



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.

## NEW MEXICO COMPLIANCE CHECKLIST

- Non-MSO State: No PC Required**
- Legal Entity:** Set up your legal entity.
  - [Get started here](#) to set up your entity. LLC is the most common in New Mexico.
    - 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"*
- BOI E-Filing Requirement:** Required after your legal entity is set up as of January 1, 2024. No fee for this. [See instructions here for completion](#). Very easy to follow and should take 10 minutes!
- DBA:** File for your DBA (assumed business name if different from your LLC name)
  - 1. Complete the online filing process under your account: [click here to start](#) **\*\*No need to file under Moxie PC, just under your LLC**
  - 2. Pay the filing fee
  - Do **not** use "Aesthetics, Botox, or Moxie" in your DBA name
- Business License:** Check your county site to see if business licenses are required.
- Prescriptive Delegation (NPs & PAs):**
  - **NPs:** Standard NP collaboration agreement required with MD
  - **PAs:** Standard NP collaboration agreement required with MD
- 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](#)
  - Comply with the seven particular OSHA standards listed

- [Bloodborne Pathogens](#) course Moxie recommends (\$10 and valid for one year)
  - If you have employees: Print out the [OSHA job safety and health poster](#) 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 [NM labor law poster state and federal combo](#) for employee and customer visibility and hang in your breakroom
  - Post a discrimination law [sign](#) 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
- New Mexico Official & Governmental Resources**
- Medical Board of New Mexico [Website Here](#)
  - Nursing Board of New Mexico [Website Here](#)

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.