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| POLICY TITLE: LASER TATTOO REMOVAL PROGRAM | | PAGE 1 OF 6 |
| POLICY NUMBER: 18.25 (AF) | | |
| CHAPTER 18: HEALTH CARE | | |
|  | STATE of MAINE DEPARTMENT of CORRECTIONS Approved by Commissioner:  | PROFESSIONAL STANDARDS: See Section VIII |
| | EFFECTIVE DATE: October 7, 2024 | LATEST REVISION: |

I. AUTHORITY

The Commissioner of Corrections adopts this policy pursuant to the authority contained in 34-A M.R.S.A. Section 1403.

II. APPLICABILITY

All Departmental Adult Facilities

III. POLICY

The purpose of this policy is to provide for laser tattoo removal for eligible residents for the purpose of removing obstacles to positive socialization and mental wellbeing with priority given to supporting successful community reentry.

IV. DEFINITIONS

1. Tattoo – a deliberate decorative implanting or injecting of indelible pigments into the skin or the tinctorial effect of accidental implantation.
2. Supervising physician – a doctor who is trained to remove tattoos using a laser and to supervise the laser removal of tattoos by other trained staff.

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- Procedure A: Tattoo Removal Program, General
- Procedure B: Medical Exclusion Conditions
- Procedure C: Eligibility and Priority
- Procedure D: Tattoo Removal Review Process
- Procedure E: Discontinuation of Tattoo Removal
- Procedure F: Documentation

VI. ATTACHMENTS

- Attachment A: Laser Tattoo Removal Medical History and Consultation (ERMA form)
- Attachment B: Informed Consent for Laser Tattoo Removal (ERMA form)
- Attachment C: Laser Tattoo Removal Patient Flow (ERMA form)

VII. PROCEDURES

Procedure A: Tattoo Removal Program, General

1. Tattoo removal is not considered necessary medical care. It is a privilege and not a right.
2. The tattoo removal process is complete when the tattoo removal is successfully completed (to the extent possible) or if the resident is released from the Department's custody prior to completion.
3. If, for any reason, the tattoo removal process is not completed prior to release from custody, neither the Department of Corrections nor its contracted health care services provider is responsible for completing or paying for completion of the process.
4. Tattoo removal is contingent upon available resources, including but not limited to, staffing and funding.
5. Complete removal of a tattoo is not guaranteed, and in some cases the tattoo color may only be faded.
6. Tattoo removal shall be performed using only a Department tattoo removal laser and related equipment.
7. Only a physician or other individual who has completed the necessary training in the use of the Department's tattoo removal laser and related equipment may perform tattoo removal. If not performed by the physician, this removal must be performed under the control of a supervising physician. This does not require a supervising physician to be present during the tattoo removal.
8. The laser and related equipment shall be located within a Department correctional facility in a space that meets the specifications of the manufacturer.
9. The Commissioner, or designee, shall designate in which facility the laser shall be housed.
10. The Department's contracted health care services provider shall follow any applicable state laws or regulations pertaining to tattoo removal.
11. Designated health care staff shall ensure that infection control practices and cleanliness of the laser and related equipment is maintained and documented.
12. The Department's Contract Administrator, or designee, shall ensure that all contract agreements pertaining to maintenance of and training on the tattoo removal laser and related equipment are met.
13. Equipment and tools shall be inventoried per Department Policy (AF) 14.22, Tool and Equipment Control, General Guidelines.

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14. There is no co-pay fee for tattoo removal.

Procedure B: Medical Exclusion Conditions

1. Exclusion conditions to prevent the initiation of laser removal include, but are not limited to, the following:
 - a. history of keloidal scarring;
 - b. history of gold crystal administration;
 - c. history of silver crystal administration;
 - d. the tattoo is located in a sensitive area that is not conducive to removal, e.g., a tattoo on the eyeball;
 - e. currently on a medication that causes photosensitivity;
 - f. pregnant or breastfeeding;
 - g. currently taking anticoagulant medications;
 - h. active dermatosis or infection in the area of the tattoo;
 - i. suspicion of a malignant lesion at the site;
 - j. currently undergoing radiation or chemotherapy;
 - k. currently on antibiotics (must wait two (2) weeks to begin laser tattoo removal);
 - l. history of Accutane administration (must wait twelve (12) months to begin laser tattoo removal);
 - m. chemotherapy within the last twelve (12) months or radiation at the site within the last six (6) months;
 - n. recent sunburn or sun exposure with irritation noted to skin (must wait four (4) to six (6) weeks to begin laser tattoo removal); or
 - o. other disqualifying clinical conditions as determined by the supervising physician.
2. If applicable, once a condition has been resolved, tattoo removal may begin if all other requirements are met.

