

LEGALITIES

CREATING A PROFESSIONAL PRACTICE

FORMS OF BUSINESS

- Sole Proprietor
 - Single individual 100% responsible
 - All profits, rewards, and decisions assumed by self
 - All losses, risks, and decisions assumed by self

FORMS OF BUSINESS (2)

- Partnership
 - Joint ownership: shared profits and liability
 - Shared risk & work
 - Leverage partner's strengths
 - Decision-making may be more complicated
 - Consider temperament, values
 - Contract clarifies conflict resolution and exit strategy, if needed

FORMS OF BUSINESS (3)

- Association
 - Not a legal form of business or partnership
 - Work together, pool resources
 - Separate business identities, records, taxes, income

FORMS OF BUSINESS (4)

- Corporation
 - Liability protection
 - Establishes a separate legal / tax identity
 - Practitioner is employee of corporation
 - S, C, Professional, and Limited Liability

FICTITIOUS NAME REGISTRATION

- DBA = “Doing Business As”
- Protects public; identifies accountable party or parties
- File with County Recorder
- Publish info for 4 weeks
- Name owned for 5 years in SD county
- No trademark or copyright

LICENSING

- New CA statewide licensing as of 9/09 (SB731)
 - 250 hours = Massage Practitioner (CMP)
 - 500 hours = Massage Therapist (CMT)
- Many paths to certification
- Massage Therapy Organization (camtg.org)
 - Defines qualifications, testing, fees, application/renewal
 - Eliminates regulation by local municipalities

LICENSING (2)

- Business Tax Certificate
- State licensing nationwide
 - Also map from AMTA
- San Diego city permits: ongoing?
 - MT or HHP for police-regulated business permit (adult entertainment)
- Other Licenses & Permits (BM p. 95)

RESOURCES

- San Diego County Recorder
 - www.sdarcc.com/arcc/services/fbn_info.aspx
- California State Legislature
 - www.legislature.ca.gov
- AMTA licensing in California
 - www.amta-ca.org/html/licensing.htm