
ADVERTISING

**Guideline for Members of the
College of Chiropractors of Ontario**

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College of Chiropractors of Ontario

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Preamble

The College of Chiropractors of Ontario (COCOO) has created this guideline on professional advertising to assist Members in understanding their legal and professional responsibilities regarding any advertising related to a Member's practice. Members are responsible for promoting their services and practices in a manner that meets the highest ethical standards, enhances the public image of the profession, and complies with the requirements of the regulation relating to advertising ([O. Reg. 203/94](#) – referred to below as the "Regulation").

What is Professional Advertising?

Professional advertisement means any material related to your practice which is published, displayed, distributed or used, whether by you directly or by someone on your behalf. This may include, but is not limited to:

Interviews with Media
Advertisements
Announcements
Websites

Social Networking
Newsletters
Stationary
Signage
Flyers

Business Cards
Social Media
Advertorials
Logos

Or other information related to the Member/Member's practice, regardless of the form or the manner of distribution. To be clear, advertising also includes any written and/or oral statements made to the public for the purposes of promoting the Member's services or practice.

Purpose

The basic intent of the Regulation is to protect the public interest and to ensure that advertising by Members does not demean the integrity and dignity of the profession (and any other professions) and undermine public confidence.

Ensuring Compliance

While there is no substitute for reading and understanding the Regulation, the highlights below may provide some assistance in ensuring compliance with the Regulation:

- Ensure that you personally control any and all printed and/or electronic material about your practice that is made available to the public.
- Do not engage in advertising promotion that would result in the sharing or splitting of fees or payments to a third party that relate to the amount of business that you obtain as a result of an advertising or marketing campaign.
- Do not include in your advertisement materials anything that would be considered by the COCOO to be a violation of the Regulation. This includes using:
 - statements which are unclear, untrue or misleading

- statements which are indicative of superiority or uniqueness
- statements which suggest or create an expectation of favourable results
- or appeal to the public's fears
- testimonials or any statement that can only be verified by a person's personal feelings or views
- incentive programs, including giveaways, contests, draws or free products or services
- superlative or comparative terms, such as "state of the art," "cutting edge" or any other words or phrases to suggest a higher quality in relation to services, equipment, technology used, or products or persons providing the services
- There is nothing to prevent you from advertising a fee; however, caution is recommended if you do so, and you must keep in mind the following:
 - Members cannot include in any advertising anything that promotes or is likely to promote the excessive or unnecessary use of services
 - Fees may change year to year
 - Insurance coverage may vary from provider to provider
 - The fee must be clearly stated so that anyone reading the advertisement will know what you are offering
 - Unless otherwise specified, the advertised fee would be the maximum fee inclusive of all services, including laboratory costs. The advertised fee would be applicable to all patients, whether or not they were aware of the advertisement and whether or not they had insurance coverage
- The advertisement must be clear and understandable to the public. Use of technical/medical terminology should be avoided.
- Advertisement content is not limited to being in English or French, any language can be used however it is the Member's responsibility to ensure translation is accurate.
- Members must clearly identify their title (Chiropractor or Podiatrist) on any advertisement. When abbreviations are used, Members are encouraged to elaborate their degree or designation (for example, D.Pod.M. – Diploma in Podiatric Medicine)
- Speciality areas within Chiropractic and Podiatry are not recognized and references to a "specialty" or being a "specialist" or an "expert" are not permitted.
 - Members are permitted to use the term 'foot specialist' if alongside title of Chiropractor or Podiatrist

- Ensure compliance when sending commercial electronic messages and use of computer programs (internal advertising/scheduling).
- Members are not permitted to contact or communicate individually with a potential patient either in person, by telephone, by mail or by any other means of individualized communication, in an attempt to solicit business.

Members must also ensure compliance with Canada's Anti-Spam Legislation (CASL) and maintain appropriate records to demonstrate that they have consent for all electronic messages (which can be expressed or implied).

Advertising and Social Media

Members using social media in their practice are required to comply with the COCOP legislation, standards and guidelines. In relation to advertising and the use of social media, Members should also review the College's [Social Media Standard](#).

Glossary

Advertisement: Any written, oral, visual or electronic communication whose purpose or effect includes promoting the Member's practice and/or the professional services they offer. The content of which they control or influence, directly or indirectly.

