

Dear Tanning Facility Owner:

This mailing includes several items for your review and for use at your tanning facility. Enclosed, please find the following:

A Tanning Facility Permit Application and Instructions

All blanks must be filled in completely, all three attachments must be included, and the \$250 nonrefundable initial permit fee must be received by the Illinois Department of Public Health before an inspector will be sent to the facility for the opening inspection. Refer to the application instructions if you have questions.

A copy of the Illinois Tanning Facilities Program Legal Base

This document contains current versions of the Illinois Tanning Facility Permit Act (the state law establishing the tanning facility inspection program), the Tanning Facilities Code (the rules adopted by the Department to implement the act) and excerpts from other pertinent state laws. It also contains relevant portions of the Code of Federal Regulations, including both versions of the federal performance standard for sunlamp products and ultraviolet lamps intended for use in sunlamp products [21 C.F.R. 1040.20].

The legal base booklet contains all of the items necessary for compliance with the first operator training requirement at Section 795.180(a)(1) of the code. Remember, there are nine other operator training requirements; they may be found on page 37 of this booklet.

Medications That Increase Sensitivity to Light

Operators are required, at Section 795.180(g) [page 38 of the legal base booklet], to make available a list of common photosensitizing agents for inspection by consumers. This document will be useful in providing your clients with information on possible photosensitizing effects of medications they may be using at the time of their tanning sessions.

Tanning Facility Written Operating Procedures Outline

This outline details the minimum types of items expected in a tanning facility's written operating procedures manual. Tanning facilities are required to prepare an operating procedures manual and include a copy with their permit application (Section 10(a)(5) of the Act; page 4 of the legal base). This manual is one of the 10 operator training areas required at Section 795.180(a)(3) [page 37 of the legal base]. Facility owners will need to review the operating procedures manual initially submitted with their permit application to verify if it covers the areas referenced in this document. If your operating procedures manual is incomplete, make all revisions and updates as necessary; forward a copy to the Department of Public Health at the address listed below; and ensure that each operator has read and become familiar with the revised operating procedures manual.

Tanning Facility Record Requirements

There are several types of tanning facility records required throughout the act and the code. This document concisely details all of the types of records for your convenience.

Tanning Facility "Self-Inspection" Form

To assist the tanning facility owner in determining whether his/her establishment is in compliance with the act and the code, this "self-inspection" form has been prepared. Use of this form is not mandatory. However, it can be very helpful in pointing out items of noncompliance in advance of an inspection by the Illinois Department of Public Health or by your local health department.

Questions concerning these items may be directed to the Illinois Department of Public Health, Division of Food, Drugs and Dairies, 525 W. Jefferson St., Springfield, IL 62761; telephone 217-782-7532, fax 217-782-0943, TTY (hearing-impaired use only) 1-800-547-0466.

Rev. 01/03

ILLINOIS DEPARTMENT OF PUBLIC HEALTH

TANNING FACILITY PERMIT APPLICATION INSTRUCTIONS

- 1 Mark the appropriate box to designate the type of application.
- 2 Print the appropriate date the facility will open/change ownership/change location.
- 3 Print previous address of facility if application is for a relocation.
- 4 Print the full, correct facility name.
- 5 Print the name of the county where the facility is located.
- 6 Print the complete street address where the facility is located. (Do not list a P.O. box.)
- 7 Print the city where the facility is located.
- 8 Print the ZIP code and the four-digit ZIP code extension number.
- 9 Print the facility phone number.
- 10 Print facility fax number, if one is available.
- 11 Print the facility mailing address, if different from the street address.
- 12 Print the city and state of the facility mailing address.
- 13 Print the ZIP code and the four-digit ZIP code extension number of the facility mailing address.
- 14 Print the facility owner's name. (This could be an individual, partnership or corporate name).
- 15 Print the facility owner's home address or partnership/corporation headquarters. (Do not list a P.O. box.)
- 16 Print the facility owner's home/headquarters city and state.
- 17 Print the facility owner's home/headquarters ZIP code and the four-digit extension number.
- 18 Print the facility owner's home/headquarters telephone number.
- 19 Print the facility owner's home/headquarters fax number, if one is available.
- 20 Mark an X in the appropriate box to describe the primary type of business at the facility address.
(If "other" is marked, describe the primary type of business.)
- 21 Mark an X in the box ONLY if the facility is owned by an individual.
- 22 Print the owner's Social Security number.
- 23 Mark an X in the box ONLY if the facility is owned by a partnership.
- 24 Print the names of all partners, their individual addresses, and Social Security number for each.
- 25 Mark an X in the box ONLY if the facility is owned by a corporation.
- 26 Print the corporation's federal employee identification number.
- 27 Print the exact name of the corporation as on file with the Secretary of State.
- 28 Print the name and the address of the registered agent for the corporation.
- 29 Provide the three attachments as described in the list.
 - a Copies of any warning notices provided by the distributor or produced by the owner.
 - b Copies of the parental consent form to be used by the facility if minors ages 14 through 17 will be allowed to tan. (Send no consent form if the facility has decided not to provide tanning to minors; then state this fact in the written operating procedures.)
 - c Copies of the facility generated operating procedures as described in the IDPH-provided memo "Tanning Facility Written Operating Procedures Outline."

