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DIVISION 100

**ATHLETIC TRAINER REGISTRATION PROGRAM:
PROCEDURAL RULES**

331-100-0000

Notice of Proposed Rule

Prior to the adoption, amendment, or repeal of any rule, the Health Division shall:

(1) Publish notice of adoption, amendment, or repeal in the Secretary of State's Bulletin referred to in ORS 183.360 at least 21 days prior to the effective date.

(2) Mail such notice to persons on the State Health

Division's mailing list established pursuant to ORS 183.335(7).

(3) Mail or deliver such notice to the Associated Press.

(4) Mail such notice to the following persons, organizations or publications listed according to Division programs, where the Division determines that such persons, organizations, or publications would have an interest in the subject matter of the proposal:

- (a) Oregon Medical Association;
- (b) Oregon Public Health Association;
- (c) Health Services Commission;
- (d) Oregon Athletic Trainers Society;
- (e) National Athletic Trainers Association;
- (f) Emergency Medical Technicians;
- (g) Oregon School Athletics Association.

Stat. Auth.: ORS 183 & 688.700(7)

Stats. Implemented: ORS 183.335(7)

Hist.: HD 8-1994, f. & cert. ef. 3-15-94; HDLB 2-1996, f. 12-13-96, cert. ef. 1-1-97; Renumbered from 333-315-000

331-100-0005

Model Rules of Procedure

Pursuant to ORS 183.341, the Model Rules of Procedure as promulgated by the Attorney General of the State of Oregon under the Administrative Procedures Act effective September 9, 1995, are by this reference adopted as the rules of procedures of the Health Division.

Stat. Auth.: ORS 183 & 688.700(7)

Stats. Implemented: ORS 183.335

Hist.: HD 8-1994, f. & cert. ef. 3-15-94; HDLB 2-1996, f. 12-13-96, cert. ef. 1-1-97; Renumbered from 333-315-010

DIVISION 105

ATHLETIC TRAINER REGISTRATION PROGRAM: GENERAL ADMINISTRATION

331-105-0000

Information Request Charges for Copies and Documents

(1) The Program Office will provide the following information in response to telephone requests:

(a) The name and registration number of a registered athletic trainer; and

(b) Any information as to the assumed business name, the location, and the telephone number of a registered athletic trainer.

(2) A request for any information other than that listed in section (1) of this rule must be in writing.

(3) The Program Office will charge a fee for copies of its records. Charges shall not exceed the actual costs of locating, compiling, making available for inspection, preparing copy in paper, audio, microfilm or machine readable format, and delivering public records. All charges assessed must be paid before public records are made available. Estimates for processing requests for public records will be given when requested.

(4) Persons wishing to obtain copies of the following records may learn the charge for them by contacting the Program Office:

(a) A list of names, addresses, and places of business for all registered athletic trainers and registrations currently held with the Program Office;

(b) A list of all registered athletic trainers;

(c) One or more photocopies of any Program document or portion thereof;

(d) Information packets and/or materials; or

(e) Copies of the administrative rules and/or statute.

(5) Charges to the general public shall be payable in cash. Charges to state agencies shall be payable in cash unless billing to such agencies is authorized by the Division.

Stat. Auth.: ORS 688.700(7)

Stats. Implemented: ORS 688.700(7)

Hist.: HD 8-1994, f. & cert. ef. 3-15-94; HDLB 2-1996, f. 12-13-96, cert. ef. 1-1-97; Renumbered from 333-315-050

331-105-0010

Filing Changes in Business Related Information

It is the responsibility of the registrant to give reasonable written notice to the Division, Program Office by mail or in person of a change in the following information:

- (1) Registrant's name, residential or mailing address;
- (2) Registrant's area code and telephone number;
- (3) Employment or business name, address, or location;
- (4) Business area code and telephone number; or
- (5) Address change resulting from city or Postal Service action.

Stat. Auth.: ORS 688.700

Stats. Implemented: ORS 688.700

Hist.: HD 8-1994, f. & cert. ef. 3-15-94; HDLB 2-1996, f. 12-13-96, cert. ef. 1-1-97; Renumbered from 333-315-040

331-105-0020

Definitions

(1) "Athletic Trainer Registration Program" means a recognized entity within the Health Division designated to register and maintain a list of athletic trainers in Oregon.

(2) "Athletic Trainer, Registered" means a person who meets the minimum qualifications for voluntary registration under Section 253, Chapter 744, Oregon Laws 1993 and is registered by the Athletic Trainer Registration Program to carry out the duties and functions as an athletic trainer.

(3) "Certificate of Registration" means the document issued by the program office authorizing the holder to use the title Athletic Trainer, Registered.

(4) "Division" means the Health Division of the Department of Human Resources of the State of Oregon.

(5) "Program Office" means the unit within the Health Division which administers the Athletic Trainer Registration Program.

(6) "Equivalent" means substantially comparable but not identical, covering the same subject matter or requirement.

(7) "Expired registration" means a registration that is not renewed prior to the expiration date and lapses into inactive status.

(8) "Program Office" means the unit within the Health Division which administers the Athletic Trainer Registration Program.

(9) "Reasonable notice" means notification in no less than 30 calendar days.

Stat. Auth.: ORS 688.700(4)

Stats. Implemented: ORS 688.700(4)

Hist.: HD 8-1994, f. & cert. ef. 3-15-94; HDLB 2-1996, f. 12-13-96, cert. ef. 2-1-97; Renumbered from 333-315-010

331-105-0030

Fees

(1) Payment of fees to the Health Division shall be made for the exact amount of the transaction. No monetary change will be transacted for payments made at the Program Office.

(2) Payment of fees to the Division which are dishonored by the payor's financial institution is prohibited and shall incur a penalty of \$25 if the Division has performed the service for which the negotiable instrument was submitted.

NOTE: Where the Division proposes to take action against a registrant for issuance of a non-negotiable instrument, opportunity for a hearing shall be accorded as provided in ORS 183.310 to 183.550.

(3) Payment of fees is deemed received by the Division upon receipt in the Program Office during regular business hours.

(4) Pursuant to ORS 688.700(4), the Division shall establish and collect fees as follows:

(a) Initial Certificate registration: \$50;

(b) Annual registration renewal: \$50;

(c) Replacement or duplicate registration: \$25;

(d) Delinquency (late) fee: \$15.

