



**WEITZ MORGAN PLLC  
ATTORNEYS**

# **FLAT-FEE MED SPA FORMATION**

**WHITE PAPER**

## **EXECUTIVE SUMMARY**

In the dynamic landscape of the beauty and wellness industry, establishing a med spa demands not only creativity and passion but also a solid legal foundation. This white paper explores the advantages of Weitz Morgan's flat-fee legal services in the med spa formation process, shedding light on the comprehensive support and value the firm brings to entrepreneurs in this space.

[www.weitzmorgan.com/medspa](http://www.weitzmorgan.com/medspa)

# Table of Contents

After years of working with prospective med spa owners and routinely hearing their concern of recognizing they need legal assistance but being worried about the unknowns of the billable hour, we decided to price our formation services on a flat-fee basis. In this way, clients receive the necessary legal counsel and documents needed to open their spa at a fair, knowable rate.

## Introduction

### The Need For Legal Clarity

- Regulatory Compliance and Licensing
- Contractual Obligations

### The Case For Flat-Fee Legal Services

- Transparent Cost Structures
- Comprehensive Legal Consultation
- Expedited Formation Process

### Components of Flat-Fee Med Spa Formation Services

- Medical Director Agreement
- Standing Orders
- Physician Delegation Agreement
- Protocols
- Employment & Independent Contractor Agreements
- Regulatory Compliance
- 30-Day Post-Set Up Advice & Counsel

### Choosing the Right Legal Partner

- Criteria
- Expertise

### Conclusion & Testimonials

## **Introduction**

The med spa industry is experiencing unprecedented growth, fueled by an increasing demand for beauty and wellness services. However, navigating the legal intricacies of establishing a med spa poses significant challenges for entrepreneurs. This white paper delves into the necessity of solid legal foundations and the benefits of opting for the firm's flat-fee legal services.

## **The Need For Legal Clarity**

### **Regulatory Compliance & Licensing**

Med spa entrepreneurs often grapple with complex regulations and licensing requirements. Flat-fee legal services offer a meticulous examination and consultation of the State of Texas's regulations, ensuring compliance and mitigating potential legal risks.

### **Contractual Obligations**

Navigating contracts with employees and clients is a crucial aspect of med spa management. Flat-fee legal services provide entrepreneurs with expertly drafted contracts, tailored to the specific needs of the med spa business.

# The Case for Flat-Fee Legal Services

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## Transparent Cost Structures

Flat-fee legal services eliminate the uncertainty associated with hourly billing. New venturers benefit from a clear understanding of costs, enabling better budgeting and financial planning.

## Comprehensive Legal Consultation

Med spa formation involves numerous legal considerations. Our flat-fee service includes thorough consultations, ensuring owners are well-informed and equipped to make strategic decisions.

## Expedited Formation Process

Time is of the essence in the competitive med spa industry. Flat-fee legal services streamline the formation process, as the firm prioritizes flat-fee clients, allowing them to launch their spas without delay from legal counsel.

# **Components of the Flat-Fee Med Spa Formation Service**

## **1. Medical Director Agreement**

Clients will receive an agreement that has successfully withstood regulatory scrutiny outlining the professional relationship and responsibilities between a med spa and the licensed medical professional who will serve as the medical director.

## **2. Standing Orders**

Standing orders typically refer to predefined protocols or guidelines that authorize specific routine medical or aesthetic procedures without the need for direct, case-by-case physician orders. The firm will provide general standing orders and work with the client to prepare any specific orders, ensuring that they align with appropriate medical standards and guidelines.

## **3. Physician Delegation Agreement**

A physician delegation agreement is a legal document that outlines the delegation of certain medical responsibilities from a licensed physician to mid-level providers within the med spa. It will specify the medical procedures or services that the physician is delegating so that they may be conducted safely and in adherence with applicable laws and regulations.

## **4. Protocols**

Protocols refer to standardized sets of procedures, guidelines, and instructions that dictate how specific treatments or services are performed. These are designed to ensure consistency, safety, and quality in the delivery of aesthetic and cosmetic procedures within a medical spa setting. Med spa protocols cover a wide range of services, and the firm is able to provide, or help the client develop, this documented approach to care best practices.

# **Components of the Flat-Fee Med Spa Formation Service**

## **5. Employment & Independent Contractor Agreements**

These agreements are crucial legal documents that establish the terms and conditions of the professional relationship between the med spa and its personnel, whether they are employees or independent contractors. They define roles, responsibilities, compensation, and other important aspects to ensure clarity, compliance with legal requirements, and protection of both parties involved. As part of the flat-fee formation, clients will receive one or both of these agreements.

## **6. Regulatory Compliance**

Ensuring adherence to industry regulations is a complex task. Our service includes comprehensive compliance checks and counsel, reducing the risk of legal complications down the road. The firm has significant experience representing med spas whose compliance practices are challenged by the various regulatory agencies in Texas. As a result, we offer that knowledge to our flat-fee clients through advice and legally sound documents.

## **7. 30-Day Post-Set Up Advice & Counsel**

In addition to the advice and counsel provided to clients during the preparation of the above-referenced documents, for 30 days after their finalization, the client may communicate with the attorney in charge of the formation without incurring any hourly fees. We believe this type of extended support is essential for med spas to navigate the compliance requirements requisite to setting up a new entity.

## Choosing the Right Legal Partner

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### Criteria

Selecting a legal service provider is a pivotal decision. Weitz Morgan is a leading law firm in Texas providing comprehensive advice and guidance to medical spas. A prospective owner will want legal counsel that is experienced and holds deep knowledge of the industry and the compliance and litigation issues faced by med spas. And, establishing a good-working relationship with a law firm from inception will ensure that clients have an on-going source of legal support should they need advice or in a worst-case scenario assistance with more serious matters like board complaints.

### Industry Expertise

With a deep understanding of the unique challenges and complexities faced by this rapidly growing market, our team of experienced attorneys is dedicated to helping med spas navigate the legal landscape successfully. The firm's wide range of services include compliance, mitigating risks, protecting licenses and owners from patient or competitor complaints in legal proceedings, and fostering a legally sound business environment. This broad scope of services stems from our deep and extensive experience as professional service providers to this spas and their owner.

## Conclusion

In conclusion, the med spa industry presents exciting opportunities for entrepreneurs, but a solid legal foundation is non-negotiable. Our flat-fee legal services offer a strategic and cost-effective approach to med spa formation, empowering entrepreneurs to navigate legal complexities with confidence. By choosing the right partner, owners can embark on their ventures with the assurance of clarity and success.

## Testimonials

### L.M., Med Spa Owner

*"Mark has been my attorney since 2015 and he's been such a helpful and resourceful person the entire time. Sound advice, doesn't waste time, gets things done and if he had a clone or two I'd be able to send him even more business referrals. Thank you for all that you do for us!"*

### J.P., Med Spa Owner

*"Mark is an exceptional person (and attorney) & certainly someone you should know in the medspa realm. I highly recommend Mark Weitz for any legal capacity he serves to anyone in the medical spa industry in Texas, but especially to non-MD owned businesses. Whether you're a brand new medspa in need of setting up properly or you're someone met with a difficult time in need of legal guidance, Mark is an asset to help you. Thank you for everything you do, Mark."*

### J.C., Med Spa Owner

*"Mark is one of the best attorneys I've worked with in my career."*