DATE RECEIVED

ILLINOIS DEPARTMENT OF PUBLIC HEALTH
DIVISION OF FOOD, DRUGS AND DAIRIES
525 W Jefferson St.
Springfield, IL 62761-0001
Phone 217-782-7532
TTY (hearing impaired use only) 800-547-0466
FAX 217-782-0943

FOR DEPARTMENT USE ONLY
Permit number _____
Region _____
LHD# _____

IMPORTANT NOTICE: This state agency is requesting disclosure of information that is necessary to accomplish the statutory purpose as outlined under Public Act 87-636. Disclosure of this information is mandatory.

TANNING FACILITY PERMIT APPLICATION

(USING BLACK INK, PRINT OR TYPE ALL REQUESTED INFORMATION.)

MARK TYPE OF APPLICATION: New Facility Change of Ownership Change of Location

Tentative date of opening/change of ownership _____

If change of location, list previous facility address _____

Facility Name _____ County _____

Address _____ City _____ ZIPcode + 4 _____

Telephone () _____ Fax Number () _____

Facility Mailing Address (if different from above)

Address _____ City/State _____ ZIPcode + 4 _____

Applicant (Owner) Name _____

Address _____ City/State _____ ZIPcode + 4 _____

Telephone () _____ Fax Number () _____

Primary Operation of Facility Tanning Facility Health Club Hotel/Motel Beauty Salon
 Barber Shop Residence Other (Specify) _____

Type of Ownership

Individual *Social Security Number _____

Partnership

(List names, addresses and *Social Security numbers of each general partner)

Corporate Federal Employee Identification Number _____

(List exact full corporate name on file with the Secretary of State)

(List name and address of corporation's registered agent)

Section 795.60 of the Tanning Facility Code (77 Ill. Adm. Code 795) requires permit applicants to submit copies of the following information:

- 1. Warning Notices (other than warnings affixed to equipment)
- 2. Parental Consent Forms for Use of Equipment by Minors
- 3. Fully Detailed, Written Facility Operating Procedures

APPLICATION CONTINUED ON REVERSE SIDE

DATE RECEIVED

ILLINOIS DEPARTMENT OF PUBLIC HEALTH
DIVISION OF FOOD, DRUGS AND DAIRIES
525 W Jefferson St.
Springfield, IL 62761-0001
Phone 217-782-7532
TTY (hearing impaired use only) 800-547-0466
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FOR DEPARTMENT USE ONLY
Permit number _____
Region _____
LHD# _____

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TANNING FACILITY PERMIT APPLICATION

USING BLACK INK, PRINT OR TYPE ALL REQUESTED INFORMATION.)

MARK TYPE OF APPLICATION: (1) New Facility Change of Ownership Change of Location

Tentative date of opening/change of ownership (2) _____

If change of location, list previous facility address (3) _____

Facility Name (4) _____ County (5) _____

Address (6) _____ City (7) _____ ZIPcode + 4 (8) _____

Telephone () (9) _____ Fax Number () (10) _____

Facility Mailing Address (if different from above)

Address (11) _____ City/State (12) _____ ZIPcode + 4 (13) _____

Applicant (Owner) Name (14) _____

Address (15) _____ City/State (16) _____ ZIPcode + 4 (17) _____

Telephone () (18) _____ Fax Number () (19) _____

Primary Operation of Facility Tanning Facility Health Club Hotel/Motel Beauty Salon
 Barber Shop Residence Other (Specify) _____

Type of Ownership

Individual *Social Security Number (22) _____

Partnership

(List names, addresses and *Social Security numbers of each general partner)

(24)

Corporate Federal Employee Identification Number (26) _____

(List exact full corporate name on file with the Secretary of State)

(27)

(List name and address of corporation's registered agent)

(28)

Sample

Section 795.60 of the Tanning Facility Code (77 Ill. Adm. Code 795) requires permit applicants to submit copies of the following information:

(29)

1. Warning Notices (other than warnings affixed to equipment)
2. Parental Consent Forms for Use of Equipment by Minors
3. Fully Detailed, Written Facility Operating Procedures

APPLICATION CONTINUED ON REVERSE SIDE

Illinois Department of Public Health

TANNING FACILITY WRITTEN OPERATING PROCEDURES OUTLINE

The Tanning Facility Permit Act [210 ILCS 145/1], Section 10(a)(5), requires all tanning facilities to submit a written copy of their "operating procedures to be used in the facility" as an attachment to the facility's application for a tanning facility permit. The purpose of written operating procedures is to establish uniformity among all trained operators and to provide a list of what must be done to ensure compliance with the Act. The following outline highlights the areas each facility must minimally address in its tanning facility written operating procedures.

