

Standard of Practice S-016
Advertising Committee
Approved by Council: September 7, 1996
Amended and Approved by Council: September 21, 2002, June 22, 2007,
November 29, 2007, and September 24, 2009

Note to Readers: In the event of any inconsistency between this document and the legislation that affects chiropractic practice, the legislation governs.

Intent

1. To provide members with advertising guidelines to ensure all advertisements serve the public interest.
2. To educate the public on what is available for their chiropractic health care.
3. To ensure, as much as possible, that the public has the information to make rational choices for their care.
4. To assist the public in obtaining the services of members of their choice.
5. To maintain a professional image.

Advertising Definition for the Purpose of Standard S-016

Advertising is any message communicated outside a member's office through a public medium that can be seen or heard by the public at large with the intent of influencing a person's choice of service or service provider. This standard applies equally to members acting individually, as a group, or as a professional health corporation.

Description of Standard

1. An advertisement must be:
 - (a) accurate, factual and contain information that is verifiable;
 - (b) readily comprehensible by the persons to whom it is directed.
2. An advertisement may:
 - (a) name a specific service, technique and/or product but cannot claim superiority or endorse the exclusive use of such services, techniques or products. References to specific services, techniques, technologies, devices or procedures must comply with the standard of practice (S-010: Techniques, Technologies, Devices or Procedures);

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- (b) make reference to the member being a specialist, provided the member is recognized pursuant to CCO's policy as a specialist, and the specialty is disclosed. Refer to Policy P-029: Chiropractic Specialties, for the list of specialties currently recognized by CCO;
 - (c) make reference to the member being affiliated with any professional association, society or body, other than CCO, only on curriculum vitae, business stationery and recognized public displays;
 - (d) allow an individual or organization to endorse a member provided:
 - (i) the individual or organization proposing the endorsement has sufficient expertise, according to CCO, relevant to the subject matter being endorsed;
 - (ii) the member has been appropriately assessed as providing the subject matter being endorsed;
 - (e) offer an initial complimentary consultation¹.
3. Any advertisement with respect to a member's practice must not contain:
- (a) anything false or misleading;
 - (b) a guaranteed success of care;
 - (c) any comparison to another member's or other health care provider's practice, qualifications or expertise;
 - (d) any expressed or implied endorsement or recommendation for the exclusive use of a product or brand of equipment used to provide services;
 - (e) testimonials that refer to a particular member or office²;
 - (f) material that, having regard to all the circumstances, would reasonably be regarded as disgraceful, dishonourable or unprofessional.
4. A member may advertise his/her fee for chiropractic services provided:
- (a) the advertisement contains accurate, complete and clear disclosure of what is and what is not included in the fee;
 - (b) there are no hidden fees/costs;

- (c) the member does not bill a third-party payor for the complimentary portion of the diagnostic or treatment service;
 - (d) the advertisement expressly states the timeframe to be honoured for any complimentary or discounted diagnostic or treatment service;
 - (e) the advertisement does not limit the offer to a certain number of participants;
 - (f) no obligation is placed on the patient for follow-up appointments as a result of the complimentary or discounted diagnostic or treatment service;
 - (g) the advertisement is presented in a professional manner that maintains the dignity of the profession.
5. A member advertising the exchange of products/services for proceeds/donations to a charity may do so as follows:
- (a) the proceeds/donations are being collected for a registered charity, school or other organization that, in the opinion of the Advertising Committee, serves the public's interest ("charity");
 - (b) the charity is disclosed in the advertisement;
 - (c) the member discloses the part of the proceeds/donations to be given to the designated charity and if he/she is taking any proceeds/donations to cover his/her expenses;
 - (d) the member may not bill any third-party payor for the diagnostic or treatment services provided in exchange for the charitable proceeds/donation;
 - (e) the member providing diagnostic or treatment services in exchange for the charitable proceeds/donation must comply with all CCO standards of practice.
6. Public presentations or displays³ are permissible provided:
- (a) member(s) adhere(s) to CCO's regulations and standards of practice (e.g., consent, record keeping);
 - (b) professional conduct is maintained at all times;
 - (c) material distributed complies with the advertising standard⁴;

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- (d) assessment(s) performed comply with CCO's Public Display Protocol (Policy P-016) and are for educational purposes;
 - (e) no controlled acts of diagnosis and/or adjustments are performed;
 - (f) no coercion or pressure tactics are used⁵.
7. (a) Banner advertising on the Internet must comply with CCO's advertising standard of practice.
- (b) A member's website is considered an extension of the member's office. Information on members' websites must be informative, educational and professional.
- (c) Information on a member's website must comply with CCO's standards of practice, except S-016: Advertising⁶.
8. A member must not:
- (a) advertise or permit advertising with respect to his/her practice in contravention of the regulations or standards of practice;
 - (b) contact or communicate with or allow any person to contact or communicate with potential patients via telemarketing or electronic methods.

Legislative Context

Proposed advertising regulation pursuant to the *Chiropractic Act, 1991*. It is an act of professional misconduct to contravene or fail to maintain a standard of practice.

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For additional information regarding billing procedures, please refer to Regulation R-008: Professional Misconduct (Business Practices section) and Guideline G-008: Business Practices.

Current Status

Proposed advertising regulation submitted to the Ministry of Health and Long-Term Care but not processed internally. There may be some amendments following processing.

¹A consultation is a meeting to discuss how chiropractic may benefit the patient. A consultation does not include examination procedures, diagnostic tests (e.g., x-rays) or treatment services.

² Testimonials that refer to the benefits of chiropractic and not to a particular member/clinic are permissible provided they are not false or misleading. Members must comply with the current privacy legislation and obtain the patient's consent prior to using his/her testimonial.

³ "Displays" include presentations or other visual material to members of the public, in a place normally frequented by the public, by a person or persons who are physically present when such material is disturbed or presented.

⁴ It is strongly recommended that material to be distributed be pre-approved by the Advertising Committee.

⁵ Voluntary appointments are permitted - i.e., if potential patients ask for the member's business card or request an appointment.

⁶ With the exception of banner advertising, a member's website is considered an extension of the member's office in that the public must choose to enter the website.