

1st STOP CHECKLIST:

HEALTH/EXERCISE SPAS PHYSICAL FITNESS CLASSES/PERSONAL TRAINERS WEIGHT LOSS CENTERS

Checklist

- You must have a **VENDOR'S LICENSE**, collect sales tax, file tax returns, and keep records of transactions. For more information, contact [YOUR COUNTY AUDITOR](#) or the [OHIO DEPARTMENT OF TAXATION](#) at **(888) 405-4039** for Business Taxpayer Assistance; **(800) 282-1782** for the Forms Request Line; or **(888) 405-4089** for Tax Registration. Information is also on-line at <http://tax.ohio.gov>, or www.business.ohio.gov.
- There are no state-level licenses for health and exercise spas or clubs, physical fitness classes, and personal trainers. *Remember to check local government agencies*
- If you will sell **food or beverages**, contact **your local health department** for licensing and inspection information. Information is available at <http://www.odh.ohio.gov>.
- Ohio's food labeling, and retail food safety rules can be found in Ohio Administrative Code ([OAC](#)) 901:3 and 901:6-3-01 through 901:6-3-12. Contact the Ohio Department of Agriculture at (614) 728-6250) to find out more <http://codes.ohio.gov>.
- Health and exercise spas, physical fitness facilities and weight loss centers must comply with the Prepaid Entertainment Contract Act. For more information, contact the **Ohio Attorney General's Office** at **(800) 282-0515** or **(614) 466-4320**, <http://www.ohioattorneygeneral.gov/>.
- Unless you are a **licensed dietitian**, or properly exempted by the **Ohio Board of Dietetics**, you **may not**: "perform nutritional assessments; recommend nutritional intake; engage in nutritional counseling; recommend or modify a medical nutrition therapy regimen; perform nutritional education; hold self out as a nutritional expert; provide professional nutrition training of other staff; [or] act in any matter related to direct nutrition care which requires judgment or decision making" (Ohio Board of Dietetics).
- If you will sell **lottery tickets**, contact your regional Lottery Commission Office, or visit them on-line at www.ohiolottery.com.
- For specific information about licensing requirements for **weight loss centers**, contact the **Ohio Board of Dietetics** can be reached at (614) 466-3291,

The information contained in this site is for general guidance on matters of interest only and reflects solely the information about the requirements of the State of Ohio. Note, there may be additional local and federal requirements. Accordingly, the information on this site is provided with the understanding that ODSA is not herein engaged in rendering legal, accounting, tax, or other professional advice and services. Before making any decision or taking any action, consult a professional. For more help, contact your local **Small Business Development Center (SBDC) at www.ohiosbdc.ohio.gov Also, remember to check local government agencies. This checklist is about state requirements. Funded in part through a grant with the U.S. Small Business Administration.*

<http://www.dietetics.ohio.gov/>. Ohio law varies depending on the type of weight loss program being offered ***Remember to check local government agencies***

- If you will feature recorded or live **music**, you must have permission from the owner of the copyrighted material. You can do this by contacting **The American Society of Composers, Authors and Publishers (ASCAP)**, or **Broadcast Music, Incorporated (BMI)**. For more information, contact **ASCAP** at **(800) 505-4052**, or **BMI** at **(212) 220-3000**. Information is also on-line at www.ascap.com, or www.bmi.com.
- If you will offer services as an athletic trainer or physical therapist, you must be licensed as such. Contact the State of Ohio Occupational Therapy, Physical Therapy and Athletic Trainers Board at (614) 466-3774 <http://otptat.ohio.gov>.
- Detailed requirements for specific food and beverage production can also be found in OAC 901 <http://codes.ohio.gov/oac/901> .
- If you will offer **massage, cosmetic therapy, or acupuncture or electrolysis services**, contact the **State of Ohio Medical Board** at (614) 466-3934. Information is also on-line at <http://med.ohio.gov>
- If you will offer **tanning or esthetic salon services**, you must be licensed by the **Ohio State Board of Cosmetology**. Contact the **Ohio State Board of Cosmetology** at (614) 466-3834. Information and forms are also on-line at www.cos.ohio.gov.
- Health and exercise spas or clubs, physical fitness classes, and weight loss center memberships are taxable. Retail sales and some salon services are also taxable. These taxable services include:
 - Skin care, including facials and exfoliation
 - Cosmetics application
 - Application of false eyelashes
 - Manicures, including application of polish
 - Application of artificial nails
 - Pedicures
 - Hair removal by any means, including electrolysis, plucking or the application of depilatory products
 - Body piercing and branding
 - Tattooing, including permanent and temporary tattoos
 - Massage
 - Tanning, whether done using light or chemical means
- NAICS 713940/17

THIS IS A CHECKLIST FOR STATE REQUIREMENTS. *REMEMBER TO CHECK LOCAL GOVERNMENT AGENCIES*

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