

# State Policy Efforts to Restrict Minors' Access to Tanning Facilities

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# Objectives and Data Sources

## Objectives:

To identify the states with laws restricting minors' access to tanning facilities, and describe the general provisions and variations in laws across the states.

## Data Sources:

National Cancer Institute's State Cancer Legislative Database (SCLD), Literature reviews (see Resources), and Internet-based research

# Methods and Limitations

## Methods:

Relevant SCLD laws and resolutions (as of June 30, 2007) were identified, reviewed, and analyzed to capture laws and provisions of such laws related to minors' access to tanning facilities. Additional SCLD research was performed to capture laws and resolutions addressing skin cancer awareness/education in schools and skin cancer awareness generally.

Topical keyword searching of the SCLD included: Skin Cancer/Awareness, Skin Cancer/School Health, and Skin Cancer/Tanning Facilities.

## Limitations:

The SCLD contains information synthesized from state-level laws. The SCLD does not contain legislation that has been introduced but not enacted; state-level regulations; measures implemented by counties, cities, or other localities; Attorneys General opinions; decisions of Federal, State, or local courts (with the exception of a few states in the area of tobacco use/clean indoor air where court decisions have affected the application of preemption in the state) or data addressing the implementation of state laws.

# Background

## Skin Cancer Generally

- Skin cancer is the most common cancer in the United States — approximately 1,000,000 cases annually (NCI, 2006).
- Approximately 10,000 Americans die of skin cancer annually — accounting for approximately 4% of all cancer deaths (NCI, 2006).
- 40 to 50% of Americans who live to age 65 will develop non-melanoma skin cancer at some point in their lives (NCI, 2004).

# Background

## Skin Cancer and Artificial Tanning

- Women who use tanning beds more than once a month are 55% more likely to develop malignant melanoma (NCI, 2004).
- UV radiation from tanning devices may be 10 to 15 times stronger than exposure to the midday sun (Intl. Agency for Research on Cancer Working Group on Artificial Exposure to UV Light and Skin Cancer, 2006).
- Sixteen percent of users use tanning beds more than 100 times a year, well above recommended exposure (Intl Agency for Research on Cancer Working Group on Artificial Exposure to UV Light and Skin Cancer, 2006).
- In 2000, the National Institute of Environmental Health Sciences concluded that sunlamps and tanning beds are carcinogenic (National Institute of Environmental Health Sciences, 2000).

# Background

## Sun and Artificial Tanning by Youth

- In 2005, 8.7% of teenagers ages 14 to 17 used tanning beds. The proportion of users increases with age from age 14 to 17 (CDC, 2006).
- Significantly more teenage girls use tanning beds than teenage boys (CDC, 2006).
- Studies have revealed an association between the age of first use of indoor tanning equipment and melanoma risk. Earlier studies documented that exposure to sunlight in childhood is an important contributing factor for melanoma risk in adults (Intl. Agency for Research on Cancer Working Group on Artificial Exposure to UV Light and Skin Cancer, 2006).
- Evidence suggests that younger people are at a greater risk of the carcinogenic impact of indoor tanning (Intl. Agency for Research on Cancer Working Group on Artificial Exposure to UV Light and Skin Cancer, 2006).

# Recommendations

- The World Health Organization recommends that no one under 18 years of age use a tanning bed (World Health Organization, 2005).
- CDC recommends that school programs about skin cancer advise against using tanning beds (CDC, 2002).
- The American Cancer Society, the American Academy of Dermatology, the American Academy of Pediatrics, the American Medical Association, and the National Cancer Institute all recommend patient education on UV radiation avoidance and sunscreen use (CDC, 2002).

# Definitions

**Ban:** Laws prohibiting, without exception, the use of tanning facilities by minors.

**License Penalties:** Laws addressing penalties against a tanning facility's license holder, including license suspension or revocation, for failure to observe the laws regulating the use of such facilities.

