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 easy-to-follow checklists to use as an initial guide.

**OREGON COMPLIANCE CHECKLIST**

* **NON-MSO STATE** - this means no PC/MSO structure is required
* **Legal Entity:** Set up your legal entity.
  + [Get started here](https://sos.oregon.gov/business/Pages/domestic-limited-liability-companies-forms.aspx) to set up your entity. LLC is the most common in Oregon.
    - Business Type (if asked) “Medical Aesthetic Services”
    - Once ready to file, [click here](https://secure.sos.state.or.us/cbrmanager/index.action#stay) to set up an account and file
  + 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 (assumed business name) - needed if your MedSpa name will be different than your LLC
  + Complete the online filing process: [click here to start](https://sos.oregon.gov/business/Pages/assumed-business-name-registration-dba.aspx)
    - Do **not** use “Aesthetics, Botox, or Moxie” in your DBA name
    - Industry = Aesthetic Services or Personal Care Services
    - \*\*If you’d like to work with Moxie’s preferred partner, CSC Global, let us know and we can assist you. Otherwise directly on the site is okay or using LegalZoom.
* **Prescriptive Delegation & Collaboration (NPs & PAs)**:
  + - **NPs:** Standard NP <> MD Collab agreement. Nothing to file with the state but must include a statement indicating the supervising physician has deleted prescriptive authority for legend drugs/and or schedule II, III, IV, or V controlled substances.
    - **PAs:**
      * The MD must submit a Practice Description form to the Oregon Medical Board.
      * PAs cannot practice until the Oregon Medical Board approves the MD’s application to use a physician assistant. The approval process typically takes between two and four weeks.
      * PAs must wear a name tag with “physician assistant” on it. PA is limited by the MD medical practice and specialty
      * [Sample Collab Agreement Here](https://www.oregon.gov/omb/Topics-of-Interest/Documents/Sample%20CA%20Template.pdf)
      * [More information here on state website](https://www.oregon.gov/omb/licensing/pages/sp-pa-collaborative-practice.aspx)
* **RNs:** Please note you cannot perform Sculptra or Thermage without NP or MD supervising on-site
* **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 [OR labor law poster state and federal combo](https://www.laborlawcc.com/oregon-state-and-federal-poster-set/) 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
  + PAs must wear a nametag with your title on it
* **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
* **Oregon Official & Governmental Resources**
  + Medical Board of Oregon [Website Here](https://www.oregon.gov/omb/pages/default.aspx)
  + Nursing Board of Oregon [Website Here](https://www.oregon.gov/osbn/pages/index.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.