At Moxie, compliance is a top priority for you and your MedSpa. Each state has its own healthcare regulations including those relating to Medical and Aesthetic practices. We’ve compiled into easy-to-follow checklists to use as an initial guide.

**IDAHO COMPLIANCE CHECKLIST**

* **Non-MSO State:** Important to remember Idaho is a non-mso state meaning you can own your own medical spa. Still requires a medical director unless you are an NP with full practice authority.
* **Legal Entity:** Set up your legal entity.
  + [Get started here](https://sosbiz.idaho.gov/forms/business/) to set up your entity. LLC is the most common in Idaho.
    - Business Type (if asked) “Medical Aesthetic Services”
* **EIN Completion:** [Complete your EIN here](https://irs.ein-taxid-usa.com/?keyword=ein%20irs&source=Google&adAccount=255-850-9668&network=g&device=c&devicemodel=&mobile=&campaign=20973754685&matchType=e&a=fdav&gad_source=1&gclid=CjwKCAiAopuvBhBCEiwAm8jaMXzLm6hxiCPxbxjjva7LoyfYfIwLxK9dk_kV7IeP3x1eRDdKIx7MyRoCviEQAvD_BwE) per your entity type
* **DBA:** File for your DBA (assumed business name) **\*Only if your MedSpa name is different from your legal entity name/ Non-MSO: No DBA needed for PC.**
  + 1. [Get started here](https://sosbiz.idaho.gov/forms/business/) to file for your DBA.
* **Sales Tax (Retail Products)** 
  + **Non-MSO State (no PC):** The MSO (you as the Medspa Owner) is responsible for paying sales tax on retail products. Please work with the state to create a sales use tax account
* **Prescriptive Delegation & Collaboration (NPs & PAs)**:
  + - **NPs:** Standard NP <> MD collab agreement. Nothing to file with the state but please have a copy at your medspa.(Unless you have full practice authority). Keep a copy at your facility - Filing with the state is not a requirement.
    - **PAs:** Standard PA <> MD supervisory agreement.
      * [MD must visit site 1x a month. MD must be available via telecommunications](https://adminrules.idaho.gov/rules/1999/22/0104.pdf).
* **Insurance:** You are required to carry malpractice and general liability insurance (included in all Vouch policies, our preferred insurance provider). For help with your Vouch policy, contact Cierra Ramou: [cierra.ramos@vouch.us](mailto:cierra.ramos@vouch.us)
* **Medical Waste**: If you conduct medical waste management activities, you should note how to dispose of it properly.
  + Sharps or syringes are not considered household hazardous waste and should be disposed of with regular trash pick up. Sharps should be placed in a puncture-resistant hard plastic or metal container.
  + Close the container with its original lid and secure it with heavy duty tape. Place the tightly sealed container in a paper bag and discard it with your household trash. Do not place it with your recyclables.
* **OSHA:** There are critical requirements that every MedSpa should follow when it comes to OSHA.
  + [Understand OSHA here](https://americanmedspa.org/blog/osha-what-you-dont-know-can-hurt-you)
  + Comply with the seven particular OSHA standards listed
  + [Bloodborne Pathogens](https://www.cpr.io/courses/bloodborne-pathogens/?gad_source=1&gclid=CjwKCAiA1MCrBhAoEiwAC2d64d1qfY6Inb0vEp9QJdbcODCmgG1wGaCfGQ1uqwBUJwmuk83gp7Ge9RoCXxAQAvD_BwE) course Moxie recommends ($10 and valid for one year)
  + If you have employees: Print out the [OSHA job safety and health poster](https://www.osha.gov/sites/default/files/osha3165-8514.pdf) for your MedSpa
* **Physical Signage:**
  + Make sure a copy of any business and nursing license is posted in your MedSpa (we recommend in a hall on the way to the treatment room or where other notices are posted)
  + We recommend posting your Medical Director’s information in your MedSpa: Name, License Type (MD), License #
  + If you have employees: Print out the [ID labor law poster state and federal combo](https://www.laborlawcc.com/?gad_source=1&gclid=CjwKCAjw_ZC2BhAQEiwAXSgClppK4L62d_O3DvmDShTW_DshwCJh12n8RFwvmQ8U2jN5pPlXSNWuiBoCOdgQAvD_BwE) for employee and customer visibility and hang in your breakroom
  + Post a discrimination law [sign](https://www.dol.gov/sites/dolgov/files/OFCCP/regs/compliance/posters/pdf/22-088_EEOC_KnowYourRights.pdf) within your MedSpa
* **Marketing & Advertising Guidance**
  + Do not have any needles in any of your pictures. The Meta (owner of Facebook & Instagram) algorithm does not allow them
  + Never ‘boost’ any images with needles, pharmaceutical products (inclusive of vials of Tox, botox, filler..), and before and afters
  + Be sure to have signed photo waivers that allow you to use patient pictures for marketing that includes language around the patient waiving privacy (provided in Moxie Suite)
  + Videos on websites must have closed captioning capability for ADA compliance
  + Ads cannot be false or misleading. Ads that use models must say it’s a model
  + Ads that use before or after photos must specify the treatment provided
* **Idaho Official & Governmental Resources**
  + Medical Board of Idaho [Website Here](https://dopl.idaho.gov/bom/)
  + Nursing Board of Idaho [Website Here](https://dopl.idaho.gov/bon/)

This checklist is to be used as an initial guide and is not intended to be legal advice or relied upon. Please consult with a legal specialist licensed in your state. If you need a referral, let us know, we are happy to make a connection.