

This is an amendment to 16.36.3 NMAC, Sections 1, 6, 9 and 10, effective 2/3/2022.

16.36.3.1 ISSUING AGENCY: [~~Regulation and Licensing Department,~~] Board of Body Art Practitioners.
[16.36.3.1 NMAC - Rp, 16.36.3.1 NMAC, 2/4/2016; A, 2/3/2022]

16.36.3.6 OBJECTIVE: To outline the application process for body art operator licensure and requirements for all establishments.
[16.36.3.6 NMAC - Rp, 16.36.3.6 NMAC, 2/4/2016, A, 2/3/2022]

16.36.3.9 APPLICATION FOR BODY ART OPERATOR ESTABLISHMENT LICENSE:

A. Any establishment licensed by the board must be under the immediate supervision of a board licensed practitioner while licensed activity is being practiced therein. Incomplete applications will be returned. All applications are valid for one year from date received. All fees are non-refundable.

B. The supervising licensee(s) must be licensed by the board in tattoo, piercing scarification, or permanent cosmetics.

C. Application forms:

(1) Application for any license to be issued or renewed by the board shall be made on the official form provided by the board for that purpose.

(2) Applications for licensure must include:

(a) a completed and signed application;

(b) name of the body art establishment;

(c) name of the operator of the establishment;

(d) government-issued identification with a photo showing proof of age indicating applicant is at least 18 years old;

(e) establishment address;

(f) establishment phone number;

(g) name(s) of the body art supervising practitioner(s) working at the establishment, each of whom must be currently licensed with the board at time of application;

(h) a copy of current city or county business license;

(i) copy of current CPR, first aid and blood borne pathogen training certificates, as defined within 16.36.2 or 16.36.9. or 16.36.10 NMAC pursuant to Chapter 61, Article 17B NMSA 1978;

(j) proof of current immunizations as defined in 16.36.2 or 16.36.9. or 16.36.10 NMAC pursuant to Chapter 61, Article 17B NMSA 1978;

(k) proof of disqualifying criminal conviction as defined in 16.36.4.9 NMAC pursuant to Chapter 61, Article 17B NMSA 1978; and

(l) non-refundable application fee as required by the board.

D. Renewal of a body art operator establishment license:

(1) License will expire one year after date of issue;

(2) Timely renewal of license(s) is the full and complete responsibility of the licensee; Failure to renew the license by the expiration date will result in a late fee;

(3) Licensees shall renew their license on or before the expiration date;

(4) Renewal of a body art operator establishment license shall include the following information:

(a) name(s) of the body art supervising practitioner(s) working at the establishment, must be currently licensed with the board at time of application;

(b) copy of current city or county business license;

(c) copy of current CPR, first aid and blood borne pathogen training certificates, as 16.36.2 or 16.36.9. or 16.36.10 NMAC pursuant to Chapter 61, Article 17B NMSA 1978;

(d) proof of current immunizations as defined in 16.36.2 or 16.36.9. or 16.36.10 NMAC pursuant to Chapter 61, Article 17B NMSA 1978; and

(e) proof of disqualifying criminal conviction as defined in 16.36.4.9 NMAC pursuant to Chapter 61, Article 17B NMSA 1978.

[16.36.3.9 NMAC – N, 2/3/2022]

16.36.3.10 EXPIRED LICENSE: An operator whose establishment license has expired shall submit a reinstatement application, payment of reinstatement fee for each year the license has been expired; and name of licensed operator.

[16.36.3.10 NMAC – N, 2/3/2022]