

PROMOTING WOMEN’S HEALTH: TANNING BED LEGISLATION

The New York State Legislature is considering two pieces of legislation that would further regulate tanning bed usage. Currently, New York Public Health Law § 3555 prohibits the use of ultraviolet radiation devices by persons under the age of fourteen and requires that the tanning facility have written consent from a parent or legal guardian for persons between the ages of fourteen and eighteen before permitting them to use an ultraviolet radiation device. Bill No. A1074/S2917 would provide that a tanning facility shall not permit the use of an ultraviolet radiation device by persons less than eighteen years of age.¹ Bill No. A6793/S3083 would increase the minimum age of persons permitted to use tanning facilities to sixteen.²

These bills are of particular interest to women. Studies have found that the use of tanning beds increases one’s risk for melanoma – the most serious type of skin cancer – by 75 percent.³ Melanoma is now the most common form of cancer for young adults 25-29 years old, and is the second most common form of cancer for adolescents and young adults 15-29 years old. Alarming, a study of patients aged 18 to 39 recently published in *Mayo Clinic Proceedings* reported that, “From 1970 to 2009, the incidence of melanoma increased by 8-fold among young women and 4-fold among young men.”⁴ The rise in use of indoor tanning facilities by women and young girls has been determined as one cause for this increase.⁵ Tanning beds emit mainly ultraviolet rays and the damage that ultraviolet rays cause to the skin increases the risk of skin cancer, as well as premature skin aging.⁶

Bill No. A1074/S2917 was passed by the New York Assembly (“Assembly”) and was delivered to the New York State Senate (“Senate”) on June 6, 2011. Unfortunately, the bill died in the Senate and was returned to the Assembly on January 4, 2012. On January 31, 2012, the bill was passed again by the Assembly and delivered to the Senate where it was referred to the health committee. The last action for the bill occurred on February 7, 2012, when it was advanced to a third reading.

Bill No. A6793/S3083 is being reviewed by the health committees of both the Assembly and the Senate.

¹ Bill No. A1074 is sponsored by Assemblyman Harvey Weisenberg in the New York Assembly. Bill No. S2917 is sponsored by Senator Charles Fuschillo, Jr., in the New York State Senate.

² Bill No. A6793 is sponsored by Assemblyman Kenneth Zebrowski in the New York Assembly. Bill No. S3083 is sponsored by Senator Toby Ann Stavisky in the New York State Senate.

³ See “National Health Care Organizations to Support the Tanning Bed Cancer Control Act,” The Skin Cancer Foundation (May 3, 2011), <http://www.skincancer.org/media-and-press/Press-Release-2011/national-health-care-organizations-support-the-tanning-bed-cancer-control-act>. See also “Question: Are tanning beds safer than natural sunlight? Answer from Lawrence E. Gibson, M.D.,” Mayo Clinic (Oct. 8, 2010), <http://www.mayoclinic.com/health/tanning/HQ01487>.

⁴ Kurtis B. Reed, M.D., *et al*, “Increasing Incidence of Melanoma Among Young Adults: An Epidemiological Study in Olmsted County, Minnesota,” *Mayo Clinic Proceedings*, Volume 87, Issue 4, Pages 328-334, April 2012, [http://www.mayoclinicproceedings.org/article/S0025-6196\(12\)00209-1/abstract](http://www.mayoclinicproceedings.org/article/S0025-6196(12)00209-1/abstract).

⁵ See *supra* “National Health Care Organizations to Support the Tanning Bed Cancer Control Act.”

⁶ See *supra* “Question: Are tanning beds safer than natural sunlight? Answer from Lawrence E. Gibson, M.D.”