

Date: May 6, 2008

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Acronyms

BBP – Blood borne pathogens

CDC – The Centers for Disease Control and Prevention

ECDOH - Erie County Department of Health

FDA – Food and Drug Administration

HBV – Hepatitis B virus

HCV – Hepatitis C virus

HIV- Human immunodeficiency virus

MRSA-Methicillin-Resistant Staphylococcus Aureus

NCDOH – Niagara County Department of Health

NIOSH – National Institute for Occupational Safety and Health

NYSDOH – New York State Department of Health

OSHA-Occupational Health and Safety

*** If a caller is irate or requests to speak to someone from the NYSDOH immediately:*

- *Weekdays 8:30am-4:45pm: Attempt to transfer call directly to NYSDOH Regional Epidemiology Program at 518-473-4439.*
- *Weekdays 4:45-8pm, Weekends and Holidays 8:30am-8pm: Collect call-back information and call the Western Regional Office After Duty Officer at 716-864-3649.*

*** If you are unable to answer a caller's question: please note the question/concern on the intake form. Updated Q&As will be developed as needed.*

Brief Synopsis

Niagara County Health Department, Erie County Health Department and the New York State Department of Health are notifying persons who received a tattoo from John Portik, III of Niagara Falls, NY, that they should be tested for hepatitis B virus (HBV), hepatitis C virus (HCV), and human immunodeficiency virus (HIV) due to concerns regarding Mr. Portik's infection control practices while performing tattooing.

Questions concerning notification- incident specific

What happened? Why are NCDOH and ECDOH testing persons who received a tattoo for HCV, HBV and HIV?

In December 2007, the Niagara County Health Department began investigating a report that several individuals developed skin infections after receiving a tattoo from the same tattoo artist, John Portik, III of Niagara Falls.

Health officials do not know for sure that Mr. Portik used proper infection control techniques to prevent transmission of bloodborne infections, such as hepatitis B, hepatitis C, and HIV. There is no information that any of Mr. Portik's clients became infected with these diseases. However, because the health departments cannot be sure of the risk, if any, for transmission of these infections, they are recommending as a precautionary measure that any person who received a tattoo from Mr. Portik since approximately January 2001 be tested for all three infections.

What is the name of the artist who performed tattoos in Niagara and Erie Counties whose clients have to be tested for hepatitis and HIV?

John Portik, III currently of Niagara Falls, New York.

Where did the tattoo artist perform tattoos?

Mr. Portik reported that he performed tattoos mainly in his home or in his clients' homes. According to Mr. Portik, he was also employed for a short time at two former tattoo studios known as Monsters Ink and Murder Ink. Mr. Portik also reported working in Erie County during 2004 and/or 2005, as an independent contractor, for Hardcore Tattoo. Additionally, Mr. Portik reportedly performed tattoos at several home parties while associated with Hardcore Tattoo.

**Did this tattoo artist only perform tattoos in Niagara and Erie County?
Could he have tattooed elsewhere?**

Mr. Portik reported that he performed tattoos in Niagara and Erie Counties, however, the recommendation that was issued to the public recommends that any person who received a tattoo from Mr. Portik, since January 2001, be tested for HCV, HBV, and HIV.

Is this artist/Mr. Portik still tattooing?

No. Mr. Portik, III has been issued a Cease and Desist Order and his tattoo equipment has also been confiscated by the Niagara County Health Department on March 3, 2008. Erie County Department of Health also issued a Commissioner's Order.

I am not sure if I was tattooed by Mr. Portik, III, what does Mr. Portik, III look like?

There is no picture of Mr. Portik available. According to the current available description provided, Mr. Portik is in his mid 30's, approximately 200 pounds with a receding hairline (balding). He also reportedly walks with a limp.

What action has been taken against Mr. Portik?

An inspection warrant was issued against Mr. Portik pursuant to the New York State Public Health Law and the New York State Sanitary Code. An inspection of Mr. Portik's premises was conducted pursuant to this warrant. Cease and Desist Orders were issued and served upon Mr. Portik pursuant to the New York State Public Health Law and the New York State Sanitary Code. Mr. Portik was fined and surrendered his tattooing equipment pursuant to the Orders.

Testing

I have received a tattoo. Am I at risk? Do I need to be tested?

Only clients who received a tattoo from Mr. John Portik, III since January 2001 are being notified that they may be at risk and should be tested for hepatitis C, hepatitis B and HIV. If you did not receive your tattoo from Mr. Portik but are worried about your health you may want to contact your health care provider.

I received a tattoo from this artist, should I be tested?

If you received a tattoo from Mr. John Portik, III, you should be tested. You should contact your doctor. If you do not have a doctor or health care insurance, you should call the Niagara County Health Department at **716-439-7470** if you live in Niagara County, or the Erie County Department of Health at **716-858-2929** if you live in Erie County, Monday to Friday from 9:00am to 4:00pm for testing options.

I have been tattooed by Mr. Portik. Where can I go for testing?