Stat. Auth.: ORS 688.700(4)

Stats. Implemented: ORS 688.700(4)

Hist.: HDLB 2-1996, f. 12-13-96, cert. ef. 1-1-97

DIVISION 110

ATHLETIC TRAINER REGISTRATION PROGRAM: REGISTRATION

331-110-0000 Registration

(1) Pursuant to ORS 688.700(3), individuals who voluntarily submitted application for registration as an athletic trainer with the Oregon Health Division prior to January 1, 1997, who are listed on the Division's Roster of Registered Athletic Trainers, shall be required to reapply for registration and submit an initial registration fee in order to receive and hold a current valid registration as an athletic trainer.

(2) Registration fees paid prior to January 1, 1997, shall be credited towards the initial registration cycle, beginning January 1, 1997, and expiring December 31, 1997.

(3) Failure to reapply and submit an initial registration fee by January 1, 1997, shall result in the individual's name being removed from the Oregon Health Division's Roster of Registered Athletic Trainers.

Stat. Auth.: ORS 688.700(3)

Stats. Implemented: ORS 688.700(3)

Hist.: HDLB 2-1996, f. 12-13-96, cert. ef. 1-1-97

331-110-0010 Application for Registration

Application for registration shall be made upon forms furnished by the Health Division and obtained from the program office. Application shall be accompanied by:

(1) Documentation verifying that the applicant currently holds a certificate or license issued by the Board of Certification of the National Athletic Trainers Association; or

(2) Documentation verifying that the applicant currently holds a certificate or license issued by an equivalent organization recognized by the Division; or

(3) Documentation verifying that the applicant holds a current license, certificate or registration issued by another state or territory.

Stat. Auth.: ORS 688.700

Stats. Implemented: ORS 688.700

Hist.: HD 8-1994, f. & cert. ef. 3-15-94; HDLB 2-1996, f. 12-13-96, cert. ef. 1-1-97; Renumbered from 333-315-020

331-110-0020 Certificates of Registration; Issuance and Renewal

(1) A certificate of registration shall be issued upon receipt of an application with satisfactory evidence documenting that applicant meets the criteria of OAR 331-110-0010.

(2) The certificate shall state that registration with the Division and issuance of the certificate indicates that the athletic trainer meets the criteria of OAR 331-110-0010 only. In addition, the certificate shall state that the law establishing the registration of athletic trainers, Section 253, Chapter 744, Oregon Laws 1993, creates a voluntary registration program only and does not grant the Health Division the authority to set mandatory minimum requirements for state licensure or certification.

(3) The certificate of registration shall be issued for a period not to exceed one year, expiring the last day of the month one year from date of issuance.

(4) Renewal shall be for a period of one year. Application for renewal should be made in advance of the registration expiration date. The renewed registration is effective as of the expiration date of the prior registration. Registration fees will not be prorated.

(5) The Division may mail to each registrant notice of the registration certificate expiration, sending the notice to the last address filed with the Program Office. The registrant is responsible for submitting application for renewal whether or not a renewal form was mailed by the Division.

(6) Payment shall be postmarked or received in the Program Office during regular business hours on or before the expiration date. A registrant whose payment is received in the Program Office or is postmarked after the expiration date will be assessed a late renewal fee.

(7) An individual who allows their registration to remain expired beyond one year from the date of expiration shall be required to reapply for registration and pay the required registration fees to reinstate to active status.

Stat. Auth.: ORS 688.700

Stats. Implemented: ORS 688.700

Hist.: HD 8-1994, f. & cert. ef. 3-15-94; HDLB 2-1996, f. 12-13-96, cert. ef. 1-1-97; Renumbered from 333-315-030

331-110-0030 Certificate of Registration Form

(1) If for any reason a person is mistakenly issued a registration or if the form contains a material error or is superseded by a corrected form, the Division has the authority to declare the registration certificate null and void without further action.

(2) Upon the demand of return of any registration certificate issued by the Division, the individual shall surrender the certificate requested.

(3) The possession of more than one current, valid registration certificate is prohibited.

(4) The Division shall issue a DUPLICATE registration certificate, provided:

(a) The registrant submits a written request for a reproduction to the Program Office, which contains the registrant's name, registration number, address, telephone number, employment information, and a statement attesting that the original registration certificate has been lost, stolen, disfigured or destroyed;

(b) The registration is current and valid;

(c) Payment of the duplicate fee accompanies the request.

Stat. Auth.: ORS 688.700

Stats. Implemented: ORS 688.700

Hist.: HDLB 2-1996, f. 12-13-96, cert. ef. 1-1-97

DIVISION 115

ATHLETIC TRAINER REGISTRATION PROGRAM: INQUIRIES AND COMPLAINTS

331-115-0000 Inquiries

(1) Any person is welcome to contact the Program Office to inquire on the registration, status, or employment of registered athletic trainers, or to comment on any issue concerning athletic trainers.

(2) The Division will prepare an "official roster" of registered athletic trainers in active status on an annual basis. Interested persons may request a copy of the roster. Upon receipt of the prescribed fee for the document pursuant to OAR 331-105-0000, the roster will be mailed to the requestor.

Stat. Auth.: ORS 688.700

Stats. Implemented: ORS 688.700

Hist.: HDLB 2-1996, f. 12-13-96, cert. ef. 1-1-97

331-115-0010 Complaints

The Division may be contacted for inquiry or to file a written complaint regarding services rendered by a registered athletic trainer. The Division will log complaints received and provide information to the Oregon Athletic Trainers Society in order to seek resolution to any complaint filed with the Program Office.

Stat. Auth.: ORS 688.700

Stats. Implemented: ORS 688.700

Hist.: HDLB 2-1996, f. 12-13-96, cert. ef. 1-1-97

DIVISION 200

BODY PIERCING LICENSING PROGRAM

331-200-0000

Notice of Proposed Rule

Prior to the adoption, amendment, or repeal of any rule, the State Health Division shall:

(1) Publish notice of the adoption, amendment, or repeal in the Secretary of State's Bulletin referred to in ORS 183.360 at least 21 days prior to the effective date.

(2) Mail such notice to persons on the State Health Division's mailing list established pursuant to ORS 183.335(7) at least 28 days before the effective date of the rule.

(3) Mail or deliver such notice to Associated Press.

(4) Mail such notice to the following persons, organizations, or publications listed according to Division programs, where the Division determines that such persons, organizations, or publications would have an interest in the subject matter of the proposal:

- (a) Association for Professional Piercers;
- (b) Oregon Retail Council;
- (c) National Cosmetology Association of Oregon;
- (d) Ear Piercing Manufacturers of the United States;
- (e) Oregon beauty and piercing industry trade papers and newsletters (upon request);
- (f) Capitol Press Room;
- (g) Associated Press.

