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.

**KENTUCKY COMPLIANCE CHECKLIST**

* **MSO:** MSO/PC structure required. Please talk to your onboarding manager about Moxie Medical Hub PC.
* **Legal Entity:** Set up your legal entity.
  + [Get started here](https://web.sos.ky.gov/FastTrack/(S(qt2qjnzbmki13mtbcsqzi2ap))/FileLLC.aspx) to set up your entity. LLC is the most common in Kentucky.
  + This is because this entity will be acting as a non-healthcare manager of the PC. Consult with your accountant on individual tax objectives.
* **EIN Completion:**[Complete your EIN here](https://www.irs.gov/businesses/small-businesses-self-employed/apply-for-an-employer-identification-number-ein-online) per your entity type
* **DBA:** File for your DBA/ASN (Assumed Name) **You need this in KY for your LLC if your MedSpa name is different from your LLC name**
  + **\*DBA *must also be filed under the PC*\***
    - 1. Complete the online filing process: [Certificate of Assumed Name Application](https://web.sos.ky.gov/forms/corp/ASN-Certificate%20of%20Assumed%20Name.pdf)
    - 2. Send the completed form to the county clerk where your business is located.
      * LLC Name = your MSO name
      * Corporation Filing = Moxie Medical Hub PC
      * Do **not** use “Aesthetics” “Botox” or “Moxie” in your DBA name
  + Once completed, print and mail to:
    - Division of Business Filings Business Filings P.O. Box 718, Frankfort, KY 40602 (502) 564-3490
* **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.
    - **PAs:** Standard PA <> MD Collab agreement. Nothing to file with the state but please have a copy at your medspa.
* **Sales Tax (on retail products)**
  + - **MSO State (MSO/PC structure):** The PC owner is responsible for paying the state all sales tax owed from the retail you sell. We suggest quarterly collections.
    - **\*\*If under Moxie PC,** Moxie pays the states but will collect quarterly through a standard Moxie invoice. Do NOT create a sales tax account, this will cause state issues. Moxie will update your Sales Tax rate on retail products when they are added to your Moxie Suite.
* **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 what is required when it comes to rules of disposal.

# [Disposing of Sharps, Syringes, and Other Related Waste](https://www.tceq.texas.gov/permitting/waste_permits/msw_permits/medwaste/medwaste-sharpspharm)

* + [Active Medical Waste Facilities](https://www.tceq.texas.gov/downloads/permitting/waste-permits/publications/gi-612-active-medical-waste-facilities.pdf)
* **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 or purchase the [KY labor law poster state and federal combo](https://www.laborlawcenter.com/kentucky-labor-law-posters?utm_source=google&utm_medium=cpc&utm_campaign=992093022&gad_source=1&gclid=Cj0KCQjwq_G1BhCSARIsACc7NxoVdwA0sdHI6VanNIiSUsj2sAefHUgQ1fM00yUfxaBKGNdQQL_x3qIaAudQEALw_wcB&gclsrc=aw.ds) for employee and customer visibility and hang in the 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
* **Certificate of Occupancy (if applicable):** This is required when you are completing a buildout. Please request this from your landlord.
* **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.
  + 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
* **Kentucky Official & Governmental Resources**
  + Medical Board of Kentucky [Website Here](https://kbml.ky.gov/Pages/index.aspx)
  + Nursing Board of Kentucky [Website Here](https://kbn.ky.gov/Pages/index.aspx)

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.