You should contact your personal doctor. If you do not have a doctor or health care insurance, you should call the Niagara County Health Department at 716-439-7470 if you live in Niagara County, or the Erie County Department of Health at 716-858-2929 if you live in Erie County, Monday to Friday from 9:00am and 4:00pm, for testing options.

How urgent is it that I get tested or how quickly do I need to get tested?

This is not considered an emergency situation requiring that you be tested immediately; however, you should contact your doctor. If you do not have a doctor or health care insurance, you should call the Niagara County Health Department at 716-439-7470 if you live in Niagara County, or the Erie County Department of Health at 716-858-2929 if you live in Erie County, Monday to Friday from 9am to 4pm for testing options.

Do I need a referral to be tested at the county health department?

No. If you have been tattooed by Mr. Portik and you do not have a doctor or health care insurance, you will need to call the Niagara County Health Department at 716- 439-7470 if you live in Niagara County, or the Erie County Department of Health at 716- 858-2929 if you live in Erie County, Mon to Fri from 9am to 4pm for testing options.

Who will test the blood?

The lab your doctor uses or the Erie County Public Health Laboratory will run the test. HIV blood tests will be done by at the State Health Department's Laboratory in Albany.

When was Monster Ink and Murder Ink in business?

We know that Monster Ink was in business at least in 2004. We know that Murder Ink was in business at least from 2001 through 2004. We do not know the time periods when Mr. Portik III reportedly worked at these locations.

I was tattooed at (Monster Ink, Murder Ink, Hardcore Tattoo). I don't know who tattooed me. What do I do?

Monster Ink was in business at least in 2004 and Murder Ink was in business at least from 2001 through 2004. We **do not** know the exact dates when Mr. Portik said he worked at these two establishments which are now out of business. According to Mr. Portik, he was also employed for a short time at two former Niagara Falls tattoo studios known as Monsters Ink and Murder Ink. Mr. Portik also reported working in Erie County during 2004 and/or 2005 as an independent contractor for Hardcore Tattoo. Additionally, Mr. Portik reportedly performed tattoos at several home parties while associated with Hardcore Tattoo. If you are unsure if Mr. Portik was your tattoo artist, contact the Niagara County Health Department at 716- 439-7470 if you live in Niagara County, or the Erie County Department of Health at 716- 858-2929, if you live in Erie County for testing options.

Why are you recommending that anyone who has been tattooed by Mr. Portik, III since January 2001 be tested for HCV, HBV, HIV?

Mr. Portik's has reported that he has been tattooing for the past seven years. Since we cannot be sure that he used proper infection control technique on all his clients during this entire time period, it is recommended that anyone who received a tattoo from Mr. Portik be tested for all three infections.

What if I was tattooed by another private tattoo artist in my home (or in the artist's home), do I need to be tested?

The public notification of the need for testing is being recommended specifically for clients tattooed by Mr. Portik. If you have concerns regarding your health status, you should contact your health care provider to discuss your concerns. You may also want to contact your local health department regarding your concerns about the private tattoo artist in your area.

Why are you recommending testing for HBV, HCV, and HIV?

NCHD, ECDOH, and NYSDOH are publically notifying clients of John Portik, III after an investigation into several cases of skin infections revealed that we cannot be sure of the infection control practices Mr. Portik used. Therefore, we have concluded that while the risk of bloodborne disease transmission is believed to be slight, it may not be zero. Keep in mind that, to date, there are no known cases of hepatitis B or hepatitis C or HIV connected with Mr. Portik's practices. The recommendation for testing is merely precautionary. It is also important to remember that a positive test result for Hepatitis B or C or HIV does not mean that the individual was infected during the tattoo process.

I have a tattoo or I just received a tattoo, should I be tested?

If you were a tattoo client of Mr. Portik, III we recommend that you be tested. If you had a tattoo by another artist and have concerns about your health status you should contact your health care provider.

I had a tattoo performed at a shop in Erie County. Do I have to be tested?

The advice that is being given pertains specifically to clients of Mr. Portik, III. If you received a tattoo by Mr. Portik at a shop in Erie County, you should get tested. However, if you have received a tattoo by someone else and you have concerns regarding your health status, you should contact your health care provider

I had a tattoo performed at a shop in Niagara County. Do I have to be tested?

The advice that is being given pertains specifically to clients of Mr. Portik, III. If you received a tattoo by Mr. Portik at a shop in Niagara County, you should get tested. However, if you have received a tattoo by someone else and you have concerns about your health status, you should contact your health care provider

Why should I be concerned about these infections if I haven't had any symptoms?

Many people with these infections don't feel sick. They can still transmit the infection to others and could get sick at a later time. You should be tested even if you haven't felt sick.

I have been vaccinated against hepatitis B. Will that protect me from infection?

If you had the series of three hepatitis B vaccine injections, you should have adequate protection against hepatitis B. There is no approved vaccine for hepatitis C or HIV. The only way to know if you are infected is to be tested.

What if I already know that I have one or more of these infections?

Get tested for the other infections; you don't need testing for any infection you know you have.

What does the testing involve?

Testing for hepatitis B and hepatitis C involves having a sample of blood drawn and sent to a laboratory for testing. Testing for HIV may involve having a sample of blood drawn, a fingerstick, or an oral swab, depending on what method of testing is used by the testing agency.

