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.

**MICHIGAN COMPLIANCE CHECKLIST**

* **Legal Entity:** Set up your legal entity.
  + [Get started here](https://cofs.lara.state.mi.us/corpweb/LoginSystem/ListNewFilings.aspx) to set up your entity. LLC is the most common in Michigan.
    - Business Type (if asked) Medical Aesthetic Services or Personal Care
    - Choose “700 - articles of organization”
    - Do **not** use “Aesthetics” in your LLC name
  + 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.
  + Since a DBA is required, make sure your LLC name is different from what you plan to “do business as”. *Example: LLC “Moxie LLC” // DBA “Moxie Aesthetics”*
* **DBA:** File for your DBA (assumed business name) **\*Must be filed under PC Name**
  + 1. Complete the online filing process: [click here to start](https://cofs.lara.state.mi.us/corpweb/LoginSystem/ExternalLogin.aspx)
    - LLC Name = your MSO name
    - Corporation Filing = Moxie PC
    - Do **not** use “Aesthetics” in your DBA name
* **Prescriptive Delegation & Collaboration Requirements (NPs & PAs)**: No online prescriptive delegation is required
  + - **NPs:** NP Physician Agreement must be mailed and filed with the state
      * [Complete this form](https://www.michigan.gov/-/media/Project/Websites/mdhhs/Folder1/Folder70/Dch-1575-Nurse_Practitioner-Physician_Agreement-08-07.pdf?rev=75dfd38cc5564267864081c36af5b58a)
      * Print and mail with the following:
        + Current state registered nurse licnese
        + Proof of state NP certification
        + Proof of certification by the appropriate national credentialing entity 3.
        + Mail all forms and copies above to the address listed on the form (bottom in bold)
    - **PAs:** A written [practice agreement](https://cdn.ymaws.com/www.michiganpa.org/resource/resmgr/pdf/Model_PA_Practice_Agreement_.pdf) completed by you and your MD is required to have at your facility.
* **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.
    - **Non-MSO State (no PC):** The MSO (you as the Medspa Owner) are responsible for paying sales tax on retail products. Please work with the state to create a sales use tax account
* **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 Ramos: [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 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 [MI Labor Law Poster](https://www.laborlawcc.com/michigan-labor-law-posters-state-and-federal-combo/)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.
  + 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
* **Michigan Official & Governmental Resources**
  + Medical Board of Michigan [Website Here](https://www.michigan.gov/lara/bureau-list/bpl/health/hp-lic-health-prof/medical)
  + Nursing Board of Michigan [Website Here](https://www.michigan.gov/lara/bureau-list/bpl/health/hp-lic-health-prof/nursing)

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.