Stat. Auth.: ORS 690.570 (Chapter 562, Oregon Laws 1995, effective 9-9-95)

Stats. Implemented: ORS 183

Hist.: HDLB 1-1996, f. & cert. ef. 4-1-96

331-200-0010

Model Rules of Procedure

Pursuant to OAR 183.341, the Oregon Health Division adopts the Model Rules of Procedure as promulgated by the Attorney General of the State of Oregon under the Administrative Procedures Act as amended and effective September 9, 1995.

Stat. Auth.: ORS 690.570 (Chapter 562, Oregon Laws 1995, effective 9-9-95)

Stats. Implemented: ORS 183.341

Hist.: HDLB 1-1996, f. & cert. ef. 4-1-96

DIVISION 205

**BODY PIERCING LICENSING PROGRAM
LICENSING/ADMINISTRATION: GENERAL**

331-205-0000

Charges for Copies and Documents

(1) All requests for copies of public records pertaining to the Body Piercing Licensing Program shall be in writing.

(2) The Division may charge for copies of its records. Fees shall not exceed actual costs of locating, compiling, making available for inspection, preparing copy in paper, audio, computer disk, microfilm or machine readable format, and delivering public records. All fees assessed must be paid before public records are made available. Estimates for processing requests for public records will be given when requested.

(3) Persons wishing to obtain copies of records may learn the charge for them by contacting the Division office.

(4) Charges to the general public shall be payable in cash. Charges to state agencies shall be payable in cash unless billing to such agencies is authorized by the Program Administrator.

Stat. Auth.: ORS 690.540 (Chapter 562, Oregon Laws 1995, effective 9-9-95)

Stats. Implemented: ORS 690.540

Hist.: HDLB 1-1996, f. & cert. ef. 4-1-96

331-205-0010

Notification Requirements for Changes to Information

Facility license holders shall notify the Division office by mail or in person within five (5) calendar days of a change in the following information:

- (1) Business name;
- (2) Area code and telephone number;
- (3) General hours of operation;
- (4) Address change resulting from city or Postal Service action;
- (5) License status, whether from active to inactive practice or from inactive to active practice;
- (6) Closure or sale of facility;
- (7) Name and registration number of individuals working in the facility providing body piercing services; or
- (8) Change in employment status of body piercing technicians working in the facility.

Stat. Auth.: ORS 690.540 (Chapter 562, Oregon Laws 1995, effective 9-9-95)

Stats. Implemented: ORS 690.540

Hist.: HDLB 1-1996, f. & cert. ef. 4-1-96

331-205-0020

Definitions

As used in OAR Chapter 331, Division 200:

(1) "Acceptable" means satisfactory or adequate; fulfilling the needs or requirements of a specified rule, provision or policy.

(2) "Antiseptic" means product used to stop or inhibit the growth of bacteria.

(3) "Approved" means acceptable to the Oregon Health Division.

(4) "Clean" means the absence of soil and dirt.

(5) "Communicable disease or condition" means diseases or conditions diagnosed by a licensed physician as being contagious or transmissible which include but are not limited to the following:

- (a) Chickenpox;
- (b) Diphtheria;
- (c) Measles;
- (d) Meningococcal Disease;
- (e) Mumps;
- (f) Pertussis (whooping cough);
- (g) Plague;
- (h) Poison oak;
- (i) Rubella;
- (j) Scabies;
- (k) Staphylococcal skin infection (boils, infected wounds);
- (l) Streptococcal infections (strep throat);
- (m) Tinea (ring worm);
- (n) Tuberculosis.

(6) "Completed procedure" means a piercing which has been finished.

(7) "Cosmetic" means a preparation designed to beautify the body.

(8) "Easily accessible" means unrestricted use or availability, easy to approach or enter.

(9) "Enclosed storage area" means separate room, closet, cupboard or cabinet.

(10) "Equivalent" means comparable but not identical, covering the same subject matter.

(11) "Facility" means physical place of business and includes all areas used by a body piercing technician and clients, including but not limited to treatment area and waiting/reception area.

(12) "High-level disinfectant" means a chemical agent which has demonstrated tuberculocidal activity.

(13) "Instruments" means body piercing equipment. Such equipment includes but is not limited to piercing needles, forceps, hemostats, tweezers, or other implements used to pierce, puncture, or be inserted into any part of the human body for the intended purpose of making a permanent hole. Such equipment also includes studs, hoops, rings or other decorative jewelry, materials or apparatuses inserted into any part of the human body for the intended purpose of placement in the hole resulting from piercing.

(14) "Linens" means cloths or towels used for such things as draping or protecting table.

(15) "Low-level disinfectant" means a chemical agent which has demonstrated bactericidal, germicidal, fungicidal and limited virucidal activity.

(16) "Needle" means implement used to pierce or puncture a hole in any part of the human body.

(17) "Operatory" means:

(a) A screened or separated area away from public access and viewing, isolated from a reception or waiting area, when piercings are conducted upon the genital, nipple, or any other discretionary part of a person's body; or

(b) A designated area which is segregated from other business activities or services, when ear piercing services are conducted. The designated area may consist solely of a table, work station and/or chair independent of any other retail or merchandise activities.

(18) "Owner" means and includes every person having ownership, control or custody of any place of business or employment.

(19) "Permanent Hole" means a hole produced by piercing or puncturing any part of the human body, with instruments intended to leave an opening in body tissue(s) into which an appropriate device or apparatus may be inserted. Permanent hole would include any body part newly pierced or punctured which is undergoing a healing process; and, any piercing whether or not removal of a device or apparatus from the perforation would result in fusing or healing of the tissue or skin structures.

(20) "Person" means one or more individuals, legal representatives, partnerships, joint ventures, associations, corporations (whether or not organized for profit), business trusts, or any organized group of persons.

(21) "Piercing gun" means a hand-held tool manufactured exclusively for piercing the earlobe, into which studs and clutches are placed and inserted into the earlobe by a hand-squeezed or spring loaded action to create a permanent hole. The tool is made of plastic, stainless steel or other material that is able to be disinfected.

(22) "Place or places of business" means the name, mailing address, and location where the registrant or person provides piercing services.

(23) "Premises" means the entire building or structure within which services are provided.

(24) "Probation" means continuation of licensure or registration under conditions set by the Division.