Who will pay for my testing?

Your health insurance may cover the cost of testing. Check with your medical provider or health insurance company.

What if I do not have a healthcare provider or I cannot afford testing? How can I get tested?

If you do not have a health care provider or health care insurance, you should call the Niagara County Health Department at **716-439-7470** if you live in Niagara County, or the Erie County Department of Health at **716-858-2929** if you live in Erie County, Mon to Fri from 9am to 4pm for testing options.

What will be the cost to me if I go see a private provider?

That is a question that is best answered by your private provider and/or your health insurance. Reimbursement is not available from NYSDOH, NCHD, or ECDOH to patients or providers for any office visit fees, laboratory testing fees, co-pays, deductibles, etc. associated with this notification.

Do I need proof that I am at risk of infection?

If you have been tattooed by Mr. Portik III, you should get tested. No proof is required. If you are unsure, contact the Niagara County Health Department at **716- 439-7470** if you live in Niagara County, or the Erie County Department of Health at **716- 858-2929 if you live in Erie County.**

Do I need a referral to be tested for HIV?

The NYSDOH offers free and anonymous HIV testing. No referral is needed to be tested for HIV. The phone number for locations and times is 1-800-962-5064.

Who will test the blood for HIV?

Your blood will be tested at a laboratory either locally or in Albany.

Will my test results be confidential?

Yes, results are confidential. By law, positive HIV results are reported to NYSDOH and positive hepatitis tests are reported to the local health department where the client lives. All results remain protected and confidential.

Can I have anonymous HIV testing?

The NYSDOH offers free and anonymous HIV testing. No referral is needed to be tested for HIV. The phone number for locations and times is **1-800-962-5064**.

How will I find out my test results?

When you are tested, the provider (either at your doctor's office or at the County Health Department) will explain how you will receive your results.

Do I have to come back to the clinic for my results, or can I get them over the phone?

When you are tested, the provider (either at your doctor's office or at the County Health Department) will explain how you will receive your results.

When will I get my results?

When you are tested, the provider (either at your doctor's office or at the County Health Department) will explain how you will receive your results.

What do I do while I am waiting for my lab tests to find out if I have hepatitis B, hepatitis C, or HIV?

- Avoid sharing razors, toothbrushes, or other household items that may be contaminated with blood.
- Never share needles, syringes, or ANY injection equipment.
- Do not have sex or use a latex or polyurethane condom every time you have sex, since hepatitis B and HIV can be transmitted through sexual activity.

What do I do if I am feeling very anxious or worried about getting tested?

There are special hotlines you can call to talk about your concerns. Trained professionals are there to help you.

Niagara County Residents should call: **716-285-3515**

Erie County Residents should call: **211**

Will anyone other than the health departments and my doctor be told of my results?

No. Results are confidential. By law, positive HIV results are reported to NYSDOH and positive hepatitis tests are reported to the local health department where the patient lives. All results are protected and confidential.

Questions concerning positive test results

What should I do if I am found to have hepatitis B, hepatitis C, or HIV?

Anyone who tests positive will be provided with information about what to do next by the medical provider who tested them.

If I am positive for hepatitis B, hepatitis C or HIV was it because of the tattoo?

Since hepatitis B, hepatitis C and HIV can be acquired in a number of different ways, a positive test does not necessarily mean that you were infected as a result of a tattoo.

What treatments are available for people with hepatitis B, hepatitis C, and HIV and how effective are they?

Treatments are available for hepatitis B, hepatitis C and HIV. You should contact your health care provider to discuss treatments.

Who pays for these treatments?

Discuss this with your health insurance provider. Reimbursement is not available from NYSDOH to patients or providers associated with this notification and not covered by private insurance.

If you don't have health insurance contact: Family Health Plus: 1-8779FHPLUS (1-877-934-7587), www.health.state.ny.us/nysdoh/fhplus or Healthy NY: 1-866-HealthyNY (1-866-432-5849), www.HealthyNY.com .

How do I avoid transmitting hepatitis B, C, or HIV to other people, if I am infected?

- Avoid sharing razors, toothbrushes, or other household items that may be contaminated with blood.
- Never share needles, syringes, or ANY injection equipment.
- Do not have sex or use a latex or polyurethane condom every time you have sex, since hepatitis B and HIV can be transmitted through sexual activity.

Can my primary care provider test me or provide a vaccination?

You should contact your health care provider to discuss your concerns and find out what services are available.

Questions about Risk for Blood Borne Pathogens (HCV, HBV and HIV)

Have there been any cases of hepatitis B, hepatitis C or HIV caused by this artist?

There are no known cases of hepatitis B, hepatitis C, or HIV associated with Mr. Portik's tattoo practice.

Was the artist infected with hepatitis B, hepatitis C or HIV?

We do not have any information concerning the artist's health status.

How can you get hepatitis B, hepatitis C or HIV from a tattoo?

