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TO: The Honorable Laurie Monnes Anderson, Chair
Senate Health Care and Human Services Committee

FROM: David Leland, P.E., Interim Administrator, Center for Health Protection
Public Health Division
Oregon Health Authority

SUBJECT: HB 2896

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SUBMITTED BY: David Leland

Chair Monnes Anderson and members of the committee, I am David Leland, Interim Administrator of the Center for Health Protection with the Public Health Division of the Oregon Health Authority. I am here to testify in support of House Bill 2896, which would prevent persons less than 18 years of age from using commercial tanning beds unless a licensed physician recommends tanning for a medical purpose.

Tanning beds produce ultraviolet radiation, which is classified by the International Agency for Research on Cancer (IARC) as a Type I carcinogen. While melanoma incidence increases with age, it is now the second most common cancer in both males and females 15-29 years of age.

Currently, commercial tanning facilities are regulated by Radiation Protection Services within the Oregon Health Authority according to Oregon Administrative Rule, chapter 333, division 119. Facilities are inspected every three years for compliance with customer protection OAR's. According to current administrative rules, commercial tanning facilities are required to obtain a one-time, written parental consent for minors under the age of 18 to use a UV tanning bed.

However, it is important to note that salon operators are not required to ask a prospective tanner's age or to verify proof of age. This means that if an operator does not ask the age of the patron or the patron is not truthful about their age, salon operators are not responsible for requiring parental consent.

The restriction on how often a patron can tan in Oregon is once every 24 hours. This means that under current regulations patrons, including minors, can tan 7 days a week if

they choose. Despite an OAR prohibiting the use of "unlimited" (tanning) in advertising, some salons sell monthly packages for unlimited tanning, incentivizing patrons to tan more often because they have already paid for it.

Oregon Administrative Rules requires tanning operators to be formally trained. Operator training includes how to properly skin type all clients to ensure adherence to a tanning time schedule provided by the tanning device manufacturer.

However, again it is important to note that in 2012 the violation most commonly cited by RPS tanning inspectors was failure to properly skin type new tanners and failure to limit exposure to the manufacturers' recommendations. In fact, over 50% of salons inspected last year were cited for this failure. The third most commonly cited violation was the inability of tanning operators to provide proof of approved training. In 2012, 98 of 192 salons inspected were cited for this violation.

With 40% of Caucasian girls between 16 and 18 using tanning beds, it is clear that current regulations need to be enhanced. Because of the cancer risk presented by tanning beds, many organizations have recommended against their use in minors. Last year, the Oregon Health Authority, Radiation Advisory Committee, unanimously voted to support a ban on underage tanning.

In addition, prohibitions on tanning by persons under age 18 have been implemented by California, Vermont and New York state, and in cities such as Chicago and Springfield, Illinois. According to the National Conference of State Legislatures, at least 33 states are currently considering legislation to restrict tanning by minors in some form.

Given the risks presented by indoor tanning, minors need the added protection proposed by HB 2896. If HB 2896 is signed into law, RPS will develop administrative rule requirements regarding proof and documentation of age, signage, tanning operator record-keeping, and enforcement protocols.

In summary, the provisions of HB 2896 preventing persons under 18 from using tanning beds would allow Oregon to enhance its' protection of a vulnerable population from unnecessary risks associated with UV tanning bed use.

We would be pleased to provide the committee with additional information as needed. Thank you for the opportunity to provide you with this testimony.