

Legal Challenges for Tanning Salons Increasing



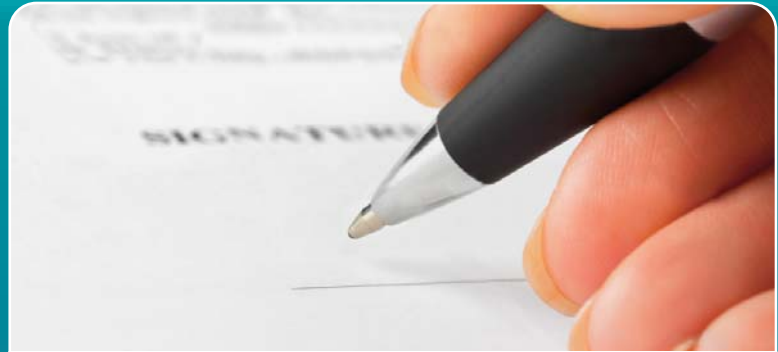
Lawsuits on the Rise:

A quick "Google" search of the World Wide Web using the key words: "**Tanning Salon Cancer**" takes approximately 0.21 seconds and returns about 834,000 results. What the results reveal is a myriad of articles, and sometime accompanying blogs, stating emphatically either tanning salons cause cancer or tanning salons DO NOT cause cancer. The debate goes on. Of course there are news articles mentioning various lawsuits by individuals against tanning salons. Litigation is on the rise where people with skin cancer are claiming they were not adequately warned about the dangers of tanning salons.

Protect Your Salon:

Reread the statement about litigation on the rise against tanning salons. Notice that the lawsuits are made by people, "...claiming they were not adequately warned about the dangers of tanning salons." It's very important to recognize the rise in lawsuits is not based on an absolute scientific fact linking skin cancer to tanning salons, but it's based on people claiming they were not warned. This newsletter is not the forum to enter the debate on whether tanning salons cause more incidents of skin cancer than the sun; rather it is intended to help tanning salons make informed decisions about warning language on their Tanning Consent Forms.

Recently tanning salons made the national news when the World Health Organization scientists placed ultraviolet tanning beds on their list of the, "most dangerous forms of cancer-causing radiation." Also on the list of cancer causing radiation is over exposure to the UV rays from the sun, but this has been widely known for many, many years and is no longer as newsworthy. Proper education of your tanning customers about potential skin damage from your tanning beds will go a long way to protect you from costly litigation.



Documentation:

I'm often asked how often a tanning consent form needs to be signed. There is some debate among salon owners about the form, its completion and how to keep track of who signed a valid consent. In today's litigious society an ounce of prevention is worth a pound of cure. Documentation that can easily be found, is one of the best forms of litigation prevention salon owners can have. Imagine a salon that has a consent form, or acknowledgement of having previously signed a consent form, for EVERY TIME a customer used the bed. Now imagine a salon that has one consent form signed during the customer's first visit and no acknowledgement of that consent since that first visit. Which salon do you suppose will have a better chance at defending against potential litigation?

There are companies that specialize in electronic document storage, which includes having electronic signature pads at amusement park entrances, where customers read a hold harmless agreement, understand the risks they are about to take and consent to those risks. The form can be stored by name, date or a combination of other information. Electronic storage saves space and in the event of litigation it is easy to show how many times the customer was made aware of potential risks from using artificial tanning beds.

[Click Here To Download a Sample Tanning Consent Form](#)

Next Steps:

If you would like a risk assessment of your tanning salon's policies and procedures please contact Bill Coons, Loss Control Director THOMCO at 1-888-546-4042 or by e-mail at Bill.Coons@Thomcoins.com. For more information on electronic records storage and hold harmless agreements send an e-mail request to Bill.Coons@Thomcoins.com.