Any time the protective surface of the skin is broken or penetrated by a sharp instrument such as a tattoo needle, germs or pathogens have a chance to enter the body. If the instruments used to perform the tattoo, such as needles and tubes, are contaminated with blood, bodily fluids or other infectious materials from another person with HBV, HCV or HIV, or from touching a contaminated work surface in the environment, those pathogens could enter the body. The blood or other infectious material may not be visible to the naked eye. Invisible pathogens could be contained in very small amounts of blood/body fluids.

I only received a small tattoo, am I at risk for BBP

The risk is the same regardless of the size of the tattoo. If you have concerns regarding your health status you should contact your doctor.

Did the artist reuse needles?

Mr. Portik reported that he did not reuse needles.

Did the artist use disposable needles and tubes?

The artist reported that he used disposable needles and tubes.

Is it true that a person is more likely to get hepatitis than HIV from a tattoo?

A risk for hepatitis B, hepatitis C or HIV does exist if instruments contaminated with blood are either not sterilized or disinfected or are used inappropriately between clients (reused). However, hepatitis, unlike HIV, is a very hardy virus that can survive for long periods outside the human body and can be easily transmitted. HIV is a more delicate virus that does not survive long outside the body. HIV is transmitted when sufficient quantities of infected bodily fluids such as blood are introduced into the body. To reduce the potential for infection, the artist must treat everyone including themselves as though they were infectious. That way, everyone is protected.

Questions concerning risks for skin infections – MRSA

What is *Staphylococcus aureus*?

Staphylococcus aureus, also known as “staph” is a bacteria commonly found on the skin and the nose of healthy people.

What is MRSA?

MRSA is methicillin-resistant *Staphylococcus aureus* which is a strain of *Staphylococcus aureus* that is resistant to a group of antibiotics in the same class as penicillin.

How many skin infections were associated with this tattoo artist?

There were eight persons identified with skin infections.

Were there any MRSA infections?

Yes, some of the skin infections were confirmed as MRSA.

How does tattooing put someone at risk for skin infections such as MRSA or other skin problems?

When getting a tattoo, the tattoo instruments puncture or break the protective surface of the skin. When the skin is broken, bacteria such as staph or MRSA can enter the body from:

- a contaminated tattoo instrument to the client (e.g. reuses razor without cleaning and sanitizing)
- from the artist to the client (the artist not washing his hands, wearing gloves, not cleaning the area to be tattooed, or using the same cloth to wipe blood away from the tattoo work areas on the patients skin)
- or the clients themselves (not performing the necessary aftercare instructions or keeping the area clean).

What are the signs of a skin infection?

Staph infections, including MRSA can start as small reddened areas or bumps that resemble pimples, boils or spider bites. These areas can quickly develop into skin abscesses or boils causing pain, fever, swelling, and pus or other drainage.

Are tattoo MRSA infections treatable?

Yes, MRSA skin infections can be treated by draining any abscesses or boils and providing localized care. There are also antibiotics available to treat MRSA which can be prescribed by your doctor, if needed

I think I have developed a skin infection after receiving a tattoo. What should I do?

If you detect any signs of infection, you should see your health care provider immediately.

Questions concerning Tattoo Regulations

Does NYS have laws about tattooing?

There are two laws that pertain to tattooing. The first is Section 260.21 of the NYS Penal Law, which prohibits the tattooing of minors. The second is Article 4A of the NYS Public Health Law, which authorizes the establishment of a regulatory program by the Department of Health and specifies certain requirements for tattoo and body piercing artists.

What about regulations? Does the NYS Department of Health have the responsibility to oversee tattoo artists with regulations?

NYS health regulations that will enable the enforcement of Public Health Law Article 4A are currently being developed. Until they are in effect, local regulations, if any, prevail. At least 11 counties and the City of New York have some form of local regulations that apply to tattoo artists.

Does Niagara County have local laws or regulations about tattooing?

Niagara County has proposed an amendment to the Niagara County Sanitary Code to regulate tattoo artists and establishments. These regulations are proposed, and not yet in effect. To see the proposed regulations, go to: <http://www.niagaracounty.com/docs/ProposedTattooCode.pdf>

Does Erie County have local laws or regulations about tattooing?

Yes. For more information, contact the Erie County Health Department at 716-858-7677.

Material in the on-line link to an electronic copy of the regulations (Erie County Sanitary Code) is being updated according to a message on that web page. That link is: http://www.erie.gov/health/pdfs/sanitary_code.pdf

Are there laws about minors being tattooed?

Yes, NYS Penal Law prohibits the tattooing of minors, regardless of parental consent. It is a criminal offense.

Can a tattoo artist travel from house to house/party to party?

Some counties prohibit this practice. Contact your local health department for more information.

When are state regulations be in effect and available?

Regulations are being drafted for review in the Autumn of 2008.

General Tattooing questions:

I plan to get a tattoo soon- how can I find a reputable tattoo artist?

If your county regulates tattooing, make sure you go to a licensed facility and take time to discuss the safety procedures with the artists working at the shop or tattoo parlor. They should explain the process and clarify what they do to keep everyone safe and healthy by using sterile needles and razors, washing hands, wearing gloves, and keeping surfaces clean.

