

CAPITOL RESEARCH

HEALTH

Regulating Minors' Use of Tanning Beds

Skin cancer—which accounts for about half of all cancer cases in the United States—is caused by excessive exposure to ultraviolet radiation and results in about 13,000 deaths annually. Melanoma, an aggressive form of skin cancer, is responsible for 9,700 deaths each year. The American Cancer Society estimates 76,000 new cases of melanoma will be diagnosed in 2014.¹ Excessive or unprotected exposure to UV radiation is a major risk factor for both skin cancer and melanoma. Tanning beds increase this risk, especially when people begin tanning at young ages.²

- According to the Youth Risk Behavior Surveillance System conducted by the Centers for Disease Control and Prevention, 13 percent of all high school students, 21 percent of high school girls and 32 percent of girls in the 12th grade report using tanning beds.³
- Sunlamps used in tanning beds generally produce between 10 to 15 percent more UV radiation than a person would absorb from exposure to the mid-day sun.⁴
- Each exposure to UV radiation adds to previous skin damage, compounding negative effects over time.⁵
- The American Academy of Dermatology estimates indoor tanning increases the risk of developing melanoma by 59 percent.⁶
- Adults ages 25–29 are more likely to develop melanoma than any other form of cancer.⁷
- The CDC believes indoor tanning causes skin cancer twice as frequently as smoking causes lung cancer. Every year, about 419,000 cases of skin cancer are attributable to indoor tanning, compared to about 226,000 cases of lung cancer that are attributable to smoking.⁸

Because of these risks, the FDA in 2014 issued a final order strengthening restrictions on tanning beds that will affect manufacturers and labeling. The FDA also reclassified tanning beds from Class I to Class II medical devices.⁹



- Class I medical devices, such as adhesive bandages, may cause minimal harm to consumers. Class II devices indicate an increased level of potential harm to the user. Reclassification to Class II requires increased control of such devices for safety.
- Manufacturers must place labels on tanning beds and lamps stating the risks of tanning bed use, advising regular users to be tested for skin cancer and warning against use by people younger than 18.
- This labeling requirement must be fulfilled within 450 days of June 2, 2014.
- The FDA also recommends tanning beds should not be used by people with skin lesions, open wounds, skin cancer or a family history of skin cancer.
- Similarly, the CDC's Healthy People 2020 Goals include reducing the percentage of high school students and adults who use tanning beds.¹⁰



Most states limit minors' access to tanning beds, either with outright bans or with requirements such as parental consent. States have adopted various penalties for violations. Only 10 states do not have age restrictions or associated violations.¹¹

- Seven states—Alabama, Missouri, Nebraska, Pennsylvania, Vermont, Washington and West Virginia—and the District of Columbia have adopted age restrictions since 2010.
- Some states have different requirements for minors of different ages. Florida requires parents to accompany minors under age 14 and to provide written consent for minors ages 14–17.
- Twenty-three states and the District of Columbia require written parental consent for minors of certain ages. Of these states, 12 require parents to sign a consent form in person at the facility, while four also require parents to accompany minors.
- Nine states prohibit minors from tanning facilities unless the use of a tanning bed is prescribed by a licensed physician.
- Seventeen states and the District of Columbia ban minors of a certain age without exception.
- Eight states require tanning facilities to post warning signs about tanning, six states require tanning facilities to provide written warning statements and 25 states require both warning signs and statements.
- Thirty-four states have laws that penalize tanning facilities for violations. Penalties range from fines of \$500 to \$25,000, misdemeanor charges and license revocations.

