



KBOC Tanning Seminar

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Facility Licensure

A person shall not operate a tanning facility without a valid license issued by the Board. K.S.A. 65-1926(a)



License Expiration

- Current – December 31, 2012
- Proposed – “one year from the last day of the month license was issued” KAR 69-12-3
 - \$100 annual renewal fee
 - \$150 delinquent 1 – 60 days
 - \$200 delinquent 60 days – 1 year
 - After 1 yr, apply for new license



Tanning Facility Operator

TFO = Owner = Licensee

Your Job:

- Get and Renew the license
- Hire Trained Device Operator (TDO) – KAR 69-12-7
- Maintain verification of training for each TDO
- Maintain a list of TDOs at your facility
- Display Warning Signs, License, Inspection Report – KAR 69-12-8
- Report Injuries to KBOC – KAR 69-12-9
- Upkeep Facility – KAR 28-24a-2(c)



Tanning Device Operator

- Defined
 - “an individual who controls operation of a tanning device and instructs and assists the consumer in the proper operation of the tanning device” KAR 28-24a-1(f), KAR 69-12-1



Tanning Device Operator

- TDO must be
 - Present during all hours of operation KSA 65-1924(a)
 - Trained
 - Consumer Assistant
 - Responsible for Cleaning



What does "TRAINED" mean?

Training shall include knowledge of:

- Statutes and Regulations
- Procedures for correct operation of facility
- Recognition of injury or overexpose
- Manufacturer's procedures for operation and maintenance of tanning equipment
- Emergency procedures for injuries



What does "TRAINED" mean?

Options for Training:

1. All TDOs can become "certified" by a professional organization. Must be approved by KBOC.
 - See KBOC web list of professional tanning associations that offer training
2. One TDO can be "certified" and then train other employees. Training is *completed* by taking and passing a test.



TDO as Consumer Assistant

- ✘ Provide protective eyewear
- ✘ Show handrails or floor markings
- ✘ Communicate proper exposure distance
- ✘ Demonstrate proper device use/start

KSA 65-1924



Inspections

- ✚ It's your job to provide the inspector with the list of TDOs and verification of the training at the inspection
- ✚ If you're not present, the other employees need to know where to find these items



Health and Sanitation

- Each tanning facility shall be well lighted, well ventilated, and sanitary

Includes cracked beds, pillows, acrylic

Clean Up!

Repair!



Cleaning Tanning Devices

- After each use of a tanning device, the TDO shall disinfect the device using an EPA-registered disinfectant with bactericidal, fungicidal, tuberculocidal, and virucidal activity KAR 28-24a-2(a)



Towels



- All towels must be deposited in a covered receptacle and not used again until laundered and sanitized
KAR 28-24a-2(b)





Eyewear

- Must be disinfected prior to each use
- Single-use must be disposed of in a covered waste receptacle immediately after use



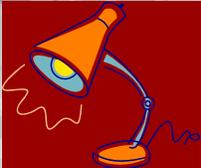

Bulb Compatibility

- No bulbs that emit UV-C radiation
- Each bulb must be shielded to avoid contact with consumer
- Replace defective or burned out bulbs with a type intended for use in that device with the same UV-A or B range as specified by the manufacturer or an FDA equivalent KAR 69-12-16




Red Light Therapy

1. The Board does not regulate phototherapy. KSA 65-1920(b).
2. The FDA does not allow tanning facilities to replace tanning lamps with red light lamps in existing tanning devices.
3. KAR 69-12-16: defective or burned out lamps or bulbs shall be replaced with a type *intended for use in that device* and shall be of the same ultraviolet range as the manufacturer specifies, and *shall be the original lamp type as specified by the manufacturer* or an equivalent lamp approved by the FDA.
4. If you have red lights in tanning devices (UV), please remove them immediately.
5. If an inspector reports red light bulbs in tanning devices, the Board may take disciplinary action against the facility, including assessment of fines and/or revocation of the facility license.




Fines and Legal Orders

- Ⓢ \$250 – operating with expired license
- Ⓢ \$250 – no disinfectant
- Ⓢ \$500 – no protective eyewear
- Ⓢ \$500 – no TDO
- Ⓢ Excessive violations may result in conditioning or revocation of license



Hot Beds

- Bed temperature in excess of 100 degrees
- Warning Letter – requires response within 15 days about how issue has been corrected and bulb compatibility list
- Board established moratorium on fines