If your county does not regulate tattooing, it may be preferable to go to an established, commercial shop rather than being tattooed in a private residence.

Wherever you choose to have your tattooing done, ask the artist a lot of questions first. Ask about their training and experience, what they do to ensure good infection control, what the tattooing process will involve, how you should take care of the tattoo afterwards, etc.

How can I tell if a tattoo artist uses appropriate infection control?

Some indications that a tattoo artist is using appropriate infection control include witnessing the following:

- They use single-use, disposable items (needles, razors, etc.) whenever possible.
- They open the needle package in front of you.
- They safely dispose of needles and razors in a biohazard-labeled, disposable container.
- They wash hands before and after putting on disposable gloves.
- They change their gloves whenever they become contaminated.
- They clean and sterilize reusable tools and equipment.
- They frequently clean surfaces and work areas, such as chairs, tables, work spaces, and counters.

I am not at risk, but would like something in writing explaining the risk of infection.

Some good resources include:

CDC website: <http://www.cdc.gov/Features/BodyArt>

NIOSH website: <http://www.cdc.gov/niosh/topics/bbp/bodyart/>

FDA website: <http://www.fda.gov/consumer/features/tattoos120607.html>

NYSDOH website: TBD

Have there been previous occurrences of hepatitis B, hepatitis C, or HIV, transmitted during tattooing?

This is a question still under research. Often tattoo clients may have multiple risk factors, making it difficult to determine from which activity transmission may have occurred. Although we do not know for certain, there is a risk of transmission from tattooing.

If a tattoo artist uses disposable needles and tubes can BBP infections such as hepatitis B, Hepatitis C, and HIV still occur?

BBP Infections can be spread by not using proper infection control technique and barrier precautions (such as gloves and appropriately cleaning and covering equipment and work surfaces) while handling tattoo equipment and supplies such as disposable needles and tubes. BBP can also be spread if the disposable needles and tubes are used inappropriately between clients (reused).

How can lapses in infection control be prevented?

The tattoo artist must follow OSHA requirements where they pertain. General infection control guidelines for tattooing can be found at www.cdc.gov/Features/BodyArt/. These guidelines include having the artist use gloves and other barriers on anything that the artist comes in contact with, as well as disinfecting all surfaces. Tattoo artists working in Erie County must adhere to the regulations found in the Erie County Sanitary Code. Clients should also follow after care instructions, and keep the area clean.

Questions from Tattoo Artists:

How can I learn more about safe infection control practices?

If you work in a shop as an employee, your employer is mandated to ensure that you have annual training on the OSHA standards for bloodborne pathogens found in 29 CFR 1910.1030. Training must include techniques for preventing the transmission of bloodborne pathogens known as Universal Precautions.

Link

http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=STANDARDS&p_id=10051

The American Red Cross, among other providers, offers training in using Universal Precautions that is targeted specifically to body artists. For more info, see: <https://www.redcrossonlinetraining.org/Distance/Default.aspx?CID=72>

Please tell me the kinds of things I need to be doing in order to tattoo safely.

Body piercers and tattoo artists protect themselves and their clients when following safe and healthy practices, such as:

- **Use single-use, disposable needles and razors.** Disposable piercing needles, tattoo needles, and razors are used on one person and then thrown away. Reusing needles or razors is not safe.
- **Safely dispose of needles and razors.** Used needles and razors should be thrown away in a biohazard-labeled, disposable container to protect both the client and the person changing or handling the trash bag from getting cut.

- **Wash hands before and after putting on disposable gloves.** Gloves are always worn while working with equipment and clients, changed when necessary, and are not reused.
- **Clean and sterilize reusable tools and equipment.** Some tools and equipment can be reused when creating body art. Reusable tools and equipment should be cleaned and then sterilized to remove viruses and bacteria.
- **Frequently clean surfaces and work areas.** Chairs, tables, work spaces and counters should be disinfected between procedures to protect both the health of the client and the artist. Cross-contamination (spreading bacteria and viruses from one surface to another) can occur if surfaces are not disinfected frequently and between clients. Any disinfectant that claims to be able to eliminate the tuberculosis germ can also kill HIV, hepatitis B and hepatitis C viruses. Use a commercial disinfectant, following the manufacturer's instructions, or a mixture of bleach and water (1 part bleach to 9 parts water).
From <http://www.cdc.gov/Features/BodyArt/>

How can I work more safely with tattoo needles?

Certain practices can reduce needlesticks and other sharps injuries. Here is some additional information for preventing exposures to blood in the body art industry.

- **Disposable piercing needles, tattoo needles, and razors must be discarded into a sharps disposal container**

Body artists must throw away used or contaminated sharps into a sharps disposal container. It is safer to put disposable razors into a sharps disposal container rather than the trash. This will protect the person changing or handling the trash bag from getting cut with a used razor.

