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.

**VIRGINIA COMPLIANCE CHECKLIST**

* **NON-MSO:** This means you do not need a PC/MSO setup
* **Legal Entity:** Set up your legal entity.
  + [Get started here](https://scc.virginia.gov/pages/Virginia-Limited-Liability-Companies) to set up your entity. LLC is the most common in Virginia.
    - Business Type (if asked) Medical Aesthetic Services or Personal Care
    - Do **not** use “Aesthetics, Moxie, or Botox” in your LLC name
    - Once ready [click here](https://cis.scc.virginia.gov/) and set up an account (from the page above)
  + 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 required if you plan to do business under a different name than your LLC. *Example: LLC “Miki Spa LLC” // DBA “Star Aesthetics”*
* **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://scc.virginia.gov/pages/Fictitious-Names) (click CIS link when ready)
    - 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 Requirements (NPs & PAs)**: No online prescriptive delegation is required
  + - **NPs:** standard NP<>MD collaboration agreement
    - **PAs:** 
      * Moxie standard NP<>MD collaboration agreement. IF PA is writing scripts, that needs to be noted in the practice agreement. It must also list all
      * [Practice Agreement](https://www.dhp.virginia.gov/media/dhpweb/docs/med/forms/PA/Practice_Agreement.pdf) filed with the VA board of medicine
* **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 [Virginia Labor Law Poster](https://www.laborlawcc.com/virginia-state-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.
  + 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
* **Virginia Official & Governmental Resources**
  + Medical Board of Virginia [Website Here](https://www.dhp.virginia.gov/Boards/Medicine/)
  + Nursing Board of Virginia [Website Here](https://www.dhp.virginia.gov/Boards/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.