REFERENCES

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- ³ CDC, Adolescent and School Health. "Youth Risk Behavior Surveillance System." June 2014. Accessed at: <http://www.cdc.gov/HealthyYouth/yrbs/index.htm>.
- ⁴ Balk, Sophie H., David E. Fisher and Alan C. Geller. "Teens and Indoor Tanning: A Cancer Prevention Opportunity for Pediatricians." *Pediatrics*. Accessed at: <http://pediatrics.aappublications.org/content/131/4/772.full.html>.
- ⁵ U.S. Food and Drug Administration (FDA). "Indoor Tanning Raises the Risk of Melanoma." Accessed at: <http://www.fda.gov/ForConsumers/ConsumerUpdates/ucm350790.htm>.
- ⁶ American Academy of Dermatology (AAD). "Indoor Tanning." Accessed at: <http://www.aad.org/media-resources/stats-and-facts/prevention-and-care/indoor-tanning>.
- ⁷ American Academy of Dermatology. "Skin cancer." Accessed at: <http://www.aad.org/media-resources/stats-and-facts/conditions/skin-cancer>.
- ⁸ CDC. "Is Indoor Tanning Safe?" April 2014. Accessed at: <http://aspe.hhs.gov/infoquality/request&response/46a1a5.pdf>.
- ⁹ American Academy of Dermatology. "FDS Tanning Bed Reclassification." Accessed at: <http://www.aad.org/members/practice-and-advocacy-resource-center/patient-health-advocacy/skin-cancer/indoor-tanning-device-reclassification>.
- ¹⁰ CDC. "Is Indoor Tanning Safe?"
- ¹¹ State information accessed from Openstates.org or National Conference of State Legislatures. "Indoor Tanning Restrictions for Minors—A State-by-State Comparison." June 2014. Accessed at: <http://www.ncsl.org/research/health/indoor-tanning-restrictions.aspx>.



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Provisions of State Laws Regulating Minors' Use of Tanning Beds

State	Age Restrictions	Age-Specific Limitations/Requirements			Facilities required to post warning signs	Law includes penalties for tanning facilities
		Prohibition for Minors	Parental Consent	Parental Accompaniment		
Alabama	Yes	Under 15*	15-17	15		
Alaska		No				
Arizona	Yes		Under 18		Yes	
Arkansas	Yes		Under 18			
California	Yes	Under 18			Yes	Yes
Colorado		No			Yes	
Connecticut	Yes	Under 18				Yes
Delaware	Yes	Under 18*			Yes	Yes
District of Columbia	Yes	Under 14	14-17	14-15		
Florida	Yes		14-18	Under 14	Yes	Yes
Georgia	Yes	Under 14	14-17		Yes	Yes
Hawaii	Yes	Under 18*			Yes	Yes
Idaho		No				
Illinois	Yes	Under 18				
Indiana	Yes		Under 17	Under 16	Yes	Yes
Iowa		No				
Kansas		No			Yes	Yes
Kentucky	Yes		14-17	Under 14		Yes
Louisiana	Yes	Under 18			Yes	
Maine	Yes	Under 14	14-17	14-15	Yes	Yes
Maryland	Yes		Under 18			Yes
Massachusetts	Yes		14-17	Under 14	Yes	Yes
Michigan	Yes		Under 18		Yes	
Minnesota	Yes	Under 18			Yes	Yes
Mississippi	Yes		Under 16		Yes	Yes
Missouri	Yes		Under 17			Yes
Montana		No				
Nebraska	Yes		Under 16	Under 16	Yes	Yes
Nevada	Yes	Under 18			Yes	Yes
New Hampshire	Yes	Under 14*	14-17			Yes
New Jersey	Yes	Under 17		17	Yes	Yes
New Mexico		No				
New York	Yes	Under 16	17-18		Yes	Yes
North Carolina	Yes	Under 14*	Under 18		Yes	Yes
North Dakota	Yes	Under 14*	Under 18		Yes	Yes
Ohio	Yes		Under 18	Under 16	Yes	Yes
Oklahoma		No				
Oregon	Yes	Under 18*			Yes	Yes
Pennsylvania	Yes	Under 17	17		Yes	Yes
Rhode Island	Yes	Under 18*	Under 18		Yes	Yes
South Carolina	Yes		Under 18		Yes	Yes
South Dakota		No				
Tennessee	Yes		Under 14	Under 18	Yes	Yes
Texas	Yes	Under 18			Yes	Yes
Utah	Yes	Under 18*	Under 18		Yes	Yes
Vermont	Yes	Under 18			Yes	Yes
Virginia	Yes		Under 16		Yes	
Washington	Yes	Under 18*				Yes
West Virginia	Yes	Under 18			Yes	
Wisconsin	Yes	Under 16			Yes	Yes
Wyoming	Yes		Under 18	Under 15		Yes

*Prohibition can be lifted if use of a tanning bed is prescribed by a licensed physician.

SOURCES: National Conference of State Legislatures. "Indoor Tanning Restrictions for Minors—A State-by-State Comparison." June 2014. Accessed at: <http://www.ncsl.org/research/health/indoor-tanning-restrictions.aspx>; [Openstates.org](http://openstates.org).