- **Sharps disposal containers must be kept in a safe place that is easy to reach**
Sharps disposal containers must be kept in a place that is near a work area so artists can quickly and safely dispose of used sharps.
- **Sharps disposal containers must be changed when they become full**
If sharps disposal containers become full, they must be replaced so the containers do not spill over. An artist could get a needlestick if he or she throws away a sharp item into a full container. It is a good idea to replace sharps disposal containers when they are 2/3 full.
- **Sharps disposal containers must be clearly marked**
Sharps disposal containers must be closeable, puncture resistant, leak-proof, and labeled. These features allow for safe disposal in a container that is familiar to all workers.

- **The number of times an artist's hands are in contact with a sharp should be reduced if possible**
When handling or disposing a used sharp, tattooist and piercers should use a tool instead of their fingers to pick up or hold the sharp. This may reduce needlesticks.
- **A sharps incident log should be kept for each shop**
Though OSHA regulations do not generally require a body artist to keep an injury log, a record of cuts from sharps can increase awareness of sharps-related injuries. A sharps incidence log lets artists know how often sharps-related injuries happen and under what conditions. Recording needlesticks and cuts from sharps allow artists to learn from their mistakes and others' mistakes to help reduce exposures.
- **An exposure control plan must be made and kept at each shop**
As required by OSHA, an exposure control plan is written by a shop owner and describes the steps an employer will take to minimize employee exposure to blood. The details included in an exposure control plan should be specific to each shop.

From <http://www.cdc.gov/niosh/topics/bbp/bodyart/needlestick.html>

Do I need to have a license to tattoo?

The statewide regulations for tattoo artists are currently in development. Some counties (and the City of New York) do have local regulations requiring tattoo artists to be licensed. For more information on how to get licensed, contact your local health department.

A tattoo artist license (certification) is required for artists working in Erie County. A similar requirement is expected to be in effect in Niagara County in the near future. To find out how to get licensed, call your county health department.

Accessing Records

How can I get a copy of the final report?

Information about accessing NYSDOH records is available at <http://www.health.state.ny.us/nysdoh/phforum/foil/foil>

Or submit a written request to:
Records Access Office
New York State Department of Health
Corning Tower Building, room 2348
Albany, New York 12237-0044
Fax: (518) 486-9144
or Email: foil@health.state.ny.us

If you would like copies of any records that may contain any personal information about you, you will need to provide a signed and notarized release form otherwise all personal identifying information will be redacted according to The Freedom of Information Law (F.O.I.L).

Can I get a copy of my medical record from the doctor?

Patients and other qualified persons have a right to request a copy of a medical record from a medical provider. The cost can be no more than 75 cents per page for paper copies and a reasonable charge for diagnostic images, plus postage. For information regarding records held by physicians or health care facilities call 1-800-663-6114, visit the NYSDOH website at http://www.health.state.ny.us/professionals/patients/patient_rights/docs/access_to_patient_information.htm

Or write to:

Access to Patient Information Coordinator
Office of Professional Medical Conduct
433 River Street, Suite 303
Troy, New York 12180-2299

RESOURCE LIST

FREEDOM OF INFORMATION LAW (FOIL)

Main page:

<http://www.health.state.ny.us/nysdoh/phforum/foil/foil>

Submit written requests by mail to:

Records Access Office

New York State Department of Health

Corning Tower, Room 2348

Albany, New York 12237-0044

Fax requests to: (518) 486-9144

E-mail requests to: foil@health.state.ny.us

GENERAL HEPATITIS

NYSDOH

Hepatitis main page:

<http://www.health.state.ny.us/diseases/communicable/hepatitis>

CDC

Hepatitis main page: <http://www.cdc.gov/ncidod/diseases/hepatitis/>

HEPATITIS B

CDC: <http://www.cdc.gov/ncidod/diseases/hepatitis/b>

NYSDOH:

<http://www.health.state.ny.us/diseases/communicable/hepatitis/hbvinfo>

HEPATITIS C

CDC: <http://www.cdc.gov/ncidod/diseases/hepatitis/c>

Hepatitis C Hotline: 888-4-HEP-CDC (888-443-7232)

NYSDOH:

<http://www.health.state.ny.us/diseases/communicable/hepatitis/hepcinfo>

HIV

CDC: <http://www.cdc.gov/hiv>

NYSDOH:

<http://www.health.state.ny.us/diseases/aids>

AIDS Hotline: 800-541-AIDS (2437)

Medical procedure-related HIV infection reporting: 518-474-4284

INSURANCE

Family Health Plus

Call: 877-9FHPLUS (877-934-7587)

Visit: <http://www.health.state.ny.us/nysdoh/fhplus>

Healthy NY

Call: 866-HealthyNY (866-432-5849)

Visit: <http://www.HealthyNY.com>

MENTAL HEALTH AND CRISIS INTERVENTION

Niagara County Residents - **716-285-3515.**

Erie County Residents - **211**

BBP TESTING

To schedule an appointment for testing at no cost to you, call

Niagara County Residents Should Call: **716-439-7470**

Erie County Residents Should Call: **716-858-2929**

TATTOO RESOURCES

http://www.health.state.ny.us/community/body_art/index.htm

<http://www.fda.gov/consumer/features/tattoos120607.html#risks>

<http://www.cdc.gov/hiv/resources/qa/qa27.htm>

<http://www.cdc.gov/Features/BodyArt/>

<http://www.cdc.gov/niosh/topics/bbp/bodyart/>

GAZETTEER NEEDED FOR CALL CENTER (Separate Attachment)

FACT SHEETS

Hepatitis B (serum hepatitis)

What is hepatitis B?

