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.

**PENNSYLVANIA COMPLIANCE CHECKLIST**

* **Legal Entity:** Set up your legal entity.
  + [Get started here](https://www.dos.pa.gov/BusinessCharities/Business/Resources/Pages/Pennsylvania-Limited-Liability-Company.aspx) to set up your entity. LLC is the most common in Pennsylvania.
    - 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.
  + 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 if different from your LLC name)
  + 1. Complete the online filing process: [click here to start](https://file.dos.pa.gov/auth?from=/forms/new/8168) **\*\*No need to file under Moxie PC, just under your LLC**
  + 2. Pay the $70 filing fee
  + **Newspaper Public Notice**: Some counties in Pennsylvania also require you to publish notice of your statement in a local newspaper. Please call your county office to inquire if this is required.
  + Do **not** use “Aesthetics, Botox, or Moxie” in your DBA name
* **Business License:** All business in PA are required to have a license from the State
  + https://www.dos.pa.gov/ProfessionalLicensing/LicensingServices/Pages/default.aspx
* **Prescriptive Delegation (NPs & PAs)**:
  + - **NPs:** Online prescriptive delegation is required. Steps below:
      * [Guide here to follow](https://www.dos.pa.gov/ProfessionalLicensing/BoardsCommissions/Nursing/Documents/Board%20Documents/CRNP-Prescriptive-Authority-Collaborative-Agreement-Application-Guide.pdf)
      * Make sure to notify your MD once complete so the MD can finalize the online delegation
      * If you change and end your medical supervisor, you must [file a termination](https://www.dos.pa.gov/ProfessionalLicensing/BoardsCommissions/Nursing/Documents/Applications%20and%20Forms/Pres%20Auth%20Change%20-%20Termination.pdf) with the state of PA.
    - **PAs:** A written collaborative agreement is required. The supervising physician must complete the application for a written collaborative agreement online. [Steps here to follow](https://www.dos.pa.gov/ProfessionalLicensing/BoardsCommissions/Medicine/Documents/Board%20Documents/MedM%20-%20Online%20Written%20Agreement%20User%20Guide%20-%20initiated%20by%20Physician%20and%20Surgeon.pdf) (work with your MD on this)
* **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.
  + 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 your business 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 [PA labor law poster state and federal combo](https://www.laborlawcc.com/pennsylvania-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
* **Pennsylvania Official & Governmental Resources**
  + Medical Board of Pennsylvania [Website Here](https://www.google.com/search?q=pennsylvania+medical+board&oq=pennsylvania+medical+board&gs_lcrp=EgZjaHJvbWUyCQgAEEUYORiABDIHCAEQABiABDIHCAIQABiABDIHCAMQABiABDIHCAQQABiABDINCAUQLhivARjHARiABDIHCAYQABiABDIHCAcQABiABDIHCAgQABiABDIHCAkQABiABNIBCDcyMzVqMGo0qAIAsAIA&sourceid=chrome&ie=UTF-8)
  + Nursing Board of Pennsylvania [Website Here](https://www.dos.pa.gov/ProfessionalLicensing/BoardsCommissions/Nursing/Pages/default.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.