

# Advertising

# GUIDELINES

## BASIC PRINCIPLES

The advertising regulation was passed in November of 1994. In drafting the regulation the College followed the advertising regulation template issued by the Ministry of Health and the policy recommendations of the Health Professions Regulatory Advisory Council (HPRAC). The policy recommendations and template outlined some basic principles for all the health regulatory Colleges as follows:

- The advertising regulation should reflect a balance between the public interest requirement and individual interest or freedom of commercial expression requirement.
- The public interest must be served by ensuring that the public gets accurate and understandable information so that it can make an informed choice.
- Advertising should focus solely on providing truthful information and should not stimulate a demand for unnecessary health care services.
- Advertising must not exploit the relationship of trust between patient and practitioner.
- Advertising should be sensitive to the often vulnerable status of patients.
- Persuasive advertising is professionally divisive and ethically unconscionable and induces vulnerable members of society to invest in health ventures that may have little social benefit.

The purpose of these guidelines is assist members in interpreting the advertising regulation.

## HOW ADVERTISING/ADVERTISEMENT IS DEFINED

The College has adopted the following definition of advertising:

*"any written, oral, visual or electronic communication whose purpose or effect includes promoting the member's practice."*

Advertising includes paid announcements over radio or television, in newspapers, magazines and other print or electronic media.

Specifically, advertising may also include, but is not limited to:

Newspaper articles	Signs
Interviews	Advertorials
Newsletters	Infomercials
Brochures	Promotional materials placed on the Internet
Business cards	All telephone listings

All types of advertising, regardless of the medium, must comply with regulation 203/94, Part II, Advertising, as amended under the **Chiropody Act, 1991**.



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## THE PURPOSE OF ADVERTISING

The legitimate aim of advertising is to inform the public of the availability and range of services of chiropractors and podiatrists. Members must not advertise in a way that:

- denigrates members of the same or a different profession,
- promotes one member of the same or a different profession over another by means of direct comparison,
- promotes the excessive or unnecessary use of chiropractic or podiatry services,
- promotes any particular product or brand of equipment,
- is unprofessional or undignified.

## MISLEADING, DECEPTIVE OR OTHERWISE IMPROPER ADVERTISING

The advertising regulation is intended to ensure that the content of an advertisement is accurate and can be verified. Sections a - g state that:

- The content must be truthful, objective and must not flatter the member.
- The information must be factual and verifiable, that is the information can be confirmed by reference to objective and reasonably reliable third-party sources.
- Only endorsements by organizations that have expertise in the field of chiropractic or podiatry can be used.
- Testimonials from anyone, including patients, are not permitted.
- Members cannot make reference to particular brands of drugs or equipment, for eg. "Only 'Orthoped' orthotics are dispensed", but you may mention general types of equipment that are utilized such as laser, ultrasound.
- Claims or guarantees such as "painless treatment", "We will cure heel pain" are not permitted.
- The advertisement should not contain anything that will promote the excessive or unnecessary use of services such as offers of free consultations (see **FEES** below).

## PLAIN LANGUAGE

The advertisement must be comprehensible to the public. Use of technical/medical terminology should be avoided.

Advertisements may be in any language and are not restricted to English or French. It is the member's responsibility to make sure the translation is accurate and to ensure compliance with the advertising regulation.

## FEES

Use caution when mentioning fees or insurance coverage since these may change. The advertising of discounts, free assessments or initial consultations and the use of coupons, is considered inappropriate. Avoid claims that the care is "free" particularly if the service is covered by OHIP.



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## TITLES AND QUALIFICATIONS

Members must clearly identify their title, chiropodist or podiatrist, on any advertisement. If, for example, your practice name is "Four Corners Foot Clinic", the name and title of the member providing the care must be indicated on the signage and other advertising media.

The terms "chiropodist" and "podiatrist" are not interchangeable, you may only use the title indicated on your certificate of registration. This also includes listings under the restricted headings "chiropodist" and "podiatrist" in the Yellow Pages.

The College does not recognise any specialty areas within chiropody and podiatry and phrases such as "specialist in foot surgery" should not be used. Likewise members should refrain from terms such as "certified" "expert" and other such descriptive terms. While use of the term "foot specialist" is permitted, it may only be used in conjunction with the appropriate title.

Chiropodists and podiatrists may not use the title "doctor", a variation or abbreviation or an equivalent in another language, in any advertisement. A podiatrist member with the qualification DPM may state this qualification either abbreviated (DPM) or in full (Doctor of Podiatric Medicine). Likewise a chiropodist member may state their qualification either abbreviated (DCh or DPodM), or in full (Diploma in Chiropody/Diploma in Podiatric Medicine). If a member chooses to include their academic qualification on promotional material, the member **MUST** also use their registered title of chiropodist or podiatrist.

## SOLICITATION

Registrants may distribute brochures or "flyers" to the public in their respective communities. The purpose of this information is to announce to the public that the practitioner is in their community and the types of services that are provided. This information may be distributed door to door. It may not be directed by naming a specific person or family, but can go to all "occupants" in a household and area. Advertising should not be targeted at specific individuals, nor should it be personally presented. (e.g. by telephone or in person)

You may send your flyer to other health care providers, organizations and agencies in the community. You may also place an advertisement outlining your services, in the community newspaper.