**Minors:** Persons below legal age (specified by state).

**Parental Consent:** Exclusion of a minor's mandated compliance with the tanning facilities law based on the intervention of a parent or guardian.

**Penalties:** Penalties incurred for violating minors' access to tanning facilities laws.

**Physician Authorization:** Exclusion of a minor's mandated compliance with the tanning facilities law based on the intervention of a medical professional.



# Definitions

**Skin Cancer:** A malignant neoplasm (growth) of the skin.

**States:** Fifty states and the District of Columbia.

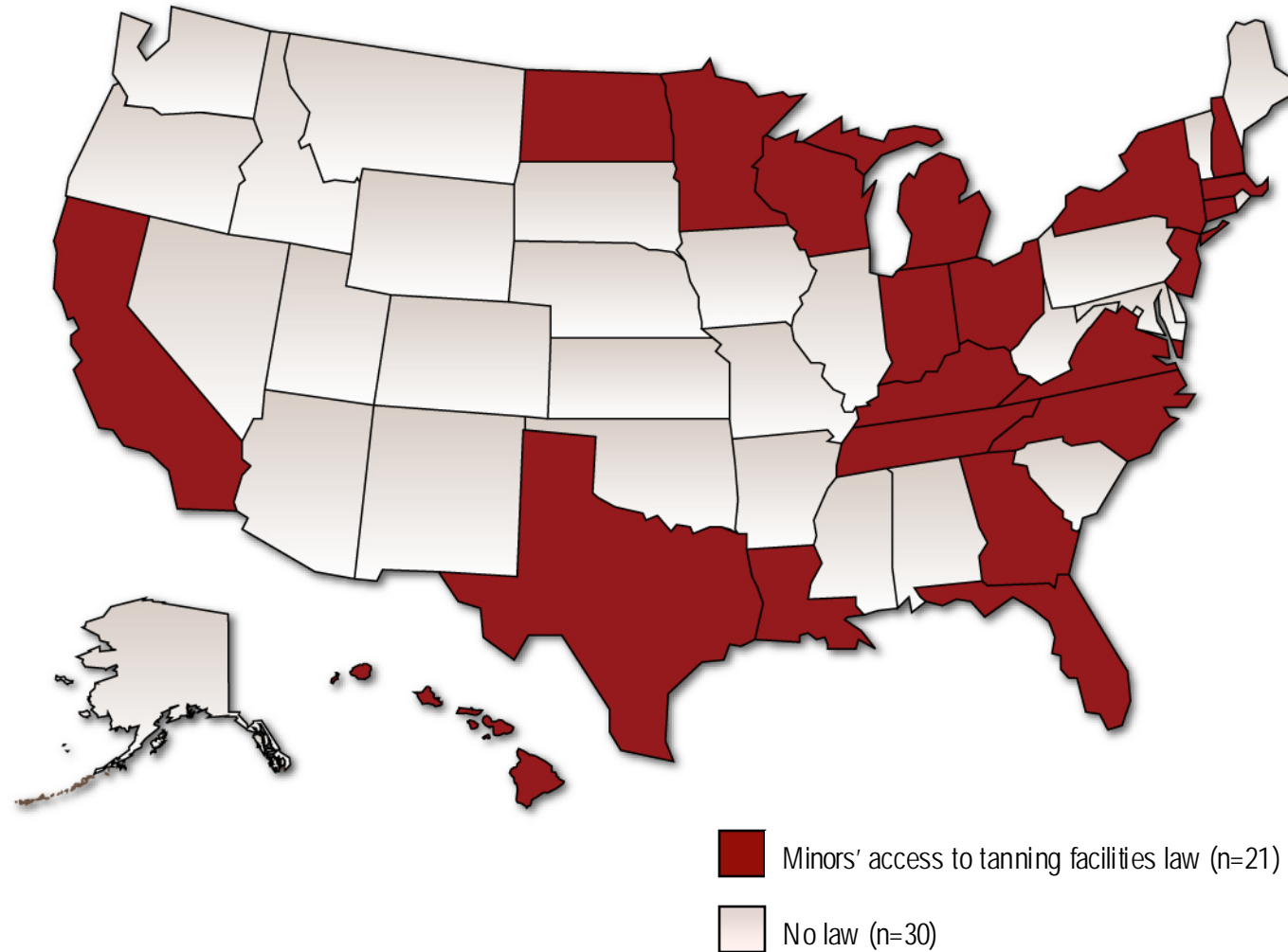
**Tanning Device:** (1) Ultraviolet or other lamps and equipment intended to induce skin tanning through the irradiation of any part of the body with ultraviolet radiation; or (2) equipment that emits electromagnetic radiation with wavelengths in the air between 200 and 400 nanometers used for tanning of the skin, including a sunlamp, tanning booth, or tanning bed.

