority upon request.

Authorizing statute(s): 50-48-103, MCA

Implementing statute(s): 50-48-103, MCA

History: NEW, 2025 MAR, 37-1072, Eff. 4/26/25.

37.112.165 BODY PIERCING: ADDITIONAL REQUIREMENTS AND RESTRICTIONS

(1) If the client is under the age of three, the client's parent or legal guardian must be given verbal and written warning of the inherent choking hazard of the jewelry before the body piercing. This warning may be included on the consent form.

(2) Piercing guns may be used on the ear lobe only and shall not be used on body parts such as cartilage, nostrils, navels, eyebrows, and tongues.

(3) For the purposes of this chapter, body piercing does not include the following:

(a) the practice of electrology as defined in 37-31-101, MCA;

(b) the practice of a physician or licensed medical professional as long as the person does not hold himself or herself out as a body artist;

(c) the practice of acupuncture;

(d) other types of body modifications, including cutting muscle to make a permanent split such as tongue-splitting, cutting into bone, trepanation (drilling into the skull), dental modification, amputation, implants, saline injection, vacuum pumping, circumcision, castration, penectomy, and subincision or superincision of genitals.

Authorizing statute(s): 50-48-103, MCA

Implementing statute(s): 50-48-103, MCA

History: NEW, 2007 MAR p. 351, Eff. 3/23/07; AMD, 2025 MAR, 37-1072, Eff. 4/26/25.

37.112.167 BODY PIERCING: EAR LOBE PIERCING EXEMPTIONS

(1) Establishments that perform ear lobe piercing only by using a mechanized presterilized piercing gun approved by the department or its designee may be exempted from ARM 37.112.116(2) and 37.112.117(8) if:

(a) the body artist and client have convenient access to handwashing sinks. If the handwashing sink is not within the work room or within ten feet of the work room door, then a 70% alcohol-based hand sanitizer must be used in accordance with the U.S. Centers for Disease Control "Guideline for Hand Hygiene in Health-Care Settings" (Morbidity and Mortality Weekly Reports, 2002, Vol. 51, No. RR-16) immediately before putting on gloves and immediately after removal of the gloves. The department adopts and incorporates by reference the U.S. Centers for Disease Control "Guideline for Hand Hygiene in Health-Care Settings" (Morbidity and Mortality Weekly Reports, 2002, Vol. 51, No. RR-16). Copies of this guideline may be obtained by contacting the Department of Public Health and Human Services, Public Health and Safety Division, Environmental Health and Food Safety Section, 1400 Broadway, P.O. Box 202951, Helena, MT 59620-2951.

Authorizing statute(s): 50-48-103, MCA

Implementing statute(s): 50-48-103, MCA

History: NEW, 2007 MAR p. 351, Eff. 3/23/07; AMD, 2013 MAR p. 156, Eff. 2/1/13; AMD, 2025 MAR, 37-1072, Eff. 4/26/25.