



Illinois Department of Financial and Professional Regulation

NEWS

FOR IMMEDIATE RELEASE

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Tattoo Removal Is Serious Business *Doctors are required to supervise laser treatments*

SPRINGFIELD – As the weather warms up, sleeveless tops, shorts and sandals might reveal more than bare skin. Those tattoos, which seemed like such a good idea at the time, are now highly visible and have caused thousands of Illinoisans to have buyers' remorse. The Illinois Department of Public Health (IDPH), along with the Illinois Department of Financial and Professional Regulation (IDFPR), today announced a joint program to remind tattoo establishments, and their customers, that laser tattoo removal must be done under the supervision of a physician.

Lasers are frequently used to remove hair, birthmarks or tattoos. Since March 2009, IDFPR has imposed more stringent rules on the use of laser equipment in non-medical, cosmetic settings. A physician is now required to examine a patient and determine an appropriate course of treatment before the equipment is used.

“Misuse of laser equipment can result in permanent scarring, long-term pain or, in worst case scenarios, undiagnosed cancers. The laser rule permits only licensed physicians to prescribe the use of laser equipment,” said Brent Adams, Secretary, Illinois Department of Financial and Professional Regulation (IDFPR).

The rule clarifies the longstanding position of the IDFPR that laser equipment, which affects living layers of skin, is a medical device and must only be used with direct supervision of a physician. While the physician may delegate performance of laser procedures to appropriately educated, trained and experienced nurses or other personnel, the physician must provide on-site supervision or be available by telephone or other electronic means to respond promptly to any question or complication that may occur. Because the physician maintains full responsibility for all procedures delegated to non-physicians, appropriate training and experience is left to the delegating physician's professional judgment.

“As a doctor, I encourage anyone who wants to have a tattoo removed to talk with a physician first. There may be issues with your health or skin that should be addressed before a laser procedure is performed,” Illinois Department of Public Health Director Dr. Damon T. Arnold said. “Having a medical professional oversee your tattoo removal is the best way to ensure the procedure is done safely and correctly.”

All tattoo establishments in Illinois are required by state law to be registered with the Illinois Department of Public Health. Inspections under the state law began in November 2009, and to date, there are more than 300 registered establishments statewide. Any tattoo establishment that has not yet registered with IDPH must do so immediately.

While health officials look for health and safety requirements during inspections, such as sterilization and sanitation techniques, they also check for unauthorized use of laser equipment for tattoo removal.

The text of the letter sent to registered tattoo establishments is reprinted below:

The Illinois Department of Financial and Professional Regulation (IDFPR) is reminding all tattoo establishments that only a physician, or a person under the direct supervision of a physician, may lawfully perform laser tattoo removals.

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The rule clarifies the longstanding position of the IDFPR that laser equipment, which affects living layers of skin, is a medical device and must only be used with direct supervision of a physician. While the physician may delegate performance of laser procedures to appropriately educated, trained and experienced nurses or other personnel, the physician must provide direct, on-site supervision. Because the physician maintains full responsibility for all procedures delegated to non-physicians, appropriate training and experience is left to the delegating physician’s professional judgment.

It has come to the state’s attention there are body art establishments in Illinois that continue to perform laser tattoo removals despite this rule. Misuse of laser equipment can result in permanent scarring, long-term pain or, in worst case scenarios, undiagnosed cancers.

Ignoring the physician supervision requirement not only puts patients at risk, but owners or operators of tattoo establishments could be found guilty of practicing medicine without a license. Repeated or egregious violators could be sentenced to up to five years in prison and fined up to \$25,000.

We appreciate your cooperation in this matter, which will help keep Illinoisans healthy and safe.

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