Hepatitis B is a liver disease caused by the hepatitis B virus (HBV). The virus can cause lifelong infection, cirrhosis (scarring) of the liver, liver cancer, liver failure and death.

Who gets hepatitis B?

One out of 20 people in the United States will get infected with HBV some time during their lives. Anyone can get hepatitis B, but you are at greater risk if you:

- have sex with someone infected with HBV
- have multiple sex partners
- are a man and have sex with men
- have ever been diagnosed with a sexually transmitted disease
- are an injection drug user
- live in the same house with someone who has lifelong (chronic) HBV infection
- are a health care or public safety worker who has contact with human blood
- are an infant born to an HBV-infected mother
- are a hemodialysis patient
- are an infant/child or immigrant from areas with high rates of infection

How is the virus spread?

Hepatitis B virus can be found in the blood and, to a lesser extent, saliva, semen and other body fluids of an infected person. It is spread by direct contact with infected body fluids; usually by needle stick injury or sexual contact. Hepatitis B virus is not spread by casual contact.

What are the symptoms of hepatitis B?

The symptoms of hepatitis B include fatigue, poor appetite, stomach pain, fever, nausea, vomiting and occasionally joint pain, hives or rash. Urine may become darker in color, and then jaundice (a yellowing of the skin and whites of the eyes) may appear. Adults are more likely than children to develop symptoms; however, up to 50 percent of adults who have acute infection do not have any symptoms.

How soon do symptoms appear?

The symptoms may appear six weeks to six months after exposure, but usually within four months.

For how long is a person able to spread the virus?

The virus can be found in blood and other body fluids several weeks before symptoms appear and generally persists for several months afterward. Approximately 10 percent of infected adults may become long-term (chronic) carriers of the virus. Infants infected at birth have a 90 percent chance of becoming chronically infected.

What is the treatment for hepatitis B?

There are no special medicines or antibiotics that can be used to treat a person that is acutely infected once the symptoms appear. Generally, bed rest is all that is needed. Interferon is the most effective treatment for chronic HBV infection and is successful in 25 to 50 percent of cases. Chronic carriers of HBV should avoid drinking alcohol or taking medications which are harmful to the liver, as these actions can make the liver disease worse.

What precautions should hepatitis B carriers take?

Chronic hepatitis B carriers should follow standard hygienic practices to ensure that close contacts are not directly contaminated by his or her blood or other body fluids. Carriers must not share razors, toothbrushes or any other object that may become contaminated with blood. In addition, susceptible household members, particularly sexual partners, should be immunized with hepatitis B vaccine. It is important for carriers to inform their dentist and health care providers.

How can hepatitis B be prevented?

A safe and effective vaccine to prevent hepatitis B is available. The hepatitis B vaccine is recommended for people in high-risk settings who have not already been infected and for infants who are born to infected mothers. It is recommended that all children and adolescents be vaccinated against hepatitis B along with their routine childhood immunizations beginning at birth. A special hepatitis B immune globulin is also available for people who are exposed to the virus. In the event of exposure to hepatitis B, consult a doctor or the local health department.

Hepatitis C

- "[Hepatitis C](#)" is also available in Portable Document Format (PDF, 28KB, 2pg.)
- [Versión en español](#)
- [More information on hepatitis](#)

What is hepatitis C?

Hepatitis C is a liver disease caused by the hepatitis C virus (HCV), which is found in the blood of persons who have this disease. HCV is spread by contact with the blood of an infected person.

Who gets hepatitis C?

Persons at highest risk for HCV infection include:

- persons who ever injected illegal drugs, including those who injected once or a few times many years ago,
- people who had blood transfusions, blood products or organ donations before June 1992, when sensitive tests for HCV were introduced for blood screening, and
- persons who received clotting factors made before 1987.

Other persons at risk for hepatitis C include:

- long-term kidney dialysis patients,
- health care workers after exposures (i.e., needle stick or splashes to the eye) to the blood of an infected person while on the job,
- infants born to HCV-infected mothers,
- people with high-risk sexual behavior, multiple partners and sexually transmitted diseases,
- people who snort cocaine using shared equipment, and
- people who have shared toothbrushes, razors and other personal items with a family member who is HCV-infected.

How is the virus spread?

Like hepatitis B virus, hepatitis C virus is spread when blood or body fluids of an infected person enters the body of a person who is not infected, such as through sharing needles or "works" when shooting drugs or occupational needle stick injury. The risk of sexual transmission has not been thoroughly studied but appears to be low in long-term, monogamous relationships. There is no evidence that the hepatitis C virus can be transmitted by casual contact such as hugging or shaking hands, through foods, by sharing eating utensils or drinking glasses, or by coughing or sneezing. Hepatitis C is not spread by breastfeeding.

What are the symptoms and consequences of infection?

