pennsylvania
DEPARTMENT OF HEALTH

FREQUENTLY ASKED QUESTIONS REGARDING THE PENNSYLVANIA

Registration

Q: How does a legal entity register to operate as a tanning facility in the Commonwealth?
A: The legal entity must complete the Application for Registration available on www.health.pa.gov and must be in compliance with the Indoor Tanning Regulation Act and 21 CFR 1040.20. The legal entity must include the applicable registration fee with the completed application and documentation.

Q: Tanning is not my primary service offered at my business. Am I still required to register?
A: Yes, any facility that offers UV tanning with the exchange for money is required to register with the PA Department of Health.

Q: I am selling my tanning facility, what do I do?
A: The seller is required to inform the PA Department of Health, Indoor Tanning Program for any change of ownership. Change of Ownership Form is available on website.

Q: I am buying/opening a tanning facility, what do I do?
A: Buyer is required to register with the PA Department of Health, Indoor Tanning Program. A certificate of registration from the PA Department of Health is required. Registration Form is available on website.

Q: I just bought a tanning facility that is currently registered. Do I need to do anything?
A: Yes, a certificate of registration is not be transferable from one legal entity or one tanning facility to another. Therefore, the tanning facility will need to be registered in the new owner's name with the PA Department of health. A Registration Form is available on website.

Q: How do I file a complaint about a tanning facility?
A: Call: 717-736-7362 to report your complaint or Online Complaint Intake.

Q: Can I mail the registration?
A: The completed Application for Registration, documentation and applicable fee are to be mailed to:
Pennsylvania Department of Health
Attn: Indoor Tanning Registration
555 Walnut St. 7th Floor
Harrisburg, PA 17101

Q: When do I re-new my license/Certificate of Registration?
A: License fees are due annually. An email is sent to the facility and owner. Note: Please update any changes on annual form.

Q: Where do I display my licenses/Certificate of Registration?
A: Licenses need to be posted in public view clearly visible to customers.

Q: My facility/gym offers tanning 24-hours a day and has a state-of-the-art security system with key-card access when employees are not present. Is this okay?
A: No, this is not acceptable. Unfortunately, it does not meet the intent of ACT41 PA Statute. The Act states that a trained employee must operate and clean the tanning beds; as well as be present when tanning devices are in use. The statute also gives definitions of operator and employee. No customer may use the tanning equipment in the absence of an operator.

Q: Are my employees/operators required to have any special training?
A: Yes. Provide documentation proving employees/operators are sufficiently knowledgeable with the following requirements:
(1) Knowledge of the requirements of this section and of 21 CFR 1040.20 (relating to sunlamp products and ultraviolet lamps intended for use in sunlamp products).
(2) Proper use of the United States Food and Drug Administration's recommended exposure schedule.
(3) Procedures for correct operation of the tanning facility.
(4) Recognition of injuries and the tanning facility's procedures of handling the injuries from overexposure to ultraviolet radiation.
(5) Manufacturer's procedures for operation and maintenance of the tanning device.
(6) Use of protective eyewear.
(7) Emergency procedures in case of injury.
(8) Effects of ultraviolet radiation, acute and chronic exposure and health risks.
(9) Photosensitizing agents.
(10) The six different skin types.

Q: How often can our clients tan?
A: Per manufacture instructions, a client is recommended to tan once within a 24-hour time period. A client who tans at 2:00pm today cannot come in and tan before 2:00pm tomorrow.

Q: What is the minimum age to tan in Pennsylvania?
A: No person who is 16 years of age or younger shall be permitted to use a tanning facility. No person who is 17 years of age shall be permitted to use a tanning facility without the written authorization of the person's parent or legal guardian which indicates that the parent or legal guardian consents to the use of a tanning facility by the person.