(25) "Program" means office and staff designated to carry out the daily functions of the Body Piercing Licensing Program.

(26) "Program Administrator" means the individual who directs the daily functions of the Program as delegated by the Administrator of the Health Division.

(27) "Protective gloves" means gloves made of vinyl, latex or "Nitrile".

(28) "Public view" means open to view and easy for the public to see, located in the waiting or lobby area of place of business.

(29) "Regular address of place or places of business" means a street or location address, not a post office box.

(30) "Renew" means to extend a current license or registration for a year beyond expiration or to bring an inactive license or registration to current, active status.

(31) "Sharps" means any object that can penetrate the skin, including but not limited to needles, scalpel blades, lancets, glass tubes that could be broken during handling and syringes that have been removed from their original sterile containers.

(32) "Sharps container" means a puncture-resistant, leak-proof container that can be closed for handling, storage, transportation, and disposal. The container must be red and may be labeled with the "Biohazard" symbol.

(33) "Single Use" means products, instruments or items that are disposed of after each use, including but not limited to cotton swabs or balls, tissues or paper products, paper or plastic cups, gauze and sanitary coverings, piercing needles and protective gloves.

(34) "Sterilization" means destruction of all forms of microbiotic life, including spores.

(35) "Suspend" as used in ORS 690.560 means disciplinary action taken by the Division.

(36) "Universal Precautions" means a set of guidelines and

controls, published by the Center for Disease Control (CDC), which outline certain practices which health workers should employ in order to prevent parenteral, mucous-membrane, and no intact skin exposure to blood-borne pathogens. The method of infection control requires the employer and employee to assume that *all* human blood and specified human body fluids are infectious for HIV, HBV, and other blood borne pathogens. Precautions include hand washing, gloving, personal protective equipment, injury prevention, proper handling and disposal of needles and other sharp instruments and blood and body fluid contaminated products.

Stat. Auth.: ORS 690.540 and 690.570 (Chapter 562, Oregon Laws 1995, effective 9-9-95)

Stats. Implemented: ORS 690.540 and 690.570

Hist.: HDLB 1-1996, f. & cert. ef. 4-1-96

331-205-0030

Fees

(1) Payment of fees to the Division shall be made for the exact amount of the transaction. No monetary change will be transacted for payments made at the Program office. Application fees are non-refundable.

(2) Payment of fees to the Division which are dishonored by the payor's financial institution is prohibited and shall incur a civil penalty of \$25 if the division has performed the service for which the negotiable instrument was submitted. Civil penalties imposed under this section shall be imposed as provided in ORS 183.090.

(3) Payment of fees are deemed received by the Division upon receipt in the Program office during regular business hours.

(4) The fee schedule established by statute is:

(a) Application for facility license: \$100.

(b) Initial, one-year facility license: \$100.

(c) Annual renewal of facility license: \$100.

(d) Technician application: \$10.

(e) Initial technician registration: \$25.

(f) Annual renewal of technician registration: \$25.

(g) Duplicate license or registration: \$10.

Stat. Auth.: ORS 690.550 (Chapter 562, Oregon Laws 1995, effective 9-9-95)

Stats. Implemented: ORS 690.550

Hist.: HDLB 1-1996, f. & cert. ef. 4-1-96

DIVISION 210

BODY PIERCING LICENSING PROGRAM APPLICATION FOR LICENSURE AND REGISTRATION

331-210-0000

Issuance of Facility Licenses

The Administrator of the Program may issue a facility license providing that the applicant:

(1) Is at least 18 years of age;

(2) Submits application on a form prescribed by the Division, which indicates the name of owner, corporation or partnership, facility address, mailing address if different from physical location, and area code and telephone number;

(3) Pays the required application and license fees;

(4) Certifies that application information is correct;

(5) Provides a map or directions to the facility if it is located in a rural or isolated area;

(6) Registers with the Corporation Division and received an assumed business name prior to applying for a facility license (unless doing business under the full name of the owner);

(7) Complies with all applicable rules and regulations of the Division and other state, county and local agencies. This includes compliance with specifications for building, fire and plumbing codes, and with exit and fire standards established by the Building Codes Agency, the Office of the State Fire Marshal, and compliance with Oregon Occupational Safety and Health Division, OAR 437, Division 2, General Occupational Safety and Health Rules (29 CFR 1910), Subdivision Z Bloodborne

Pathogens.

Stat. Auth.: ORS 690.520 (Chapter 562, Oregon Laws 1995, effective 9-9-95)

Stats. Implemented: ORS 690.520

Hist.: HDLB 1-1996, f. & cert. ef. 4-1-96

331-210-0010**Criteria for Operating a Facility; Inspections**

(1) Each facility owner shall:

(a) Require each individual working within the facility premises providing piercing services to be registered with the Division as a body piercing technician;

(b) Be responsible for technicians complying with all applicable health, safety, sanitation and sterilization rules and regulations of the Division and other state agencies;

(c) Be responsible for notifying the Division prior to employment of new registrant(s) within the facility or immediately following termination of any registrant's employment;

(d) Be responsible for maintaining a list of registrants employed at the facility for review by the Division upon request;

(e) Post risk factor notice in public view on the facility premises when open for business;

(f) Post name, address and telephone number of Oregon Health Division, Program office for clients to contact regarding services, licensing issues or complaints;

(g) Provide disclosure statement to all clients on risks involved in body piercing services, and aftercare instructions;

(h) Allow a Division inspector to inspect the facility when it is open for business;

(i) Be prohibited from exhibiting, or failing to prevent employees or technicians from exhibiting behavior which impedes the normal progress of the inspection; and

(j) Contact the Division and negotiate for an inspection if after two years the Division has been unable to perform an inspection because the facility was closed;

(2) Facility licenses are not transferable from person to person, business to business, or to a new location.

(3) Persons purchasing an existing body piercing facility shall:

(a) Meet the requirements of a new facility (refer to OAR 331-210-0000);

(b) Submit a new facility application, pay the application and license fees, and be issued a new facility license prior to assuming operation of the business; and

(c) Comply with all the administrative rules of the Division concerning health, safety, sanitation and sterilization requirements.

(4) Owners of body piercing facilities being moved to a new physical location shall:

(a) Meet the requirements of a new facility (refer to OAR 331-210-0000);

(b) Submit an application, pay the application and license fees, and be issued a new facility license prior to opening for business at the new location; and

(c) Comply with all the administrative rules of the Division concerning health, safety, sanitation and sterilization requirements.