Approximately 20 percent of persons exposed to the virus develop symptoms which may include jaundice (yellowing of the skin and whites of the eyes), fatigue, dark-colored urine, stomach pain, loss of appetite and nausea. After the initial infection, 15-25 percent will recover and 75-85 percent will become chronically infected (lifelong infection). Approximately 70 percent of persons chronically infected will develop liver disease, sometimes decades after initial infection.

How soon do symptoms occur?

Symptoms may occur from two weeks to six months after exposure but usually within six to nine weeks.

When and for how long is a person able to spread hepatitis C?

Persons with acute hepatitis C virus infection are generally contagious from one or more weeks before the onset of symptoms. The contagious period is indefinite in chronically infected persons. All persons who test positive should be considered to be potentially contagious.

What is the treatment for hepatitis C?

Drugs (anti-viral) are licensed for treatment of persons with chronic hepatitis C. Combination drug therapy, using pegylated interferon and ribavirin, can get rid of the virus in up to 50 percent of persons with genotype 1, the most common genotype in the U.S. and up to 80 percent of persons with genotype 2 or 3. It is important to know that the decision to treat hepatitis C is complex and is best made by a physician experienced in treating the disease.

Is donated blood tested for this virus?

Since the early 1990s, blood donation centers throughout the U.S. have routinely used a blood donor screening test for hepatitis C. Widespread use of this test has significantly reduced the number of post-transfusion hepatitis C infections.

How can the risk of chronic liver disease be reduced among persons infected with hepatitis C?

People who are infected with hepatitis C should not drink alcohol. They should talk with their doctor before taking any new medications, including over-the-counter and herbal medications. They should also talk with their doctor about getting the hepatitis A and hepatitis B vaccines.

How can the spread of hepatitis C be prevented?

People who have had hepatitis C should remain aware that their blood and possibly other body fluids are potentially infective.

- Do not shoot drugs; if you shoot drugs, stop and get into a treatment program; if you can't stop, never share needles, syringes, water or "works", and get vaccinated against hepatitis A and B.
- Do not share personal care items that might have blood on them (razors, toothbrushes).
- If you are a health care or public safety worker, always follow routine barrier precautions and safely handle needles and other sharps; get vaccinated against hepatitis B.
- Consider the risks if you are thinking about getting a tattoo or body piercing. You might get infected if the tools have someone else's blood on them or if the artist or piercer does not follow good health practices.
- HCV can be spread by sex, but this is rare. If you are having sex with more than one steady sex partner, use latex condoms correctly and every time to prevent the spread of sexually transmitted diseases. You should also get vaccinated against hepatitis B.
- If you are infected with HCV, do not donate blood, organs or tissue.

Is there a vaccine for hepatitis C?

Currently, a hepatitis C vaccine is not available.

HIV

Human Immunodeficiency Virus (HIV) is a virus. You may hear that someone is "HIV infected", "has HIV infection", or "has HIV disease." These are all terms that mean the person has HIV in his or her body and can pass the virus to other people.

HIV attacks the body's immune system. The immune system protects the body from infections and disease, but has no clear way to protect it from HIV. Over time, most people infected with HIV become less able to fight off the germs that we are all exposed to every day. Many of these germs do not usually make a healthy person sick, but they can cause life-threatening infections and cancers in a person whose immune system has been weakened by HIV.

People infected with HIV may have no symptoms for 10 or more years. They may not know they are infected. An **HIV test** is the only way to find out if you have HIV. See **HIV Counseling and Testing** for information and resources on HIV testing in New York State.

HIV spreads when infected blood, semen, vaginal fluids, or breast milk gets into the bloodstream of another person through:

- direct entry into a blood vessel;
- mucous linings, such as the vagina, rectum, penis, mouth, eyes, or nose, **or**
- a break in the skin.

HIV is **not** spread through saliva (spit).

HIV is spread through:

- Vaginal, anal, or oral sex without using a condom.
- Sharing needles, syringes, or works to inject drugs, vitamins, hormones, steroids, or medicines.
- Women with HIV infection can pass HIV to their babies during pregnancy, delivery, and breastfeeding.
- People who are exposed to blood and/or body fluids at work, like health care workers, may be exposed to HIV through needle-sticks or other on-the-job exposures.

It may also be possible to pass HIV through sharing needles for piercing or tattooing.

A person infected with HIV can pass the virus to others during these activities. This is true even if the person:

- has no symptoms of HIV
- has not been diagnosed with AIDS

- is taking HIV medications
- has an "undetectable" viral load

HIV is not spread by casual contact like sneezing, coughing, eating or drinking from common utensils, shaking hands, hugging, or use of restrooms and drinking fountains.

AIDS

Acquired Immune Deficiency Syndrome (AIDS) is a late stage of HIV disease. There are medications that have helped people living with HIV or AIDS live longer, healthier lives. Some people have lived for more than 20 years and have taken medicines for more than 10 years. But, there is no cure.

Note: This site contains HIV prevention messages that may not be appropriate for all audiences. Since HIV infection is spread primarily through sexual practices or by sharing needles, prevention messages on this site may address these topics.