

ENROLLED SENATE  
BILL NO. 1537

By: Weedn of the Senate

and

Lindley of the House

An Act relating to crimes and punishments and schools; amending Section 1 of Enrolled House Bill No. 1872 of the 2nd Session of the 47th Oklahoma Legislature, which relates to medical micropigmentation; modifying restriction on micropigmentation application; requiring training and certification within certain period of time; directing State Board of Vocational and Technical Education to establish training program and certification; providing for curricular advice; providing for codification; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY Section 1 of Enrolled House Bill No. 1872 of the 2nd Session of the 47th Oklahoma Legislature is amended to read as follows:

Section 1. A. Medical micropigmentation is defined as a medical procedure in which any color or pigment is applied with a needle or electronic means to produce a permanent mark visible through the skin, (1) above the jawline and anterior to the ear and frontal hairline including but not limited to application of eyeliner, eye shadow, lips, eyebrows, cheeks, scars, or (2) to areas involving reconstructive surgery, trauma, or repigmentation of the areola; provided, however, medical micropigmentation shall not include placing on the body any pictures, images, numbers, signs or designs. In certain cases this medical procedure may require the administration of sedating agents by individuals licensed by the Oklahoma Board of Nursing, the ~~Oklahoma~~ State Board of Medical Licensure and Supervision, the State Board of Osteopathic Examiners, or the ~~Oklahoma~~ Board of Dentistry. Medical micropigmentation is not included in the definition of tattooing.

B. Medical micropigmentation is restricted to application by:

1. A registered nurse licensed by the Oklahoma Board of Nursing who is certified in a medical micropigmentation program approved by the State Board of Vocational and Technical Education or who completes the program and receives the certificate within twelve (12) months of the inception of the program, while under the

supervision of a Medical Doctor (MD) licensed by the Oklahoma State Board of Medical Licensure and Supervision or a Doctor of Osteopathy (DO) licensed by the State Board of Osteopathic Examiners or a Dentist (DDS) licensed by the ~~Oklahoma~~ Board of Dentistry;

2. A licensed or unlicensed technician trained and certified in an approved program by the ~~Oklahoma Department~~ State Board of Vocational and Technical Education or who completes the program and receives the certificate within twelve (12) months of the inception of the program and while under the direct supervision of a Medical Doctor (MD) licensed by the ~~Oklahoma~~ State Board of Medical Licensure and Supervision or a Doctor of Osteopathy (DO) licensed by the State Board of Osteopathic Examiners or a Dentist (DDS) licensed by the ~~Oklahoma~~ Board of Dentistry.

a. ~~The program for training a technician in the field of medical micropigmentation shall be developed by the Oklahoma Department of Vocational and Technical Education with curriculum input from the Oklahoma Board of Nursing, the Oklahoma State Board of Medical Licensure and Supervision, the State Board of Osteopathic Examiners, and the Oklahoma Board of Dentistry.~~

b. ~~The medical micropigmentation program shall be made available through the Oklahoma area vocational and technical schools and shall issue a certification in medical micropigmentation (CMM) to an individual upon meeting the standards and satisfactory completion of the program.~~

c. ~~All licensed or unlicensed technicians currently performing medical micropigmentation under the direct supervision of a Medical Doctor (MD) licensed by the Oklahoma State Board of Medical Licensure and Supervision or a Doctor of Osteopathy (DO) licensed by the State Board of Osteopathic Examiners or a Dentist (DDS) licensed by the Oklahoma Board of Dentistry shall become certified, as described above, within twelve (12) calendar months following implementation of the curriculum by the Oklahoma Department of Vocational and Technical Education; or~~

3. A Medical Doctor (MD) licensed by the ~~Oklahoma~~ State Board of Medical Licensure and Supervision, a Doctor of Osteopathy (DO) licensed by the State Board of Osteopathic Examiners, or a Dentist (DDS) licensed by the ~~Oklahoma~~ Board of Dentistry.

C. Any person convicted of violating the provisions of this section shall be guilty of a misdemeanor punishable by imprisonment in the county jail not to exceed ninety (90) days, a fine of not more than One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment. Nothing in this section shall prevent any of the respective licensing boards specified in this section from taking disciplinary action against ~~one of their licensees~~ a licensee based on a violation of this law.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 14-103.4 of Title 70, unless there is created a duplication in numbering, reads as follows:

The State Board of Vocational and Technical Education shall establish a program for training and certification in medical micropigmentation, to be offered in the area vocational and technical schools. The program shall be developed with curricular advice from the Oklahoma Board of Nursing, State Board of Medical Licensure and Supervision, State Board of Osteopathic Examiners, and the Board of Dentistry.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 18th day of May, 2000.

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President of the Senate

Passed the House of Representatives the 19th day of May, 2000.

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Speaker of the House of Representatives