

**NORTH CAROLINA GENERAL ASSEMBLY
LEGISLATIVE FISCAL NOTE**

BILL NUMBER: House Bill 635 – Second Edition

SHORT TITLE: Regulate Body Piercing

SPONSOR(S):

FISCAL IMPACT					
	Yes (X)	No ()	No Estimate Available ()		
	<u>FY 2001-02</u>	<u>FY 2002-03</u>	<u>FY 2003-04</u>	<u>FY 2004-05</u>	<u>FY 2005-06</u>
REVENUES	No estimate available				
EXPENDITURES:	\$45,000	\$38,000	\$38,000	\$38,000	\$38,000
POSITIONS:	0.50	0.50	0.50	0.50	0.50
PRINCIPAL DEPARTMENT(S) & PROGRAM(S) AFFECTED: Department of Environment and Natural Resources (DENR), Division of Environmental Health; Commission for Health Services; Local Health Departments					
EFFECTIVE DATE: October 1, 2001					

BILL SUMMARY:

The House committee substitute substantially changes the 1st edition of the bill. The committee substitute mandates the Commission for Health Services (Commission) to regulate body piercing in the same manner as it does tattooing. The Commission is charged with establishing the requirements for a body-piercing permit required of each person engaged in the practice of body piercing. The bill requires DENR, acting through the local health departments, to inspect the premises, instruments, utensils, equipment and procedures of the applicant to determine whether the applicant meets the permit requirements set by the Commission before a permit can be issued. Amends G.S.130A-39 to allow local boards of health to assess fees to recover costs for inspection of persons engaged in body piercing. The bill also requires materials used by persons in body piercing be disposed of in accordance with the law governing the disposal of medical waste. The definition of body piercing included in the bill does not include certain ear lobe piercing.

ASSUMPTIONS AND METHODOLOGY:

Revenue:

A precise count of the number body piercing technicians and the number of body piercing facilities in North Carolina is not available. However, based on its experience permitting tattoo artists, DENR's Division of Environmental Health estimates that statewide there are between 200 to 300 body-piercing technicians and between 150 and 200 facilities that provide body-piercing services. Since county health departments are allowed to set the permit fee based on their cost to administer the body-piercing permit, there is no estimate available on the amount of revenue that will be raised from permit fees.

Expenditures:

Local Health Departments: This bill makes use of the existing work force at county health departments to inspect and permit body-piercing technicians and allows county boards of health to charge permit fees to recover local costs. Consequently, county health departments will need no appropriation to regulate body piercing.

Division of Environmental Health: This bill duplicates the current regulatory scheme for tattooing and makes it applicable to body piercing. As a result, this fiscal note assumes that the rules, training and supervision of the body-piercing program will be based largely on the existing the tattooing program. These rules and training will need to be revised to include sections specific to body piercing; however, no new staff will be needed to make these revisions. This note also assumes that the body-piercing portion of the training for local environmental health specialist can be combined with the tattoo portion of the training to minimize additional training costs to the Division.

Before a local environmental health specialist is authorized to conduct an inspection on behalf of the Department, that specialist must be evaluated on-site by a Regional Environmental Health Specialist employed by the Division of Environmental Health. The number of on-site evaluations that will need to be completed is estimated to be 100. This estimate is based upon the assumption that each county will employ at least one local environmental health specialist responsible for inspecting and permitting body piercing technicians practicing in their respective county. To complete these on-site evaluations, the Department will need the equivalent of one part time regional environmental health specialist. The cost of this employee with benefits and operating costs is estimated to be \$38,000, plus one-time computer and furniture expenses of \$7,500.

FISCAL RESEARCH DIVISION 733-4910

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DATE: May 22, 2001



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