Solicitations must not include any promotion that may be perceived as a "coupon" or as service "discounts" and must comply with all the other aspects of the College advertising guidelines. Faxed and e-mailed distribution of materials, infomercials or other advertising is discouraged.

## MEMBERS' RESPONSIBILITY

Members are responsible for ensuring that all advertisements comply with the advertising regulation and guidelines. If you have an advertisement which is long standing, for example in the Yellow Pages, please make sure that it is reviewed annually.



College of  
Chiropodists  
of Ontario

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Tel: 416-542-1333

Fax: 416-542-1666

Email: [info@cocoo.on.ca](mailto:info@cocoo.on.ca)

Website: [www.cocoo.on.ca](http://www.cocoo.on.ca)

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**ASK US** If, after reviewing the regulation and guidelines you still have questions, the College is here to assist you. The Registrar can be reached at (416) 542-1333, or toll free outside of 416 and 905 area codes at 1-877-232-7653 or e-mail **Tera Goldblatt**.

## ADVERTISING SAFELY

In order to help you promote the services you can offer, here are some recommendations based on both the Regulations and our advertising guidelines. Following these suggestions will help you avoid complaints to the College that take up your time and energy and needlessly consume the College's resources.

DO'S	DONT'S
<p><b>In any advertising such as; Yellow Pages, outdoor signage, business cards, brochures:</b></p> <ul style="list-style-type: none"> <li>• Include the name of the practitioner and your class, i.e. Chiropractor or Podiatrist when listing a "Foot Care Clinic".</li> <li>• Make sure you are listed in the proper heading for your class; the listing "Podiatrist" must only contain ads for members in this class; likewise, the listing "Chiropractors" must only contain ads for chiropractors.</li> </ul> <p><b>Use terms such as "focus on seniors" or "special interest in sports medicine" or "knowledge of diabetes" to highlight your areas of particular interest. The College does not recognize specialty areas within the profession.</b></p> <p>Waive your fee for a patient if you choose to do so, but this is done on an <b>individual case basis and not as a promotion.</b></p>	<p><b>Do not solicit or promote unnecessary use of your services to the public.</b> This includes:</p> <ul style="list-style-type: none"> <li>• Distribution of any kind of coupon</li> <li>• Advertising discounts, or free assessments, initial consultations or services.</li> </ul> <p><b>Avoid</b> mentioning fees or insurance coverage as this may vary among companies and group policies and can be misleading to the patient.</p> <p><b>Do not</b> indicate that you see a patient for no fee especially if you are reimbursed by OHIP for seeing that patient. This is misleading information.</p> <p><b>Avoid</b> the use of the title Dr. in any medium that relates to offering, performing or reporting on health care. Nor can the title Dr. be used in your letterhead. (Chiropractors cannot use the title Dr. under any circumstances.)</p> <p><b>Do not</b> refer to yourself as a "specialist in..."</p> <p><b>Do not</b> make demeaning or derogatory comments about other foot care providers. It makes you appear less professional.</p>



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## QUESTIONS AND ANSWERS

**Q. May I mail my practice newsletter to the residents of a local seniors' building?**

**A.** No. Newsletters produced by a practice that contain any suggestion of soliciting business are considered advertisements by the College. As such, they are subject to the provisions of section 10 of the regulation which states that a member may not contact or communicate individually with a potential patient in person, by mail or by any other means of individualized communication in an attempt to solicit business. Only if the newsletter does not name the recipient (i.e. addressed to occupant) and its content otherwise complies with the advertising regulations, can it be mailed. A newsletter mailed to your established clients is acceptable.

**Q. Is a business card an advertisement?**

**A.** Business cards are considered to be advertising material since the effect is to promote the member's practice. As such, the provisions of the advertising regulation apply to business cards.

**Q. Can I use the term "foot specialist" in an advertisement?**

**A.** Yes, but you must also add the title "chiropractor" or "podiatrist" according to your class of registration.

**Q. May I distribute flyers to households in my community outlining the services I provide?**

**A.** Yes. Registrants may distribute brochures or "flyers" to the public in their respective communities. The purpose of this information is to announce to the public that the practitioner is in their community and the types of services that are provided. This information may be distributed door to door. It may not be directed by naming a specific person or family, but can go to all "occupants" in a household and area. You may send your flyer to other health care providers, organizations and agencies in the community. You may also place an advertisement outlining your services, in the community newspaper.

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**Q. What kinds of information can I put in a newspaper advertisement?**

**A.** In any advertisement the information included must be verifiable and relevant. This information must include your name as it appears on the College Register, your class of membership, and may include:

- a vocational description
- academic diplomas and/or degrees (letters or words)
- office address and location information
- office telephone number(s), FAX numbers
- after hours or emergency phone numbers
- languages spoken
- accessibility for the disabled
- availability of parking
- credit cards accepted
- home visits available

