John Bel Edwards
GOVERNOR

Dr. Courtney N. Phillips
SECRETARY

State of Louisiana

Louisiana Department of Health
Office of Public Health

EMERGENCY ORDER

COMMERCIAL BODY ART FACILITY RESTRICTIONS

FOR IMMEDIATE RELEASE

TO: All Commercial Body Art Facilities

FROM: LDH Office of Public Health
Joseph Kanter, MD, MPH
State Health Officer

Joseph Kanter, M.D.

RE: Emergency Order
Commercial Body Art Facility Practice Restrictions – Phase III

DATE: March 23, 2021

EFFECTIVE DATES: This Emergency Order shall be effective as of 12:01 a.m. on **March 24, 2021** and shall remain in effect until further notice from the State Health Officer. This Emergency Order supersedes any previous Emergency Orders regarding the operation or closure of Commercial Body Art Facilities.

RATIONALE AND LEGAL AUTHORITY:

On January 30, 2020, the International Health Regulations Emergency Committee of the World Health Organization declared the COVID-19 outbreak a "public health emergency of international concern" (PHEIC). On January 31, 2020, Health and Human Services Secretary Alex M. Azar II declared a public health emergency (PHE) for the United States, effective January 27, 2020. Pursuant to the Louisiana Health Emergency Powers Act, R.S. 29:760, *et seq.*, a state of public health emergency resulting from the outbreak of "coronavirus disease 2019" ("COVID-19") was declared to exist in the entire State of Louisiana by Proclamation Number 25 JBE 2020.

While still under a public health emergency, Louisiana has entered Phase 3 as of March 3, 2021. Measures are necessary to protect the health and safety of the public while opening businesses. The measures ordered herein are in line with the best guidance and direction from the U.S. Centers for Disease Control and Prevention. The measures ordered herein are necessary because of the ability of the COVID-19 virus to spread via personal interactions and because of physical contamination of property due to its propensity to attach to surfaces for prolonged periods of time.

The Department of Health permits and regulates Commercial Body Art facilities pursuant to La. R.S. 40:2831 et seq. and Sanitary Code (LAC Title 51) Part XXVIII.

The State Health Officer expressly finds that the measures ordered herein are necessary to help control and prevent further spread of COVID-19, a communicable, contagious, and infectious disease that represent a serious and imminent threat to the public health.

NOW THEREFORE, pursuant to the powers vested in me by La. R.S. 40:1 *et seq.*, particularly La. R.S. 40:4(A)(13) and La. R.S. 40:5(A)(1) and (2), I, Joseph Kanter, M.D., State Health Officer, do hereby issue the following emergency **order**:

Effective 12:01 a.m. on March 24, 2021, all facilities, businesses, or operations that meet the definition of a "Commercial body art facility"[1] as defined in La. R.S. 40:2831 may continue to operate, but ONLY under the following conditions:

Operating Requirements:

1. Cleaning and Screening Requirements

    a. Each CBA facility shall place antibacterial wipes near each exit/entrance and near each door of the facility, as well as at each counter of the facility.
    b. Door knobs and handles shall be cleaned continuously each day, with a minimum of one time every thirty minutes.
    c. Each counter shall be cleaned between customers.
    d. Each client/customer shall be screened, including temperature checks via a forehead digital thermometer, before entering the CBA. As part of the screening, each client/customer shall complete a written form listing name, address, and contact information, and answering questions related to signs/symptoms of COVID-19; the CBA facility shall note on the form the temperature of the client/customer. No client/customer with any signs/symptoms of COVID-19 shall enter or receive services from the CBA facility.
    e. Owners, employees, and staff of the CBA facility shall be screened daily, including temperature checks via a forehead digital thermometer, before allowed to enter the CBA facility. The CBA facility shall keep a written record of such screenings. No owner, employee, or staff with any sign/symptom of COVID-19 shall enter or perform services at the CBA facility; such owner, employee, or staff shall be sent home and shall not return until asymptomatic for ten (10) days or until the test-based strategy referenced above has been implemented for that owner/employee/staff.

[1] All references to Commercial Body Art Facility or CBA Facility shall cover any facility or location or part of a salon meeting the definition of "Commercial body art facility" in R.S. 40:2831.

2. Owner, Employees, and Staff Requirements
    a. Each owner, employee and staff member are required to wear appropriate personal protective equipment (PPE), including a surgical mask, cloth mask, or appropriate facial covering, at all times when in the work area.
    b. Each owner, employee, and staff member are required to wear gloves when performing services for any client/customer. New gloves shall be applied for each client/customer.
    c. Each owner, employee, and staff member are required to follow CDC guidance regarding hand-washing. The CBA facility shall encourage continuous hand-washing.
    d. Each owner, employee, and staff member shall practice social distancing at all times while in the CBA facility.

3. Physical Requirements
    a. The CBA facility shall have only furniture and furnishings that are made of non-porous materials for efficiency in cleaning and disinfecting. The CBA facility shall remove any unnecessary and unneeded furniture and furnishings.
    b. The CBA facility shall sanitize each service bay/chair/unit/room after each client.
    c. All implements, tools, and instruments that come into contact with skin or blood shall be disposable or shall be able to be properly and completely sanitized.
    d. The CBA facility shall limit daily entry/exit of the facility by owners, employees and staff.
    e. The CBA facility shall require that lunches be prepackaged and only eaten in the designated break/lunch area of the facility. Only two individuals, six feet apart, may be in the designated break/lunch area of the facility at any one time. The designated break/lunch area shall be sanitized after use.

4. Appointments and Visitors
    a. If adequate social distancing cannot be practiced in the facility interior, clients/customers should wait outside or in their vehicles.
    b. It is highly recommended that procedures are performed on an appointment basis only.
    c. No visitors are allowed.
    d. No children under 15 years of age are allowed.

5. Client/Customer Requirements
    a. Each client/customer shall wear a cloth mask or facial covering at all times while in the CBA facility.
    b. At the discretion of the CBA facility, each client/customer may be required to wear gloves during the service.
    c. The CBA facility may require that all clients/customers refrain from wearing jewelry or watches during the service/procedure.

6. Restricted Services
    a. No tattoo or piercing may be performed on any area of the client's face covered by his/her/their mask.
    b. No piercing of the nose or tongue shall be permitted.

Signed in New Orleans, Louisiana on March 23, 2021.

Joseph Kanter, M.D.

Joseph Kanter, MD, MPH
State Health Officer

Concurrence:

Dr. Courtney N. Phillips March 23, 2021

Dr. Courtney N. Phillips DATE
LDH Secretary