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.

**MONTANA COMPLIANCE CHECKLIST**

* **Non-MSO State:** Important to remember Montana 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://biz.sosmt.gov/forms/business) to set up your entity. LLC is the most common in Montana.
    - 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 than your legal entity name**
  + Complete the online filing process: [click here to start](https://biz.sosmt.gov/forms/business)
    - LLC Name = your MSO name
    - Do **not** use “ Botox or Moxie” in your DBA name
* **License & Permits:** Montana doesn't require a general business license at the state level, but many cities and some counties require a general local business license or a license for specific occupations or industries
  + *Check your county site to see if a business license is required/necessary.*
* **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)
    - **PAs:** Standard PA <> MD collab agreement. PAs in Montana must file this agreement with the state of MT.
* **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 [MT labor law poster state and federal combo](https://www.laborlawposters-online.com/montana-labor-law-poster?adgroupid=&device=c&gad_source=1&gclid=Cj0KCQjwq_G1BhCSARIsACc7NxobdeWg26-IAvuugKSHduRS-acqFQlZTjCyI2kNuq4XYrkLf3EpJiIaAsDzEALw_wcB&gclsrc=aw.ds&matchtype=e&option=poster&utm_campaign=&utm_medium=cpc&utm_source=google&utm_term=montana+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)
  + 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
* **Montana Official & Governmental Resources**
  + Medical Board of Montana [Website Here](https://boards.bsd.dli.mt.gov/medical-examiners/)
  + Nursing Board of Montana [Website Here](https://boards.bsd.dli.mt.gov/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.