**Tanning Facilities:** Any location, place, or business which provides persons access to any tanning device.

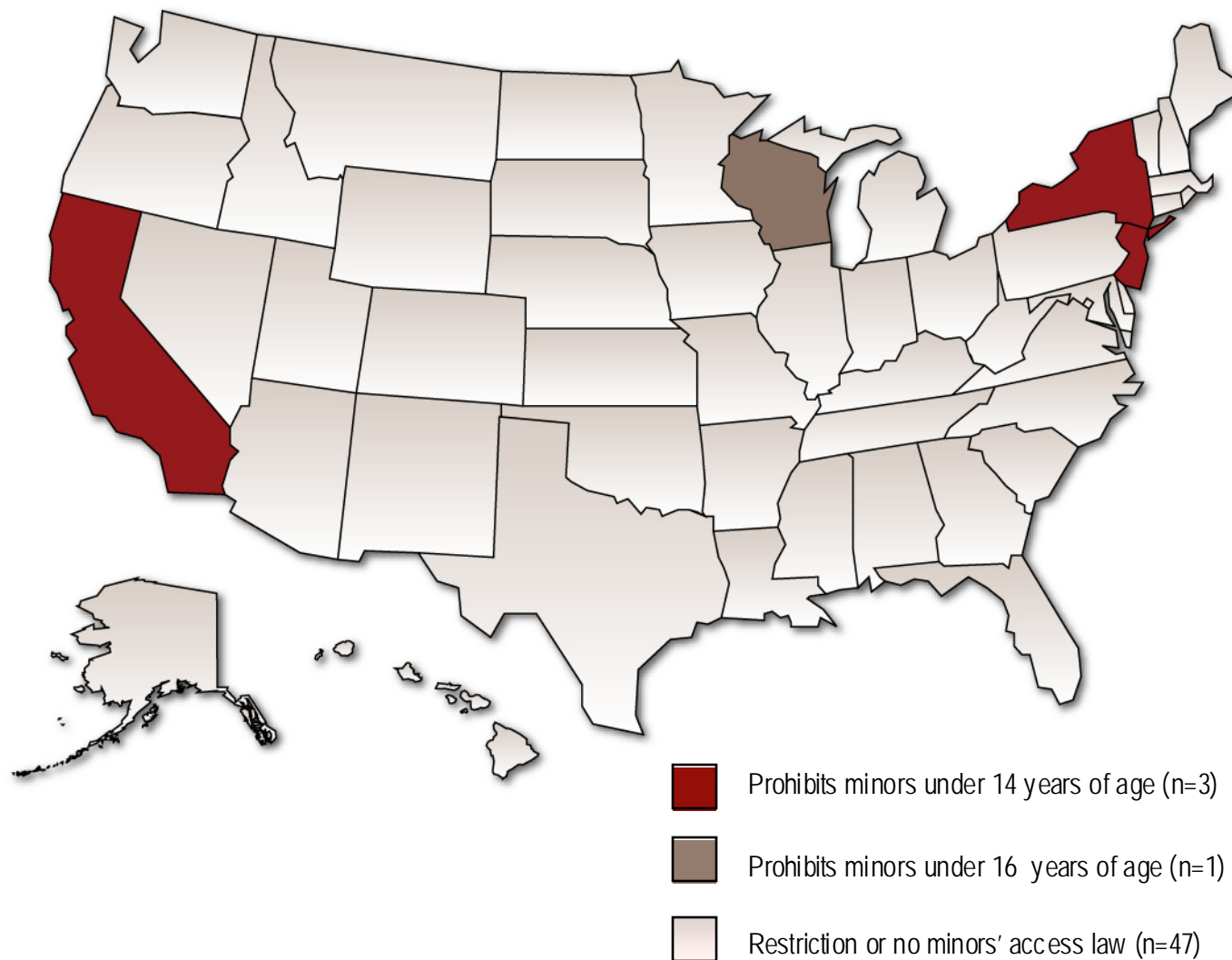
**Warning Sign:** Display of warning to consumers on the dangers associated with tanning.