- 1 - *The procedure for annually giving the client a copy of the required written warning, as detailed at Section 795.150(a) of the Tanning Facilities Code [page 33 of the Legal Base booklet]. What procedure is the operator expected to follow to ensure that all clients are at least annually offered a written copy of the warning? This shall also include operators' procedures for providing the warning information when the client is visually handicapped or otherwise unable to read.*
- 2 - *The procedure for proving and documenting whether the client is 18 years of age or over and able to tan on their own. The procedure for proving and documenting that the client is at least 14 years of age and legally able to tan. What method is the operator to use to prove and document the identity and age of the client? If the client is 14 through 17 years of age, the facility is responsible for obtaining the written consent of the client's parent or guardian at the facility, in the presence of the operator (who must be at least 18 years of age). Note that obtaining a parent's or guardian's consent is not the same as proving a client's age.*
- 3 - *The procedure the facility follows to handle the presence of children younger than 14 years of age that accompany a client. How are operators expected to handle the presence of unattended children who accompanied a client while the client is tanning?*
- 4 - *The procedure the operator must follow to obtain client information on prescription and nonprescription medications, cosmetics and toiletries consumed or used prior to the start of each tanning session, and the procedure for informing clients about photoallergic, phototoxic and other photosensitizing substances taken orally or applied to the skin. What is the method the operator follows to personally ask the client to update information on Rx and OTC medications, cosmetics and toiletries prior to each tanning session?*
- 5 - *The facility procedure for dealing with clients who use contact lenses. What instructions are operators expected to give to clients who use contact lenses prior to the clients' tanning sessions? Does the operator instruct the client to continue to wear contact lenses throughout the tanning session, or does the operator instruct the client to remove contact lenses and store them in the client's personal contact lens case?*
- 6 - *The facility procedure for dealing with pregnant women who wish to tan. What is your facility's policy related to pregnant or potentially pregnant women who wish to tan? What do you want your operators to do when a pregnant client comes to tan?*
- 7 - *The operators' method for ensuring and documenting that clients have not used the services of any tanning facility in the preceding twenty-four hours. What does the operator do to verify that the client has not tanned within the last 24 hours? What questions does the operator personally ask the client?*
- 8 - *The system for maintaining complete and accurate records on clients' use of the tanning facility. What information is collected, and in what format, at each client's tanning session? When maintained electronically, the procedures shall describe data storage and back-up methods.*
- 9 - *The operators' procedures for instructing clients on how to use the tanning equipment. Each tanning unit has specific manufacturer's instructions for use. How do you ensure that operators cover all necessary information for each tanning unit?*
- 10 - *The procedure for determining and recording the client's appropriate skin type, using the IDPH-provided skin type chart, and the accurate determination of the maximum exposure time for each tanning session for the specific tanning unit. What happens after the client calculates their skin type? What is the operator expected to do with the client's skin type information? How is the amount of time the client is to receive in the tanning unit for any specific session to be determined?*
- 11 - *The procedure for thoroughly documenting and promptly reporting tanning injuries, as specified in the Tanning Facilities Code, Section 795.200. What information pertaining to the injury is to be collected? What is the operator to do with the information after it is collected?*

Illinois Department of Public Health

TANNING FACILITY RECORD REQUIREMENTS

The Tanning Facility Permit Act and the Tanning Facilities Code require many types of records to be maintained by a salon. The following summarizes the types of information the salon must maintain.

Equipment Log

Section 795.100(c) of the code requires tanning facilities to maintain a log. For completeness, the log should identify -- by model number, serial number and location (room number) -- the following information: date of lamp replacement; name of manufacturer and model number of replacement lamps; and quantity of lamps replaced (if all lamps are not replaced, the log should accurately describe how the old or new lamps may be identified in the tanning equipment).

Injury Reports

Section 795.200 requires the salon to prepare a written report within 10 working days of the occurrence or knowledge of any tanning injury. An injury is defined as any circumstance or incident, resulting from the use of a tanning device, that prompts the client to seek medical attention. The written report must include the name of the affected individual; the date of the injury; the identification (by name of manufacturer, model number and serial number) of the tanning unit involved; the name, address and permit number of the tanning salon involved; a description of the nature of the injury; the name and address of the individual's health care provider, if any; and any other information considered relevant to the situation. The salon should also indicate when and how it became aware of the injury.