Q: Do my tanning customers need to sign anything?
A: Yes, each customer must to sign a written warning statement prior to initial exposure. The facility's written warning statement must include the following verbiage:
(1) Failure to use the eye protection provided to the customer by the tanning facility may result in damage to the eyes.
(2) Overexposure to ultraviolet light causes burns.
(3) Repeated exposure may result in premature aging of the skin and skin cancer.
(4) Abnormal skin sensitivity or burning may be caused by reactions of ultraviolet light to certain:
    (i) foods;
    (ii) cosmetics; or
    (iii) medications, including:
        (A) tranquilizers;
        (B) diuretics;
        (C) antibiotics;
        (D) high blood pressure medicines; or
        (E) birth control pills.
(5) Any person taking a prescription or over-the-counter drug should consult a physician before using a tanning device.
(6) A person with skin that always burns easily and never tans should avoid a tanning device.
(7) A person with a family or past medical history of skin cancer should avoid a tanning device.

Q: Do I need to maintain my clients tanning history for each visit?
A: Yes, the legal entity shall ensure a record is kept of each customer's total number of tanning visits, date, time and duration of each.

Q: Can I allow minors tan with a physician's prescription?
A: No. Minors are prohibited from tanning.

Q: Am I required to offer protective eyewear at no cost?
A: Yes, all customers must be offered free protective eyewear.

Q: The clients control the timer in each tanning room, is this okay?
A: Yes, only if the operator is present at each tanning facility during all operating hours while UV tanning equipment is in operation and the operator informs and assists each customer in the operation and use of the tanning device. No customer may use the tanning equipment in the absence of an operator.

Q: Am I required to do a tanning timer & emergency button/switch test?
A: You want your timers to be accurate to prevent burning your clients. Make sure your timers are accurate to within + or - 10%. You are required to test the timer and shut off switch minimally once a year and maintain a log within the facility for inspection.

Q: How do I test my timer and emergency button/switch?
A: Use a stop watch to complete a timer test. Turn the stop watch on when the tanning device starts, and stop the stop watch when the tanning device turns off. Set the tanning bed for the minimal time, begin the stop watch when the UV lights turn on and end the stopwatch when the UV lights shut off. Indicate the time you set the bed for and the time

the bed physically operated for. Both numbers need to be recorded (use minutes and seconds) on the Timer Test Record. Corrective action is required if the timer is off 10 %.

Turn the tanning bed on again and test the emergency shut off button/switch. Contact your service vendor for any discrepancies.

Q: Am I required to post/hang/display anything within my facility?
A: Yes, you are required to post a warning sign in a place clearly visible to persons entering the establishment. The sign is required to be at least 11 inches by 17 inches. Lettering must be clear, legible and at least 0.25-inch-high, with all of the following provisions on the sign:
(1) The wording, "DANGER--ULTRAVIOLET RADIATION," in letters at least 0.5 inch high.
(2) Follow the manufacturer's instructions for use of this device.
(3) Avoid overexposure. As with natural sunlight, overexposure can cause eye and skin injury and allergic reactions. Repeated exposure to ultraviolet radiation may cause chronic sun damage characterized by wrinkling, dryness, fragility, bruising of the skin and skin cancer.
(4) Customers should avoid sunbathing before or after exposure to ultraviolet radiation from sunlamps.
(5) Wear protective eyewear. Failure to use protective eyewear may result in severe burns or permanent injury to the eyes.
(6) Medications or cosmetics may increase your sensitivity to the ultraviolet radiation. Consult a physician before using a sunlamp if you are using medications, have a history of skin problems or believe you are especially sensitive to sunlight. Women who are pregnant or are taking oral contraceptives who use this product may develop discolored skin.
(7) Contact the Department of Health to report an alleged health concern or injury regarding this tanning facility.
(8) The wording, "IF YOU DO NOT TAN IN THE SUN, YOU ARE UNLIKELY TO TAN FROM USE OF AN ULTRAVIOLET LAMP OR SUNLAMP."

Questions?
If you have additional questions regarding the Indoor Tanning Program, contact department at 717-736-7362.

PA Department of Health
Bureau of Community Program Licensure & Certification
Indoor Tanning Program
555 Walnut St., 7th Floor, Suite 701
Harrisburg, PA 17101