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.

**MARYLAND 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://egov.maryland.gov/businessexpress) to set up your entity. LLC is the most common in Maryland.
    - Business Type (if asked) “Medical Aesthetic Services”
    - Once ready click “create user account” to finalize your LLC
  + Why LLC? 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: You need this in MD if your MedSpa is different than your LLC name.** 
  + **You do NOT need one under Moxie PC (DBA form does not ask for PC info, just LLC)**
  + If needed:[File for your DBA](https://egov.maryland.gov/BusinessExpress/Home/Filings) (trade name)
    - Click on Online Filings
    - Start a new filing
    - New business filings
    - Register a new trade name
* **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 collection.
    - **\*\*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 how to dispose of it properly.
  + Place all needles and syringes in a secured puncture proof plastic container with a screw-on lid (for example: a rigid detergent, bleach or fabric softener bottle). Clearly label the container "Non-Recyclable" and dispose of it in your trash container.
* **HIPAA Training:** A good way to make sure you are taking the appropriate steps for your business is by educating yourself about HIPAA (if you aren’t already). Moxie recommends training to be completed but this is your choice.
  + [HIPAATraining.com](http://hipaatraining.com/) ($29.99 per 1.5h course, certification for 2 years)
  + [HIPAA by](https://www.protrainings.com/en/courses/hipaa/general) [ProTrainings.com](http://protrainings.com/) ($29.95 per <1h course, certification for 1 year)
* **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 [MD labor law poster](https://www.laborlawcc.com/maryland-state-labor-law-posters/) 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)
  + Physician name needs to be listed in ads with “MD,DO” for Medical/RX ads only.
  + 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
* **Maryland Official & Governmental Resources**
  + Medical Board of Maryland [Website Here](https://www.mbp.state.md.us/)
  + Nursing Board of Maryland [Website Here](https://mbon.maryland.gov/Pages/default.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.