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.

**MINNESOTA 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://mblsportal.sos.state.mn.us/Business/Search) to set up your entity. LLC is the most common in Minnesota.
    - Business Type (if asked) “Medical Aesthetic Services”
    - Once ready click “create an 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:** [File for your DBA](https://www.sos.mn.gov/) (assumed business name)
  + **You need this in MN if your MedSpa name is different from your LLC name**
  + **You do NOT need one under Moxie PC (DBA form does not ask for PC info, just LLC)**
  + If needed:[Complete this form](https://www.sos.state.mn.us/media/1373/assumednameregistration.pdf) and mail in or you can scroll down to page 4 where we’ll find the [online system](https://www.sos.mn.gov/)
* **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.
* **DBA Publishing Notice**
  + Minnesota requires you to publish notice of your statement in a local newspaper.
  + We recommend contacting your county to check if this is a requirement and if so, please complete this per the instructions given.
  + After publication, the newspaper will return an affidavit of publication and the newspaper ad which should be retained by the Assumed Name Applicant with the Certificate of Assumed Name
* **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 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.
* **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 [MN labor law poster](https://www.laborlawcc.com/minnesota-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
* **Weight Loss Service Requirements (if planning to offer weight loss) please note:**
  + Baseline body mass index (BMI) must be: Greater than or equal to 30 kg/m2 with no risk factors (for patient at least 18 years of age)
  + OR Greater than or equal to 27 kg/m2 with at least one weight-related comorbid condition (e.g. hypertension, type 2 diabetes mellitus, or dyslipidemia) (for patient at least 18 years of age)
  + OR Greater than or equal to 30 kg/m2 and body weight above 60 kg (for patient 12 to 17 years of age)
* **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
* **Minnesota Official & Governmental Resources**
  + Medical Board of Minnesota [Website Here](https://mn.gov/boards/medical-practice/)
  + Nursing Board of Minnesota [Website Here](https://mn.gov/boards/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.