

# Guidelines for the Operation of Solaria in Tasmania

Public Health Act 1997

December 2014

## **Introduction**

The *Guidelines for Operation of Solaria in Tasmania* (the Guidelines) reflect nationally agreed principles on the use of solaria.

The Guidelines are issued pursuant to section 184 of the *Public Health Act 1997*. It is a legal requirement to comply with the Guidelines. Failure to do so may result in significant fines. The maximum fine that may be imposed for non-compliance is \$7 000.

## **The need for regulation**

Australians are exposed to amongst the highest ambient ultraviolet radiation levels from sunlight in the world, and have the highest rates of skin cancer.

There is compelling evidence that people who use artificial indoor tanning devices increase their risk of skin cancer.

More than 1 600 Australians die every year from illnesses caused by exposure to ultraviolet radiation. Voluntary exposure of people to ultraviolet radiation in a solarium is likely to have contributed to some of these deaths.

More people will continue to experience preventable skin cancers and die unless preventative action is taken.

Compliance with these Guidelines will help reduce the risk to public health and the related burden on individuals, their families and the health system.

## **Advice and assistance**

Any questions about these Guidelines, or solaria generally, should be directed to the Public Health Services within the Department of Health and Human Services on telephone 1800 671 738.

Alternatively, please email [public.health@dhhs.tas.gov.au](mailto:public.health@dhhs.tas.gov.au) or visit the Department's website at [www.dhhs.tas.gov.au](http://www.dhhs.tas.gov.au).

# The Operation of Solaria in Tasmania

The **Responsible Person** in relation to the operation of a **solarium** must ensure that:

1. No person under the age of 18 is permitted to be exposed in a **tanning unit** that is under the control of the **Responsible Person**.
2. For persons aged 18 or over, only those persons who are referred to a solarium by a registered medical practitioner who is also a specialist in dermatology, may be permitted to use a **tanning unit**, and the usage must be for medically-prescribed phototherapy purposes only.
3. Such persons must provide to the **trained operator** a copy of a letter of medical referral that is current (issued within the past 12 months), before using a **tanning unit**.
4. The letter of medical referral specifies the following details:
  - (i) Name, qualifications and contact details of the referring medical practitioner who is also a specialist in dermatology
  - (ii) Name and address of patient
  - (iii) Date of birth
  - (iv) An exposure schedule that includes the duration of phototherapy treatment for each **exposure session**, the frequency of phototherapy treatment sessions (eg number of sessions per week or month), and their timing
5. Any single **exposure session** must not exceed 0.9 **MED**, and any repeat **exposure session** must take place no sooner than 48 hours after the previous **exposure session**.
6. The maximum repeated exposure time of three **MED** per week in a tanning unit should never be exceeded.
7. Any operator of a **tanning unit** has completed **approved training**.
8. Evidence that each **trained operator** has completed **approved training** is kept on the premises and is produced upon the request of an **Authorised Officer**.
9. An assessment of skin type is conducted by a **trained operator** for every client before exposure in a **tanning unit**.
10. Individuals with **skin photo type I** are not permitted to be exposed in a **tanning unit**.
11. Only a **trained operator** oversees and controls an **exposure session**.
12. Exposure of any client to ultraviolet radiation in a **solarium** is subject to **supervision** by a **trained operator** at all times.
13. Prior to the commencement of phototherapy treatment comprising one or more **exposure sessions** in a **tanning unit**, and at least every twelve (12) months, a consent form as set out in **Appendix I** is handed to the client, and that:
  - (i) The client signs and dates the form
  - (ii) The client returns the signed and dated form prior to commencement of the first **exposure session** in the establishment
  - (iii) The original signed and dated form is filed in the records of the establishment for a period of not less than two years
  - (iv) A copy of the signed and dated form is handed to the client.
14. Protective eyewear is worn by every user of a **tanning unit** during any period for which the **tanning unit** is operative.

15. Clearly legible warning notices of at least 42 point font on A3 paper are placed within immediate view of every client entering a **solarium**, and in each **tanning unit** cubicle. The warning notice must include the following information:
- Tanning units emit ultraviolet radiation
  - Exposure to ultraviolet radiation contributes to skin cancer and skin ageing; repeated exposure further increases that risk
  - Only those persons who have been referred to a solarium by a registered medical practitioner who is also a specialist in dermatology, may be permitted to use a **tanning unit**
  - People with fair skin who burn easily will not be permitted to use a tanning unit
  - Further direct exposure to sunlight or a tanning unit must be avoided for the next 48 hours
  - Protective eyewear must be worn at all times while undergoing tanning unit exposure
  - No person under the age of 18 years is permitted to use a tanning unit.
16. Client records must be kept by the **Responsible Person** and must include, but not be limited to:
- (i) date and time of each exposure session
  - (ii) Skin Photo Type assessment
  - (iii) completed consent form
  - (iv) level of exposure dosage
  - (v) accumulated exposure dosage when more than one exposure session is received
17. Client records must be kept for a minimum of two years.