(5) Facility owners closing their facilities shall inform the Division office in writing by mail or in person within 5 calendar days of closure of the facility; if the same owner reopens the facility while the license is still current, inform the Division office prior to resuming business.

Stat. Auth.: ORS 690.520 (Chapter 562, Oregon Laws 1995, effective 9-9-95)

Stats. Implemented: ORS 690.520

Hist.: HDLB 1-1996, f. & cert. ef. 4-1-96

331-210-0020**Body Piercing Technician Registration; Criteria**

Facility owners are responsible for ensuring that individuals working in the facility register with the Division and comply with all applicable health, safety, sanitation and sterilization rules and

regulations of the Division and other state agencies. Application for registration as a body piercing technician shall:

(1) Be made on a form prescribed by the Division and shall be accompanied by payment of the application and registration fees and required documentation. Required documentation includes the completed application form and documentation which contains the following:

(a) Applicant's name (registrant's address, area code and telephone number are optional);

(b) Applicant's date of birth;

(c) Facility name and license number, business address where services are provided, area code and telephone number; and

(d) Signed copy of the written statement affirming receipt of administrative rules, client notification brochure outlining risk factors and possible consequences of piercing.

(2) The Division may also request that applicants provide their Social Security Numbers.

(3) Technicians are prohibited from providing body piercing services outside of a licensed body piercing facility. Registration is not transferable from person to person.

(4) Notice shall be submitted to the Division prior to any change of employment at a new facility location.

Stat. Auth.: ORS 690.510 (Chapter 562, Oregon Laws 1995, effective 9-9-95)

Stats. Implemented: ORS 690.510

Hist.: HDLB 1-1996, f. & cert. ef. 4-1-96

DIVISION 215

**BODY PIERCING LICENSING PROGRAM
LICENSURE AND REGISTRATION ISSUANCE;
RENEWAL CRITERIA**

331-215-0000**Issuance and Renewal of Facility Licenses**

(1) Facility licenses shall be issued for one-year and shall expire the last day of the month in which the license was issued.

(2) The Division may mail a renewal notice to license holder's last-known address on file with the Division. The license holder is responsible for submitting application for renewal whether or not a renewal form was mailed by the Division.

(3) Application for renewal shall be made in advance of the license expiration date. An expired license may be reactivated by payment of a renewal fee.

(4) Failure to renew or reactivate a license within one year from the expiration date will require reapplication and payment of the application and one year license fees.

(5) License holders of facilities where sterilization is conducted shall conduct routine test of the effectiveness of sterilization at least monthly of biological monitoring (commercial preparation of spores) and submit the results to the Division at the time of license renewal or reactivation. Facilities who contract for use of sterilization equipment shall make copies of the test results available to the Division upon request.

(6) Application for renewal shall include the following information:

(a) Facility license number and expiration date;

(b) Name and place of business, or business mailing address; and

(c) Area code and telephone number.

Stat. Auth.: ORS 690.520 (Chapter 562, Oregon Laws 1995, effective 9-9-95)

Stats. Implemented: ORS 690.520

Hist.: HDLB 1-1996, f. & cert. ef. 4-1-96

331-215-0010**Issuance and Renewal of Technician Registrations**

(1) Issuance of a technician registration authorizes the registrant to provide body piercing services in a licensed facility.

(2) Registrations shall be issued for one-year and shall expire on the last day of the month in which the registration was issued.

(3) The Division may mail initial registration and annual renewal notices to the last known address of the facility on file with the Division where the technician is employed to provide body piercing services.

(4) Failure to renew or reactivate a registration within one year from the date of expiration will require reapplication and payment of the application and registration fees.

(5) Application for renewal shall include the following information:

(a) Name (current residential or mailing address is optional);

(b) Registration number and expiration date; and

(c) The facility name and license number, business address where services are being provided and business area code and telephone number.

Stat. Auth.: ORS 690.510 (Chapter 562, Oregon Laws 1995, effective 9-9-95)

Stats. Implemented: ORS 690.510

Hist.: HDLB 1-1996, f. & cert. ef. 4-1-96

331-215-0020

License and Registration Form

(1) Applicants who satisfactorily complete the application requirements shall be issued a license or registration by the Division authorizing the holder to operate a facility or provide body piercing services according to ORS 690.510 or 690.520.

(2) If for any reason a person is mistakenly issued a license or registration, or if the form contains a material error or is superseded, the Division has the authority to declare the license or registration null and void without further action.

(3) Upon the demand of return of any license or registration issued by the Division, the individual shall surrender the license or registration requested.

Stat. Auth.: ORS 690.510 and 690.520 (Chapter 562, Oregon Laws 1995, effective 9-9-95)

Stats. Implemented: ORS 690.510 and 690.520

Hist.: HDLB 1-1996, f. & cert. ef. 4-1-96

331-215-0030

Posting of Licenses, Registrations, Inspection Certificates, Disclosure Statement and Notice; Duplicate Licenses and Registrations

(1) Facility license holders shall post the following in public view within the premises:

(a) All facility licenses and technician registrations;

(b) A copy of the most recent inspection certificate with the full length and width of the page visible;

(c) A disclosure statement prescribed by the Division, advising of the risks and possible consequences of body piercing services; and

(d) A notice containing the address of the Program office and the procedure for filing a complaint.

(2) The possession of more than one current valid license or registration is prohibited.

(3) The posting of a pocket identification card in lieu of a license or registration is prohibited.

(4) The posting of a reproduction of any license or registration is prohibited unless the Division issued and marked it "Duplicate".

(5) Duplicate registrations are not issued for multiple work locations.

(6) The Division shall issue a duplicate license or registration to the facility provided:

(a) The license or registration is current and valid and the holder submits a written request for a reproduction and includes payment of a duplicate fee; and

(b) The holder includes with the request a statement attesting that the original license or registration has been lost, stolen, disfigured or destroyed.

Stat. Auth.: ORS 690.540 (Chapter 562, Oregon Laws 1995, effective 9-9-95)

Stats. Implemented: ORS 690.540

Hist.: HDLB 1-1996, f. & cert. ef. 4-1-96

331-215-0040

Piercing Services at Location Other Than Named Place(s) of Business

(1) Body piercing services shall not be provided outside of a licensed facility.

(2) Body piercing technicians shall not provide services at any locations other than at the licensed body piercing facilities where registered with the Division.

(3) Upon submission of a written request to the Division, body piercing services may be conducted at locations other than the physical site of a

licensed facility for the purposes of product demonstration, industry trade shows or for educational reasons. Written authorization from the Division shall be required prior to providing piercing services.

