

EHB 1872

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THE STATE SENATE
Monday, April 3, 2000

ENGROSSED
House Bill No. 1872
As Amended

ENGROSSED HOUSE BILL NO. 1872 - By: LINDLEY, PAULK, COLEMAN and SULLIVAN (Leonard) of the House and WEEDN of the Senate.

[crimes and punishments - micropigmentation - program and certification - emergency]

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 841.5 of Title 21, unless there is created a duplication in numbering, reads as follows:

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. 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

1 Oklahoma Board of Dentistry. Medical micropigmentation is not
2 included in the definition of tattooing.

3 B. Medical micropigmentation is restricted to application by:

4 1. A registered nurse licensed by the Oklahoma Board of Nursing
5 while under the supervision of a Medical Doctor (MD) licensed by the
6 Oklahoma State Board of Medical Licensure and Supervision or a
7 Doctor of Osteopathy (DO) licensed by the State Board of Osteopathic
8 Examiners or a Dentist (DDS) licensed by the Oklahoma Board of
9 Dentistry;

10 2. A licensed or unlicensed technician trained and certified in
11 an approved program by the Oklahoma Department of Vocational and
12 Technical Education and while under the direct supervision of a
13 Medical Doctor (MD) licensed by the Oklahoma State Board of Medical
14 Licensure and Supervision or a Doctor of Osteopathy (DO) licensed by
15 the State Board of Osteopathic Examiners or a Dentist (DDS) licensed
16 by the Oklahoma Board of Dentistry.

17 a. The program for training a technician in the field of
18 medical micropigmentation shall be developed by the
19 Oklahoma Department of Vocational and Technical
20 Education with curriculum input from the Oklahoma
21 Board of Nursing, the Oklahoma State Board of Medical
22 Licensure and Supervision, the State Board of

1 Osteopathic Examiners, and the Oklahoma Board of
2 Dentistry.

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

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

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

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

9 SECTION 2. It being immediately necessary for the preservation
10 of the public peace, health and safety, an emergency is hereby
11 declared to exist, by reason whereof this act shall take effect and
12 be in full force from and after its passage and approval.

13 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS & LABOR, dated 3-27-00 -
14 DO PASS, As Amended.