**Warning Statement:** Law addressing the requirement that a tanning facility operator, proprietor, or owner provide an individual or a minor's parent or guardian, with information disclosing the risks of tanning, including the risk of skin cancer.

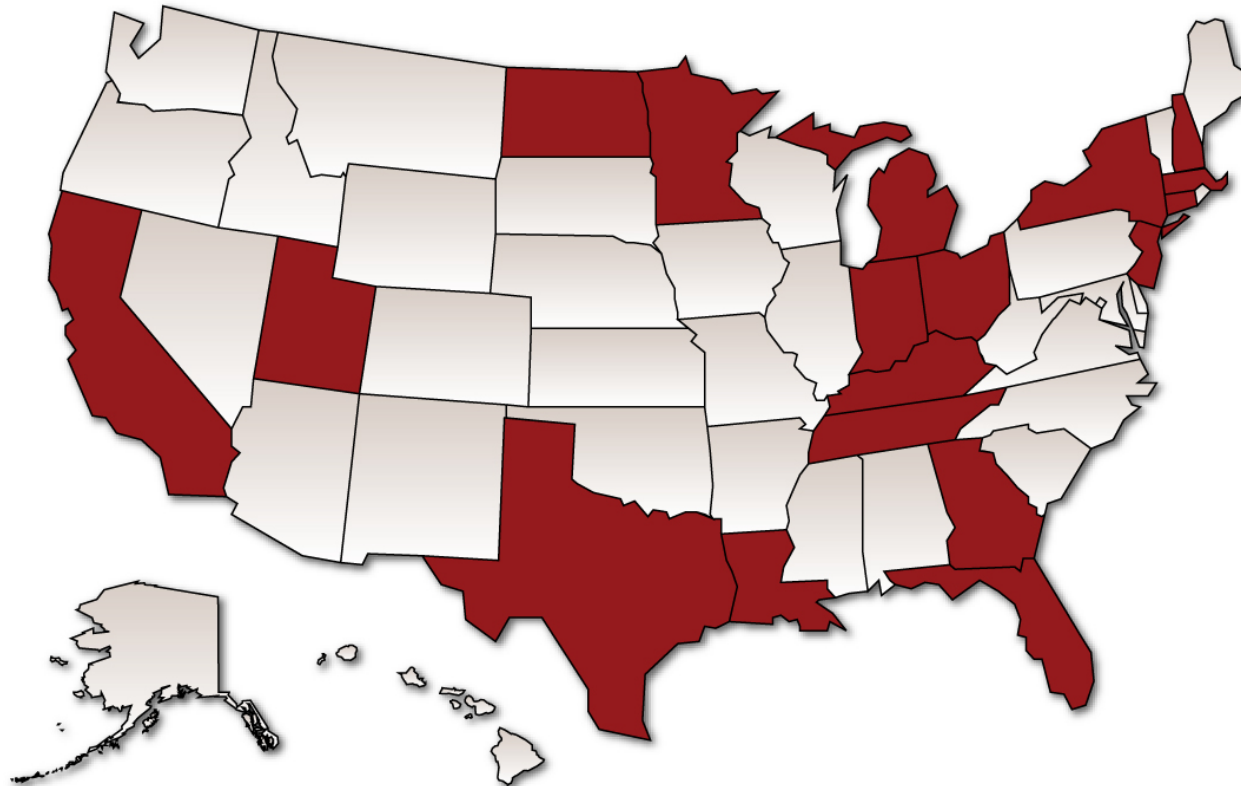
# States with Laws Addressing Minors' Access to Tanning Facilities (as of June 30, 2007)