Member: A Chiropractor or Podiatrist registered with the College of Chiropractors of Ontario.

Soliciting: Seeking the business of potential customers. The term sometimes refers to offering or directly asking potential customers to purchase goods or services, rather than using **advertisements**. Freelance contractors and other independent business owners often engage in **solicitation** to seek new customers.

Social Media: Digital technologies and practices that enable people to use, create, and share content, opinions, insights, experiences, and perspectives. Social media can take many forms, including text, images, audio, video, and other multi-media communications. Popular examples include blogs, social networking websites such as Facebook, Twitter, and YouTube.

Social Networking: The development of social and professional contacts; the sharing of information and services amongst people with a common interest.

Resources

Royal College of Dental Surgeons of Ontario:

[https://az184419.vo.msecnd.net/rcdso/pdf/practice-advisories/RCDSO Practice Advisory Professional Advertising.pdf](https://az184419.vo.msecnd.net/rcdso/pdf/practice-advisories/RCDSO_Practice_Advisory_Professional_Advertising.pdf)

Regulated Health Professions Act, 1991, S.O. 1991, c. 18:

<https://www.ontario.ca/laws/statute/91r18>

O. Reg. 203/94: General Under Chiropractic Act, 1991, S.O. 1991, c.20: Part II Advertising:

<https://www.ontario.ca/laws/regulation/940203#BK2>

Advertising Restrictions, Government of Canada:

<https://www.competitionbureau.gc.ca/eic/site/cb-bc.nsf/eng/04142.html>

Practice Guideline: Using Social Media, College of Occupational Therapists of Ontario:

https://www.coto.org/docs/default-source/default-document-library/guidelines-for-use-of-social-media-2018.pdf?sfvrsn=5ca067b6_2

Canada's Anti-Spam Legislation: <http://www.chamber.ca/resources/casl/>

Personal Health Information Protection Act, 2004, S.O. 2004, c. 3, Sched. A:

<https://www.ontario.ca/laws/statute/04p03>

Chiropractic Act, 1991

Ontario Regulation 203/94

**Part II
Advertising**

7. (1) An advertisement with respect to a Member's practice must not contain,
- (a) anything that is false, misleading or self laudatory;
 - (b) anything that, because of its nature, cannot be verified;
 - (c) an endorsement other than an endorsement by an organization that is known to have expertise relevant to the subject-matter of the endorsement;
 - (d) any testimonial;
 - (e) a reference to a drug or to a particular brand of equipment used to provide health services;
 - (f) a claim or guarantee as to the quality or effectiveness of services provided;
 - (g) anything that promotes or is likely to promote the excessive or unnecessary use of services. O. Reg. 746/94, s. 2.
- (2) An advertisement must be readily comprehensible to the persons to whom it is directed. O. Reg. 746/94, s. 2.
8. (1) In any advertisement, a Member who is registered as a chiropractor shall clearly identify himself or herself as a chiropractor and a Member who is registered as a podiatrist shall clearly identify himself or herself as a podiatrist. O. Reg. 746/94, s. 2. (2) No Member shall hold himself or herself out,
- (a) as a chiropractor unless the Member is registered as a chiropractor; or
 - (b) as a podiatrist unless the Member is registered as a podiatrist. O. Reg. 746/94, s. 2.
9. No Member shall indicate after his or her name,
- (a) a diploma or degree other than a diploma or degree held by the Member; and
 - (b) the word "chiropractor" if the Member is not registered as a chiropractor or the word "podiatrist" if the Member is not registered as a podiatrist. O. Reg. 746/94, s. 2.
10. A Member shall not contact or communicate individually with, or cause or allow any person to contact or communicate individually with, a potential patient either in person, by telephone, by mail or by any other means of individualized communication, in an attempt to solicit business. O. Reg. 746/94, s. 2.
11. No Member shall appear in, or permit the use of the Member's name in, an advertisement that is for a purpose other than the promotion of the Member's own practice if the advertisement implies, or could be reasonably interpreted to imply, that the professional expertise of the Member is relevant to the subject-matter of the advertisement. O. Reg. 746/94, s. 2.
12. A Member shall not advertise or permit advertising with respect to the Member's practice in contravention of this Part. O. Reg. 746/94, s. 2.