Procedure C: Eligibility and Priority

1. A reasonable effort to provide timely access to tattoo removal shall be made so tattoo removal can be accomplished prior to the resident's release from the Department's custody.
2. Priority for tattoo removal services is given to residents:
 - a. based on the estimated time frame for removal of tattoos in relation to the resident's earliest possible release date;
 - b. tattoos that are visible on the face, neck, or hands; and
 - c. tattoos that depict human trafficking, gang symbols, racial slurs, etc., even if the resident does not have a release date in the near future.

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3. In some circumstances, only some of the tattoos and not all of a resident's tattoos may be removed because of, but not limited to, the following reasons:
 - a. the resident doesn't wish to have all the tattoos removed;
 - b. the resident doesn't have enough time remaining before their release date; or
 - c. the tattoos are not visible on the face, neck, or hands.
4. The removal process may require up to twelve (12) sessions, four (4) to eight (8) weeks apart. Therefore, the timing in initiating the tattoo removal process needs to factor in the number of tattoos to be removed, size and depth of the tattoos, and type of tattoo ink used, and the required time between sessions.
5. A diabetic resident may require sessions to be eight (8) to ten (10) weeks apart.
6. Tattoos covered by clothing are lower on the priority list than more visible tattoos.

Procedure D: Tattoo Removal Review Process

1. For each tattoo a resident wishes to have removed, a resident must submit a Sick Call Slip, as set out in Department Policy (AF) 18.3, Access to Health Care Services, to request tattoo removal.
2. Upon receiving the Sick Call Slip, staff trained in laser tattoo removal shall have the resident complete and sign a Laser Tattoo Removal Medical History and Consultation form (Attachment A).
3. If the tattoo is not visible on the face, neck, or hands, the staff shall ask the resident to explain why they want the tattoo removed. The staff may consult, as needed, with the resident's Unit Manager (UM), or designee, to validate the resident's explanation.
4. The staff trained in laser tattoo removal shall review the form, and if necessary, the resident's electronic health care record, and, if applicable, the information provided by the UM, or designee, and determine whether to recommend tattoo removal based upon the following:
 - a. eligibility and priority;
 - b. the resident's medical history; and
 - c. any existing medical exclusion conditions.
5. If the resident is recommended for laser tattoo removal, the staff shall also recommend the interval between sessions.
6. If the resident is recommended for laser tattoo removal, staff trained in laser tattoo removal shall provide the resident with an Informed Consent for Laser Tattoo Removal (Attachment B) for review and signature.
7. Upon receipt of the completed form, that staff shall schedule an appointment to begin the process based upon availability of appointments and date of release, unless facility security staff advise that there is a risk to the safety of self or others or a security risk.

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8. If necessary, the supervising physician shall request the Department's Director of Classification, or designee, to arrange the transfer of the resident for housing at the facility where the tattoo laser equipment is located for the duration of the tattoo removal process or the transport of the resident to that facility and their return to the facility from which they were transported for each individual session, unless the Director of Classification, or designee, advises that the resident is not suitable for housing at or transport to the facility where the tattoo removal equipment is located.
9. The physician or the other trained staff performing the laser tattoo removal shall develop a plan for tattoo removal by completing a Laser Tattoo Removal Patient Flow form (Attachment C). This form shall be completed for each session.
10. After each session, the staff performing the laser tattoo removal shall provide the resident with a Tattoo Removal Aftercare Instructions form (Attachment D) for review and signature.
11. Designated staff shall take photographs before and after each session in order to assess, train, and improve services, and update records.
12. Designated Department staff shall update the resident's tattoo inventory as set out in Department Policy (AF) 22.1, Intake Processing after each session.
13. The above process shall be repeated for each tattoo to be removed.

Procedure E: Discontinuation of Tattoo Removal

1. The supervising physician shall order the discontinuation of laser tattoo removal for the following reasons:
 - a. a resident refuses or misses tattoo removal appointments by choice;
 - b. continuation of tattoo removal presents a health risk to the resident;
 - c. security staff advises that the resident presents a risk to the safety of self or others or a security risk; or
 - d. the Director of Classification, or designee, advises that the resident is not suitable for housing at or transport to the facility where the tattoo removal equipment is located, if applicable.
2. The supervising physician may order the discontinuation of laser tattoo removal for the following reasons:
 - a. security staff advises or it is otherwise learned that the resident has acquired additional tattoos;
 - b. security staff advises that the resident was found in possession of tattoo paraphernalia;
 - c. the resident is noncompliant with aftercare requirements;
 - d. the resident is scheduled for release before the plan for tattoo removal can be completed, e.g., the sentence is amended; or
 - e. any other reason deemed appropriate by the supervising physician.

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3. Discontinuation of tattoo removal shall be coordinated by the supervising physician, who shall notify the Chief Administrative Officer, and if necessary, the Department's Director of Classification, or their designees, and other designated Department staff.
4. After discontinuation, any resident who wishes to pursue further tattoo removal is required to initiate the process as set out above.

Procedure F: Documentation

1. All sick call slips and other forms related to laser tattoo removal shall be scanned by health care staff into the resident's electronic health care record.

VIII. PROFESSIONAL STANDARDS

None

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