## GLOSSARY

**Approved Training** means the *Australian Radiation Protection and Nuclear Safety Authority* solarium training course, or equivalent.

**Authorised Officer** means the Director of Public Health, a medical officer of health or an environmental health officer, as defined under the *Public Health Act 1997*.

**CIE** means Commission Internationale de l'Eclairage

**Erythemally Effective Dose** means the dose obtained by weighting the spectral distribution of UV radiation incident on the subject with the erythemal effectiveness set by the **CIE** across the UV radiation wavelength range (280 to 400 nm) and then integrating to obtain the total dose in  $J.m^{-2}$ .

**Exposure Session** means a session of exposure to UV radiation in a **solarium**, and where the total exposure does not exceed 0.9 **MED**.

**Fitzgerald classification system** means the system used to classify a person's skin type within a 'skin photo type' scale of 1 to 6.

**MED** means **Minimum Erythemal Dose**, the minimum dose of UV radiation required to produce erythema (sunburn) in the skin. The MED varies with skin type, as follows:

- **skin photo type 1, MED** is 2 SED ( $200 J.m^{-2}$ )
- **skin photo type 2, MED** is 2.5 SED ( $250 J.m^{-2}$ )
- **skin photo type 3, MED** is 3 SED ( $300 J.m^{-2}$ )
- **skin photo type 4, MED** is 4.5 SED ( $450 J.m^{-2}$ )
- **skin photo type 5, MED** is 6 SED ( $600 J.m^{-2}$ )
- **skin photo type 6, MED** is 10 SED ( $1000 J.m^{-2}$ ).

**Responsible Person** means the person:

(a) having overall management responsibility including responsibility for the security and maintenance of the **solarium**; and

(b) having overall control over who may use the **solarium**.

**SED** means **Standard Erythemal Dose** which is  $100 J.m^{-2}$  of erythemally effective dose. For example, an **erythemally effective dose** of  $200 J.m^{-2}$  is 2.0 SEDs which is sufficient to cause mild reddening or erythema in people with skin type 1 (fair skin).

**Skin Photo Type 1** means skin which always burns and never tans (pale white skin).

**Skin Photo Type 2** means skin which always burns easily and tans minimally (white skin).

**Skin Photo Type 3** means skin which burns moderately and tans uniformly (light brown skin).

**Skin Photo Type 4** means skin which burns minimally and always tans well (moderate brown skin).

**Skin Photo Type 5** means skin which rarely burns and tans profusely (dark brown skin).

**Skin Photo Type 6** means skin which never burns (deeply pigmented dark brown to black skin).

**Solarium** means any commercial establishment containing one or more **tanning units**.

**Supervision** means being on the premises to ensure that all pre-exposure requirements are fulfilled and to ensure that the **exposure session** is terminated at the appropriate time.

**Tanning unit** means an electrically powered appliance or installation designed to produce tanning of the human skin by utilizing ultraviolet radiation.

**Trained Operator** means a person who holds a current **approved training** qualification.

## APPENDIX 1: CONSENT FORM FOR CLIENTS OF SOLARIA

### CLIENT CONSENT FORM

Please read the following information carefully:

1. Exposure to ultraviolet radiation from a tanning unit increases the risk of skin cancer and contributes to the skin ageing process.
2. People with fair skin who are unable to tan must not use a tanning unit.
3. Further direct exposure to sunlight or a tanning unit must be avoided for the next 48 hours after your medically-prescribed phototherapy.
4. Protective eyewear must be worn at all times while undergoing medically-prescribed phototherapy. You must not read while the tanning unit is in operation.
5. There is additional risk from tanning unit exposure if you:
  - (a) have ever been treated for solar keratoses or skin cancer
  - (b) have a large number of moles, freckles and /or naevi
  - (c) have a history of frequent childhood sunburn
  - (d) burn easily
  - (e) have ever suffered from an abnormal reaction, or allergy, to light.
6. There may be further risk if you are pregnant, taking certain medications by mouth or applying medications or certain cosmetics to the skin.

If there is any doubt in your mind in relation to any of the particulars described in Items 2, 5 and 6 above, consult your registered medical practitioner who is also a specialist in dermatology before undergoing any ultraviolet exposure.

I, ....., am aged 18 years or over, and acknowledge that the operator has been provided with a copy of my letter of medical referral and has made an assessment of my skin type. I have carefully read and fully understand the above information and choose to undergo ultraviolet exposure in this establishment.

Client name:

Signature:

Date:

A client consent form must be completed prior to the commencement of a course of medically-prescribed phototherapy comprising one or more **exposure sessions** in a **tanning unit**, and at least every twelve (12) months.

**[Business name, ABN and contact details must be included on the form]**