Operator Training

Section 795.180(a) requires salon operators to prove they have received training in 10 areas. The Department does not endorse or approve any private provider of tanning operator training. Salon owners should also note that no private provider of operator training is able to meet 100 percent of the 10 training requirements. For example, the salon owner alone would have to develop and provide operator training in areas such as procedures for the correct operation of the individual tanning salon; the salon's procedures for recognizing and handling tanning injuries; tanning salon emergency procedures; and, the manufacturers' procedures for the operation and maintenance of equipment used in the salon. Most private training courses will not cover the Illinois Tanning Facility Permit Act and the Tanning Facilities Code. All owners and operators must read the act and the code as part of their training.

Inspectors will ask to see a list of operators who have received training, date(s) of training, hours spent in training and specific materials used in training. They will compare this to the facility's list of all employed tanning operators.

Client Records

Section 795.190(a) requires each client to be given a written warning about the risks associated with tanning at their initial salon visit and at least annually thereafter. The language that must be contained in the written warning is found at Section 795.150(a). It is essentially the same language found on the warning poster provided by the Department for posting within approximately three feet of each tanning unit.

Illinois Department of Public Health

TANNING FACILITIES "SELF-INSPECTION" FORM

This list has been prepared to assist owners and operators in conducting a "self-inspection" of tanning facilities. It outlines the MAJOR requirements of the Tanning Facility Permit Act (the state law enacted by the General Assembly) and the Tanning Facilities Code (the rules adopted by the Illinois Department of Public Health to implement the state law). Please note that it is *NOT* a requirement that you conduct this "self-inspection," and that the items on this list do *NOT* include all of the requirements of the act and the code. Rather, it merely summarizes some of the most critical items on which you should focus your attention.

If you have additional questions, or need assistance with any item on this list, please first refer to the act and the code, or contact the Illinois Department of Public Health, Division of Food, Drugs and Dairies, 525 W. Jefferson St., Springfield, IL 62761-0001; telephone 217-782-7532; facsimile 217-782-0943; TTY (*hearing impaired use only*) 1-800-547-0466.

[] Application for a "Permit to Operate a Tanning Facility" must be fully completed with all required enclosures and submitted to the Illinois Department of Public Health. (All future changes to information noted on the application form must be reported by owner in writing to the Department of Public Health.)

[] Tanning units must be in compliance with all applicable federal standards.

(For units manufactured *on or after September 8, 1986*: Permanently affixed, legible, accessible label(s) with name, city and ZIP code of manufacturer; place of manufacture; month and year of manufacture; certification of compliance with 21 CFR 1040.20 [also known as the "federal performance standard"]; required warning label as published in the *Federal Register* of September 6, 1985 (50 FR 36550); recommended exposure positions; directions for achieving recommended exposure positions with a warning that other positions may result in overexposure; recommended exposure schedule including duration and spacing of sequential exposures, and maximum exposure time in minutes; designation of UV lamp type to be used in the unit; and statement of time expected before results appear.)

(For units manufactured *between May 7, 1980, and September 7, 1986*: Permanently affixed, legible, accessible label(s) with name, city and ZIP code of manufacturer; place of manufacture; month and year of manufacture; certification of compliance with 21 CFR 1040.20; required warning label as published in the *Federal Register* of November 9, 1979 (44 FR 65357); recommended minimum use distance; directions for measuring minimum use distance; warning that exposure closer than minimum use distance is not recommended; warning to use protective eyewear; recommended maximum exposure time; recommendation for duration, frequency and spacing of sequential exposures; designation of UV lamp type to be used in the unit; and statement of time expected before results appear.)

NOTE: Tanning equipment manufactured **before May 7, 1980**, MAY NOT be used in Illinois tanning facilities.

[] The lamps on the tanning units must be the "original equipment type" specified for that unit by the manufacturer (as noted on the label affixed to the tanning unit and/or the user manual that was originally supplied by the manufacturer of the unit) OR the operator has literature from the manufacturer (not the vendor or distributor) of the replacement lamp that indicates the installed replacement lamp is certified as equivalent to the original equipment lamp. It is strongly recommended that UV lamps be installed with the lamp designation clearly visible. Inspectors may require that facilities remove acrylic or other barriers to verify the lamp model number if such information is not in view.

[] The timer must not allow the tanning unit to be operated, by the operator or by the consumer, for periods of time greater than the maximum recommended exposure schedule with a single setting of the timer.

[] The timer does not have an error greater than plus or minus 10 percent of any timer interval setting for the unit. For example, if the unit's timer is set for 10 minutes, the timer may not have an error greater than one minute (which means the timer does not run for more than 11 minutes or for less than nine minutes).

[] If the timer is stopped for any reason, it cannot be automatically reset to run for more than the unused portion of the timer cycle originally programmed for the user.

[] Customers may not be allowed to use the equipment more than the maximum recommended exposure time or to use the equipment within 24 hours of previous use of tanning equipment.

[] Protective eyewear must be available to all customers. The facility must have documentation to prove that the protective