Stat. Auth.: ORS 690.570 (Chapter 562, Oregon Laws 1995, effective 9-

9-95)

Stats. Implemented: ORS 690.570

Hist.: HDLB 1-1996, f. & cert. ef. 4-1-96

DIVISION 220

BODY PIERCING LICENSING PROGRAM SAFETY AND STERILIZATION STANDARDS

331-220-0000

Compliance With All Applicable Regulations; Facility Standards

(1) Facility license holders shall observe and be subject to all Health Division and other state regulations pertaining to public health and safety. Compliance with building, state fire, plumbing, and electrical regulations is required.

(2) In addition, when an employee/employer relationship exists, facility license holders shall comply with ORS 654 and the Oregon Safe Employment Act.

(3) The cleanliness and sanitation of any common area of separately licensed facilities in one premise is the responsibility of each license holder on that premises and any violation found in the common area will be cited against all facility licenses posted on the premises.

(4) Facilities shall have an operator or designated service area according to the type of services being performed as defined in OAR 331-205-0020(17).

(5) Facilities shall use and maintain appropriate equipment for providing body piercing services at the place of business. Equipment includes but is not limited to:

(a) Piercing gun of non-porous material which is able to be disinfected;

(b) Single-use stainless steel needles;

(c) Sterilization bags with color strip indicator;

(f) Protective disposable gloves;

(e) Single-use towels, tissues or paper products;

(g) Sharps container; and

(h) Approved equipment for cleaning and sterilizing instruments.

(6) Products and instruments are prohibited from being used in a manner that is disapproved by the Oregon Health Division or the U.S. Food and Drug Administration.

(7) Facilities shall be kept clean and orderly, and equipment shall be maintained in good repair.

(8) All surfaces, including counters, tables, equipment, client chairs or recliners in service areas shall be made of smooth, non-absorbent and non-porous material.

(9) Surfaces or blood spills shall be cleaned using an EPA-registered high-level disinfectant, used according to the manufacturer's instructions.

(10) Disposable products that come in contact with the area(s) to be pierced shall be stored in closeable clean containers.

(11) Clean, sterilized re-usable instruments shall be stored in clean, sterilized containers.

(12) New or disinfected piercing gun tools shall be stored separately from used or soiled tools or instruments.

(13) Chemicals shall be stored in labeled, closed containers.

(14) Clean linens or single-use disposable paper products, and single-use piercing needles, piercing studs and protective gloves shall be used for each client.

(15) Used linens shall be disposed of or stored in a closed or covered container until laundered.

(16) Facilities shall have easy access to a sink with hot and cold running water, as part of surrounding premises or adjacent to the facility but separate from a public restroom.

(17) Lavatories located within the facilities shall be kept clean and in good working order at all times.

(18) All waste material related to body piercing shall be deposited in a covered container following service for each client.

(19) All public places in a facility shall be governed under the Oregon Indoor Clean Air Act as it appears in ORS 433.835 through 433.875, as amended and in effect September 9, 1995.

(20) Pets or other animals shall not be permitted in the business facility. This prohibition does not apply to registered therapy animals, trained guide animals for the disabled, sightless or hearing impaired, or fish or reptiles in aquariums.

Stat. Auth.: ORS 690.540 and 690.570 (Chapter 562, Oregon Laws 1995, effective 9-9-95)

Stats. Implemented: ORS 690.540 and 690.570

Hist.: HDLB 1-1996, f. & cert. ef. 4-1-96

331-220-0010

Approved Sterilization Modes; Procedures

(1) Facilities shall sterilize all piercing instruments listed in OAR 331-205-0020(13) which have or may come into direct contact with a client's skin or be exposed to blood or bodily fluid.

(2) Piercing needles shall not be re-used even if cleaned and sterilized by use of an autoclave. All piercing needles shall be single-use.

(3) Approved modes of sterilization include:

(a) Use of autoclave (steam or chemical) sterilizer, registered and listed with the federal Food and Drug Administration, which is used, cleaned and maintained according to the manufacturer's directions; or

(b) Single-use prepackaged sterilized instruments obtained from suppliers or manufacturers.

(4) Facilities using an autoclave for instrument sterilization shall test the device on a monthly basis for functionality and thorough sterilization. Chemical and biological indicator test results shall be available at the facility at all times for inspection by the Division enforcement officers. Testing shall be conducted as follows:

(a) Chemical indicators (color change) to assure sufficient temperature and proper functioning of equipment during sterilization cycle; and

(b) Biological monitoring system (commercial preparation of spores) to assure all microorganisms have been destroyed and sterilization achieved.

(5) Instruments approved for re-use in providing piercing services shall be cleaned prior to sterilizing by brushing or swabbing to remove foreign material or debris, rinsing, then:

(a) Immersing in detergent and water in an ultrasonic unit that operates at 40 to 60 kilohertz, followed by a thorough rinsing and wiping; or

(b) Submerging and soaking in a protein dissolving detergent/enzyme cleaner, followed by a thorough rinsing and wiping.

(6) Instruments approved for re-use in providing piercing services shall be cleaned according to subsection (5) of this rule and placed in sterile bags, with color strip indicators, and sterilized by exposure to one cycle of an approved sterilizer.

Stat. Auth.: ORS 690.540 and 690.570 (Chapter 562, Oregon Laws 1995, effective 9-9-95)

Stats. Implemented: ORS 690.540 and 690.570

Hist.: HDLB 1-1996, f. & cert. ef. 4-1-96

331-220-0020

Ear Piercing Services; Facility Requirements

Facilities which provide exclusively ear piercing services,

shall be subject to the following standards:

(1) Facilities shall use a piercing gun manufactured and designed to minimize contact with the client's skin and insert a pre-packaged sterilized ear piercing stud into the ear lobe simultaneously with piercing.

(2) The piercing gun shall be made of material which is able to be disinfected. All parts of the gun in direct contact with the client's skin shall be disinfected before and after use on a client.

(3) Single-use prepackaged sterilized ear piercing studs shall be used for each client.

NOTE: Facilities providing exclusively ear piercing services using a manufactured ear piercing gun and single-use prepackaged sterilized ear studs are exempted from use of an autoclave.

(4) Ear piercing services shall be conducted in an area of the facility which is separately maintained from other business activities or services as defined in OAR 331-205-0020(17)(b).

(5) New or disinfected piercing gun tools shall be stored separately from used or soiled tools or instruments.