# States Banning Minors' Use of Tanning Facilities (as of June 30, 2007)



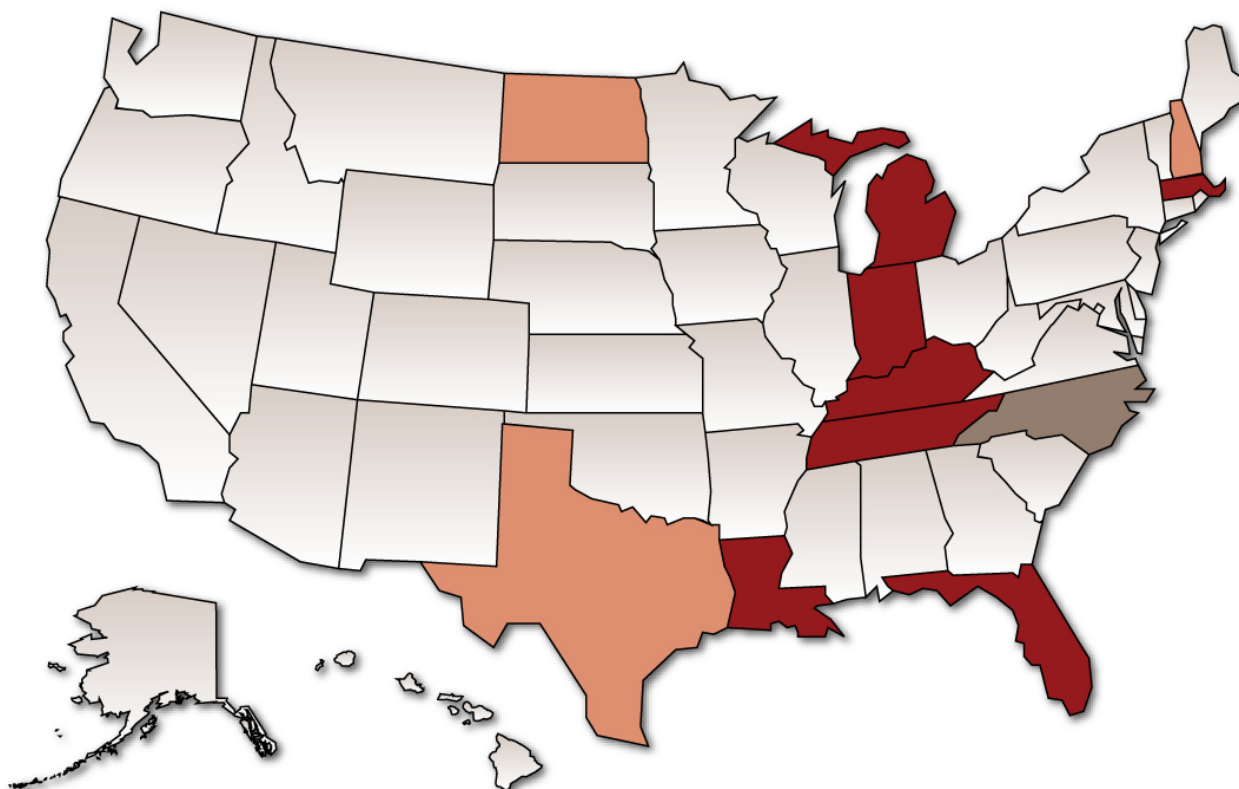
# States Authorizing the Use of Tanning Facilities by Minors with Written Parental Consent (as of June 30, 2007)



