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.

**OHIO COMPLIANCE CHECKLIST**

* **Non-MSO State:** Important to remember Ohio 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://bsportal.ohiosos.gov/) to set up your entity. LLC is the most common in Ohio.
    - Business Type (if asked) “Medical Aesthetic Services”
  + 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.
  + A DBA is only required if your MedSpa name will be different than your LLC name. If it’s different please 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)
  + 1. Complete the online filing process: [click here to start](https://bsportal.ohiosos.gov/)
    - LLC Name = your MSO name
    - Do **not** use “Aesthetics, Botox, or Moxie” in your DBA name
* **Prescriptive Delegation & Collaboration (NPs & PAs)**: No online prescriptive delegation is required
  + - **NPs:**
      * Standard NP collaboration agreement. Should have a copy on hand at facility.
      * The NP must notify the Board of Nursing of the identity of their collaborating MD within 30 days of beginning practice. The NP must notify the BON of a change in collaborating MDs within 30 days of the change. Annually, each NP must verify that her collaborating MD has a current licensure. Please do so here by [logging in](https://elicense.ohio.gov/oh_communitieslogin) to your account and adding this accordingly.
    - **PAs:** Standard supervisory agreement (Moxie facility agreement)
* **TDDD License Requirement:** Required for all providers.
  + PAs and RNs: Responsible person = MD
  + NPs: Responsible person can be themselves if they have full practice authority and own their own MedSpa
  + See Rocketlane Task
* **Licensing:**
  + Necessary to have standard business license
  + If you are participating in some kind of self financing, a consumer lending license is needed from the Ohio department of commerce
* **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 [OH labor law poster state and federal combo](https://www.laborlawcc.com/ohio-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
* **Ohio Official & Governmental Resources**
  + Medical Board of Ohio [Website Here](https://med.ohio.gov/)
  + Nursing Board of Ohio [Website Here](https://nursing.ohio.gov/)

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.