(6) Facilities shall comply with the licensing, registration and safety/sanitation regulations of OAR 331, Division 200 through 225.

Stat. Auth.: ORS 690.540 and 690.570 (Chapter 562, Oregon Laws 1995, effective 9-9-95)

Stats. Implemented: ORS 690.540 and 690.570

Hist.: HDLB 1-1996, f. & cert. ef. 4-1-96

331-220-0030

Handling Disposable Materials

(1) Disposable materials coming into contact with blood and/or body fluids shall be disposed of in a sealable plastic bag (separate from sealable trash or garbage liners) or in a manner that not only protects the technician and the client, but also others who may come into contact with the material such as sanitation workers.

(2) Disposable sharp objects that come in contact with blood and/or body fluids shall be disposed of in a sealable rigid (puncture proof) sharps container that is strong enough to protect the technician and client and others from accidental cuts or puncture wounds that could happen during the disposal process.

(3) Facilities shall have sealable plastic bags available. They shall also have sealable rigid containers available at the facility if disposable sharp objects are used.

Stat. Auth.: ORS 690.540 and 690.570 (Chapter 562, Oregon Laws 1995, effective 9-9-95)

Stats. Implemented: ORS 690.540 and 690.570

Hist.: HDLB 1-1996, f. & cert. ef. 4-1-96

331-220-0040

Communicable and Blood Borne Diseases

Facility owners shall be responsible for adhering to the following standards:

(1) A technician or an employee is prohibited from providing body piercing services or working in a facility while having a disease or condition which has been diagnosed by a physician to be in a communicable or transmissible form. Refer to OAR 331-205-0020(5).

(2) A technician or employee shall not diagnose or treat any suspected communicable disease or condition or knowingly provide body piercing services on clients with communicable diseases or conditions. Refer to OAR 331-205-0020(5).

(3) A technician or employee providing service or working in a facility while diagnosed with or suspected of having acquired an immunodeficiency virus and related immunodeficiency conditions or the hepatitis B virus shall observe and follow all current Center for Disease Control (CDC) standards for public service workers regarding personal protective equipment and disposal of blood or bodily fluid contaminated articles, tools and equipment. This includes technicians or employees providing services to clients who have been diagnosed with or are suspected of having an immunodeficiency virus, related conditions or the hepatitis B virus.

NOTE: It is the position of the Health Division that human immunodeficiency virus (HIV) is the cause of acquired immu-

unodeficiency syndrome (AIDS) and related immunodeficiency conditions. This virus, as well as hepatitis B virus (HBV) may be transmitted by sharp instruments contaminated by blood or other body fluids, if proper precautions are not followed. As the carriers of these viruses may have no symptoms, the most prudent course to follow is to treat body fluids from all persons with the same high standards of caution and to rigorously follow established safety and sanitation practices as required by the law and rules of the Division. There is no published evidence to support casual transmission of HIV, by sneezing or touching, even in close household settings involving AIDS patients and family members caring for them at home. Because HIV is not spread by casual means and because of the inadequacies of the HIV antibody test, there is no reason for the Division to require blood tests prior to certification and/or licensure. Good hand washing after glove removal and between each client is imperative and the most important procedure for prevention of all infections, including HIV. Universal precautions are ample to prevent transmission of HIV or HBV in a facility setting.

Stat. Auth.: ORS 690.540 and 690.570 (Chapter 562, Oregon Laws 1995, effective 9-9-95)

Stats. Implemented: ORS 690.540 and 690.570

Hist.: HDLB 1-1996, f. & cert. ef. 4-1-96

331-220-0050

Serving Clients

Facility owners shall be responsible for adhering to the following standards while serving clients in the facility:

(1) Technicians shall observe and follow thorough hand washing with soap and water or equivalent hand washing product before and after serving each client and as needed to prevent cross contamination and/or transmission of body fluids, infections or exposure to service related wastes or chemicals.

(2) Technicians shall cleanse the client's skin, excluding the areas surrounding the eyes, by washing with a FDA registered antiseptic solution applied with a clean single-use paper product before and after piercing the client's skin.

(3) All substances shall be dispensed from containers in a manner to prevent contamination of the unused portion. Single use tubes or containers and applicators shall be discarded following the piercing service.

(4) Use of any type of marking pen must be on cleansed skin or by use of a surgical marking pen sanitized by design, such as alcohol based ink pens.

(5) Use of styptic pencils or alum solids to control blood flow is prohibited.

(6) After care shall be administered to each client following service. After care shall consist of both verbal and written instructions concerning proper care of the pierced area. Instructions shall specify:

- (a) Care following service;
- (b) Possible side effects; and
- (c) Restrictions.

(7) Technicians who have open sores or bleeding lesions on their hands shall not have client contact until the lesions have healed to the scab phase and shall cover them with protective gloves and/or impervious bandages prior to contact with clients.

(8) As a universal precaution against the possibility of cross-contamination, technicians shall wear single-use disposable protective gloves when providing service.

(9) Technicians shall wear eye goggles, shields and/or a mask if spattering is likely to occur while providing services.

(10) Disposable materials that come in contact with blood and/or body fluids, or are used in cleaning blood spills shall be discarded according to provisions of OAR 331-220-0030 to protect the technician, clients and others who may come into contact with the material.

Stat. Auth.: ORS 690.540 and 690.570 (Chapter 562, Oregon Laws 1995, effective 9-9-95)

Stats. Implemented: ORS 690.540 and 690.570

Hist.: HDLB 1-1996, f. & cert. ef. 4-1-96

331-220-0060

Client Records; Prohibitions

(1) Facilities shall maintain client records. The record shall include the name and address of client, date of each service, type of service, name and registration number of the technician providing service and special instructions or notations relating to the client's medical or skin conditions.

(2) Facility owners may obtain advice from physicians regarding medical information needed to safeguard client and technician.

(3) Records shall be kept for a minimum of two years.

(4) Pre-service information in written form shall be given to client to advise of possible reactions, side-effects and potential complications of the body piercing process. After care instructions shall be given to the client both verbally and in writing after every service.

(5) Use of piercing guns shall be limited to piercing of the earlobe exclusively. No other part of the body or ear shall be pierced by use of a piercing gun.

(6) Piercing is prohibited:

(a) On a person who is inebriated or appears to be incapacitated by the use of alcohol or drugs;

(b) On a person who show signs of recent intravenous drug use;

(c) On a person with sunburn or skin diseases or disorders such as open lesions, rashes, wounds or puncture marks;

(d) On a person under 18 years of age :

(A) Genital or nipple piercing is prohibited regardless of parental consent.

