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.

**UTAH COMPLIANCE CHECKLIST**

* **Non-MSO State:** Important to remember Utah 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://corporations.utah.gov/) to set up your entity. LLC is the most common in Utah.
  + Consult with your accountant on individual tax objectives.
  + A DBA is only required if your MedSpa name will be different from 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”*
* **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**
  + 1. Complete the online filing process: [click here to start](https://corporations.utah.gov/)
    - [Paper Application](https://corporations.utah.gov/wp-content/uploads/2021/09/dbaform.pdf) Option
    - LLC Name = your MSO name
    - Do **not** use “Aesthetics, Botox, or Moxie” in your DBA name
* **Prescriptive Delegation & Collaboration (NPs & PAs)**:
  + - **NPs:** Standard NP <> MD Collab Agreement (Unless Full Practice)
    - **PAs:** Standard PA<>MD Collaboration Agreement
* **Business License:** Utah does not require a general business license at the state level. However, most businesses in Utah must obtain a license from the city or county where they operate. Please be sure to contact your city and/or county for more information.
* **Sales Tax Account:** The MSO (you as the Medspa Owner) is 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.
  + [Safe Needle Disposal:](https://safeneedledisposal.org/states/utah/) Drop off locations in your area.
* **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 [UT labor law poster state and federal combo](https://www.laborlawcc.com/utah/?gad_source=1&gclid=CjwKCAjwjsi4BhB5EiwAFAL0YL0nwrD83i6A2SytkWMk2T3Sv5Iw7YasIbEiFpyznCgvZZ_Hu0TUmhoCe0YQAvD_BwE) 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)
  + Can’t use the words medspa, medical clinic or medical facility unless there is a MD, DO or NP involved at the time the procedures are performed
  + 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
* **Utah Official & Governmental Resources**
  + Medical Board of Utah [Website Here](https://dopl.utah.gov/)
  + Nursing Board of Utah [Website Here](https://www.ncsbn.org/bon-member-details/Utah)

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.