

**TITLE 16        OCCUPATIONAL AND PROFESSIONAL LICENSING**  
**CHAPTER 36    BODY ARTISTS AND OPERATORS**  
**PART 7        LICENSURE REQUIREMENTS FOR SPECIAL EVENTS, MOBILE BODY ART AND GUESTS**

**16.36.7.1        ISSUING AGENCY:** Board of Body Art Practitioners.  
[16.36.7.1 NMAC – N, 2/3/2022]

**16.36.7.2        SCOPE:** Any person wanting to participate in a body art related special event, mobile body art and guests.  
[16.36.7.2 NMAC – N, 2/3/2022]

**16.36.7.3        STATUTORY AUTHORITY:** These rules are promulgated pursuant to the Body Art Safe Practices Act, Section 61-17B-5 NMSA 1978.  
[16.36.7.3 NMAC – N, 2/3/2022]

**16.36.7.4        DURATION:** Permanent  
[16.36.7.4 NMAC – N, 2/3/2022]

**16.36.7.5        EFFECTIVE DATE:** January 11, 2022, unless a later date is cited at the end of a section.  
[16.36.7.5 NMAC – N, 2/3/2022]

**16.36.7.6        OBJECTIVE:** To outline the application process, for body art related special events, mobile body art, and guests.  
[16.36.7.6 NMAC – N, 2/3/2022]

**16.36.7.7        DEFINITIONS: [RESERVED]**

**16.36.7.8        SPECIAL EVENT, MOBILE BODY ART AND GUEST LICENSE REQUIREMENTS:**

**A.** Any licensee desiring to sponsor a special event must first obtain approval from the board office staff. The purpose of prior approval is to ensure professional integrity and that sanitation and safety requirements are met. An application on the form provided by the board must be submitted at least 10 days prior to the event. Approval for the special events may be made administratively.

(1) The sponsor(s) and the establishment where the sponsor(s) is practicing must have a current license.

(2) The sponsor shall apply for the license at least 30 days prior to the event.

**B.** All provisions of these regulations shall apply with the following exceptions.

(1) Hand wash facilities shall be easily accessible to each procedure area and designated for use by artists only. Hand wash facilities or temporary hand wash facilities shall consist of antibacterial liquid soap, single-use paper towels, and adequate supply of potable water dispensed through a continuous flow spout. Wastewater shall be collected and disposed of in a sanitary manner.

(2) Body artist practitioners may bring pre-sterilized instruments or instruments that have been sterilized at another location with documentation showing a negative spore test result within the previous 30 days. On site sterilization units may be used and shall comply with 16.36.5 NMAC of these rules.

(3) After the last procedure is completed, all procedure areas shall be cleaned and disinfected.

**C.** A guest licensee is a body artist practitioner who is licensed in another jurisdiction or meets the requirements of licensure in New Mexico and shall practice 30 days or less in New Mexico. Registration is required before any person may act as a guest licensee. An applicant for registration as a guest licensee must:

(1) hold current licensure as a body artist practitioner in another jurisdiction or have the education or experience relating to the applicable type of New Mexico license requested; and

(2) be under the sponsorship of a New Mexico licensed body artist practitioner.

**D.** To be registered as a guest licensee the following must be submitted to the board:

(1) verification of sponsorship by a licensed body artist practitioner;

(2) a complete application;

(3) registration fee;

- (4) proof of age indicating applicant is at least 18 years old (government-issued identification with a photo);
- (5) copy of current CPR, first aid and blood borne pathogen training as defined within 16.36.7.9 NMAC.
- (6) verification of licensure in another jurisdiction.

**E.** Applicants not licensed in another jurisdiction must provide documentation of education and experience relating to the applicable type of New Mexico license requested.

**F.** Guest body art registration will expire 30 days from the date of issuance. A guest license shall not extend beyond 30 days unless the licensee petitions the board and provides documentation that licensee has not worked 30 days in New Mexico. A guest license shall not be granted more than three times within a 12 month period.

[16.36.7.8 NMAC – N, 2/3/2022]

**16.36.7.9 PROOF OF COMPLETION OF TRAINING PROGRAM:** Proof shall be provided with the original application that the applicant has, at a minimum, completed the following training prior to making application for a license as a permanent cosmetic practitioner or body art operator. Such training must include:

**A.** a board approved blood borne pathogens training course that meets OSHA (occupational safety and health administration) standards and CDC (center for disease control) recommendations. The training course shall include an examination as a condition of the training completion. The training must be completed within 12 months prior to application and annually thereafter. The training may be obtained through any of the following:

- (1) nationally accredited organization;
- (2) local government sponsored;
- (3) hospital sponsored;
- (4) college sponsored;
- (5) OSHA sponsored;
- (6) red cross; or
- (7) board approved.

**B.** Current certification in first aid and cardiopulmonary resuscitation (CPR). The training shall be obtained through any of the following:

- (1) nationally accredited organization;
- (2) local government sponsored;
- (3) hospital sponsored;
- (4) college sponsored;
- (5) OSHA (occupational safety and health administration) sponsored;
- (6) red cross; or
- (7) board approved;

**C.** An applicant for a permanent cosmetics apprenticeship shall file an apprentice agreement notarized by all parties that applicant shall complete the board required training requirements.

[16.36.7.9 NMAC - N, 2/3/2022]

**HISTORY OF 16.36.7 NMAC:**