Ages	States
14-18	CA, FL, LA, NY, TN
14-17	KY, MA, NJ
16 or 17	TX
Under 18	GA, IN, MI, NH, ND, OH, UT
Under 16	CT, MN

- Use permitted with parental consent (n=18)
- No law (n=33)

# States Authorizing the Use of Tanning Facilities by Minors with Parental Accompaniment/Physician Authorization (as of June 30, 2007)



Ages	States
Under 16	IN
Under 14	FL, KY, LA, MA, MI, NH, ND, TN
Under 13	NC, TX*
13 to 15	TX*

- Parental accompaniment required (n=7)
- Physician authorization required (n=1)
- Parental accompaniment & Physician authorization required (n=3)
- No law (n=40)

\*13 to 15 with parental accompaniment, under 13 with physician authorization



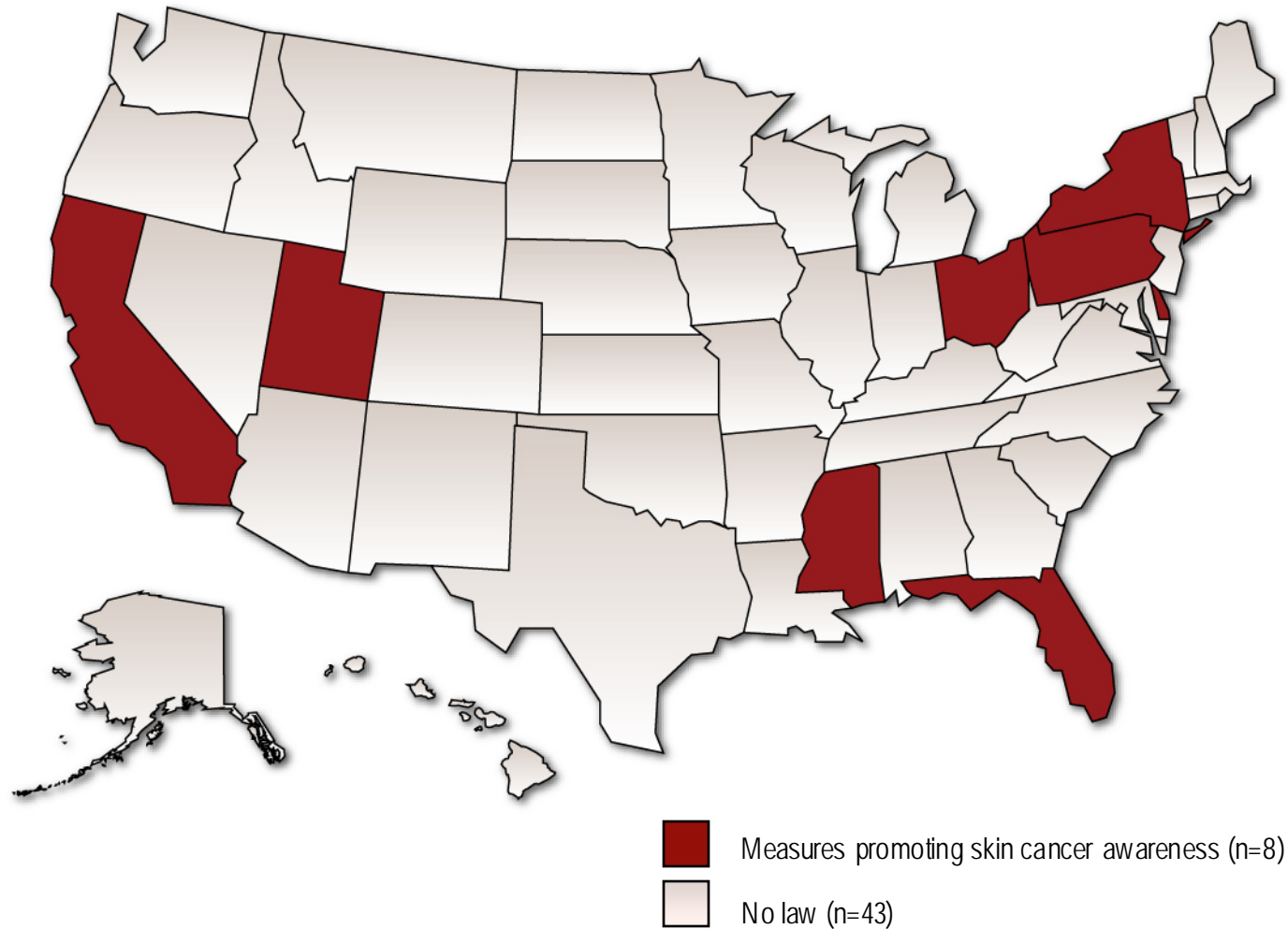


# School Health Measures Related to Sun Exposure/Tanning by Youth

- **Arizona:** requires public schools to incorporate instruction (if the FDA furnishes a comprehensive program free) into existing curricula on skin cancer prevention. Instruction must include basic skin cancer facts, including the negative impact of exposure to ultraviolet radiation through tanning or sunburns, and strategies and behaviors for skin cancer risk reduction. (2005)
- **California:** Requires instruction on prevention and detection of skin cancers to be included in a required health education course at the senior high school level. (1998)
- **Hawaii:** Urges the state Department of Health to work with the state Department of Education to develop and implement a program in all public schools to educate students on the dangers of sun exposure. (2007)
- **Kentucky:** Encourages public schools to provide age-appropriate education to all students on the risks associated with exposure to ultraviolet rays from natural sunlight and artificial sources. (2006)