(B) Written parental consent shall be required to be issued in person to the facility for piercing services on a minor. Photographic identification of the parent or legal guardian is required.

(6) Use of personal client jewelry or any apparatus and device presented by the client for use during the initial body (including ears) piercing is prohibited. Pre-sterilized jewelry, apparatus or device(s) shall be provided by the facility and be of a metallic content recognized as compatible with piercing services.

Stat. Auth.: ORS 690.530, 690.540 and 690.570 (Chapter 562, Oregon Laws 1995, effective 9-9-95)

Stats. Implemented: ORS 690.530, 690.540 and 690.570

Hist.: HDLB 1-1996, f. & cert. ef. 4-1-96

DIVISION 225

BODY PIERCING LICENSING PROGRAM COMPLIANCE

331-225-0000

Complaint Handling

(1) Complaints against facilities and/or technicians regarding licensing, safety, sanitation or sterilization violations may be filed with the Division. The complaint shall be made on forms provided by the Division and shall include the following information:

(a) The name of the person making the complaint;

(b) The name of the person, facility owner or license holder, or technician against whom the complaint is being made;

(c) A concise description of the charge against the person, facility or technician giving dates, time, circumstances of the alleged violation; and

(d) The signature of the person making the complaint.

(2) Upon receipt of a complaint regarding violations of the licensing law or safety and sterilization rules, the Division will determine if further action is to be taken and may initiate an inspection or investigation.

(3) Upon receipt of a written complaint regarding services provided, the Division shall send a copy of the complaint (including name of complainant) to the facility license holder and request a reply to the charges within 20 days from the date of the inquiry by the Division. The Division will determine if further action by the Division is appropriate.

NOTE: The Division endeavors to maintain confidentiality of complainants involving violations of statute or rule(s) whenever possible.

Chapter 331 Department of Human Resources, Oregon Health Division Licensing Programs

OREGON ADMINISTRATIVE RULES 1997 COMPILATION

Stat. Auth.: ORS 690.540 and 690.570 (Chapter 562, Oregon Laws 1995, effective 9-9-95)

Stats. Implemented: ORS 690.540 & 690.570

Hist. HDLB 1-1996, f. & cert. ef. 4-1-96

331-225-0010

Civil Penalty Considerations

(1) In addition to any other penalty provided by law, a person who violates any provision of ORS 690.500 to 690.560, or any rule adopted thereunder shall be subject to a civil penalty imposed by the Health Division. The Division reserves the right to pursue other remedies against alleged violators and may take any other disciplinary action at its discretion that it finds proper, including assessment of penalties not to exceed \$1,000.

(2) In establishing the amount of the penalty for each violation, the Division will consider, but not be limited to the following factors:

(a) The gravity and magnitude of the violation;

(b) The person's previous record of complying or of failing to comply with the provisions of ORS 690.500 to 690.560, or with the rules adopted under ORS 690.570;

(c) The person's history in taking all feasible steps or in following all procedures necessary or appropriate to correct the violation; and

(d) Such other considerations as the Division may consider appropriate.

(3) The Division may revoke, suspend or refuse to issue or renew the facility license of the holder who fails to pay on demand a civil penalty which has become due and payable, provided that it first gives the license holder an opportunity for a hearing as outlined in ORS chapter 183.

Stat. Auth.: ORS 690.560 and 690.999 (Chapter 562, Oregon Laws 1995, effective 9-9-95)

Stats. Implemented: ORS 183; 690.560 & 690.999

Hist. HDLB 1-1996, f. & cert. ef. 4-1-96

331-225-0020

Schedule of Penalties for Licensing Violations; Violation of Standards

The Division may assess penalties against a facility owner for the first and second licensure or practice violations according to the provisions of OAR 331-225-0010(1) and (2). For subsequent violations the Division shall, while reserving the right to impose other sanctions, assess monetary penalties according to the following schedule:

(1) Advertising body piercing or making body piercing services available without first receiving a current, valid facility license, or with an expired or suspended facility license: \$500.

(2) Advertising or allowing an individual to provide body piercing services without obtaining the required technician registration or with an expired technician registration: \$50.

(3) Failing to post a current, valid facility license or technician registration in public view: \$50.

(4) Failing to submit changes of required licensing information within time frame set in rule: \$50.

(5) Providing piercing services at a location other than place or place(s) of businesses licensed by the Division, without receiving prior approval from the Division in accordance with OAR 331-215-0040(3): \$500.

(6) Using a reproduction of a license or registration in place of an original: \$50.

(7) Failing to allow inspection of the premises by the Division upon request: \$500 and/or suspension.

(8) Failing to meet the facility standards adopted by the Division: \$500 and/or suspension or revocation.

(9) Failing to comply with the Oregon Indoor Clean Air Act: \$100.

(10) Failing to provide a private or separate operatory area for clients: \$100.

(11) Except as provided by rule, allowing animals in the facility: \$100.

(12) Failing to maintain the required equipment or have chemical indicators at facility: \$500 and/or suspension or

revocation.

(13) Failing to use chemical and biological indicators as required to ensure proper sterilization: \$500 and/or suspension or revocation.

(14) Failing to sterilize instruments using an approved mode: \$1,000 and/or suspension or revocation.

(15) Failing to meet sterilization standards: \$1,000 and/or suspension or revocation.

(16) Failing to clean instruments prior to sterilization: \$1,000 and possible suspension or revocation.

(17) Failing to wash hands before and after service and/or wear protective gloves: \$500.

(18) Failing to prepare area on client to be pierced in accordance with Division standards: \$500 and possible probation.

(19) Failing to meet cleanliness and/or storage standards for linens: \$500 and possible probation.

(20) Failing to meet storage requirements for instruments, products or chemicals: \$500 and possible probation.

(21) Failing to dispose of materials with blood or body fluids in sealable, and if sharp, also rigid container, or having containers available: \$1,000 and possible probation.

(22) Failing to have required covered waste receptacles: \$100.

(23) Providing a restricted service(s): \$1,000 and/or suspension or revocation.

(24) Failing to have and maintain client case history records: \$500.

Stat. Auth.: ORS 690.560 (Chapter 562, Oregon Laws 1995, effective 9-9-95)

Stats. Implemented: ORS 690.560

Hist. HDLB 1-1996, f. & cert. ef. 4-1-96