# States with Measures Promoting Skin Cancer Awareness (adopted as of June 30, 2007)



# Conclusions

- Forty-one percent of states have laws related to minors' access to tanning facilities.
- The extensiveness of the restrictions (established by law) on minors' access to tanning facilities vary from complete bans to use with parental consent or no law.
- State policy efforts to reduce youth access to tanning facilities and educate minors on the dangers of artificial tanning may potentially reduce the risk of skin cancer.

# References

- Centers for Disease Control and Prevention. (2002, April 26). "Guidelines for School Programs To Prevent Skin Cancer." *MMWR Weekly*, 51(RR04);1-16.
- Centers for Disease Control and Prevention. (2006, October 13). QuickStats: Percentage of Teens Aged 14-17 Years Who Used Indoor Tanning Devices during the Preceding 12 Months, by Sex and Age --- United States, 2005. *MMWR Weekly*, 55(40); 1101.
- The International Agency for Research on Cancer Working Group on Artificial Exposure to Ultraviolet (UV) Light and Skin Cancer. (2006). "The Association of Use of Sunbeds with Cutaneous Malignant Melanoma and Other Skin Cancers: A Systematic Review." *Int. J. Cancer*. 120, 1116-1120.
- National Cancer Institute. (2006, October 24). "NCI: Skin Cancer (PDQ) Screening: Significance."
- National Cancer Institute. (2004, August 13). "NCI Health Information Tip Sheet for Writers: Artificial Tanning Beds and Cancer."
- National Institute of Environmental Health Sciences. (2000). Report on Carcinogens: Solar UV Radiation and Exposure to Sunbeds and Sunlamps. 9th ed. Research Triangle Park, NC:48-50.
- World Health Organization. (2005, March). "Sunbeds, Tanning and UV Exposure." Fact Sheet No. 287.

# Information

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