

Advertising

Council, Feb. 2004

A member may be at risk of allegations of professional misconduct if she/he causes or permits, directly or indirectly, a publication through any medium of communication that has a relation to or a bearing upon a member's practice that,

- i. is not relevant to the public's ability to make an informed choice,
- ii. is false or deceptive by reason of inclusion or omission of information,
- iii. suggests that the member is a specialist unless the member holds a specialist certificate recognized by the College,
- iv. makes comparisons with another practice or member or would be reasonably regarded as suggestive of uniqueness or superiority over another practice or member,
- v. contains an endorsement of the practitioner by any person or organization
- vi. refers to a particular drug or particular brand of product or equipment used to provide optometric service,
- vii. is likely to create expectations of favourable results or to appeal to the public's fears,
- viii. could be regarded by the profession as demeaning the integrity or dignity of the profession or being likely to bring the profession into disrepute.

Guidelines for members

Generally, informational advertising, if it is truthful and understandable, serves the public interest. Persuasive advertising is professionally divisive and ethically objectionable, and may lead vulnerable members of society to personally or financially invest in health services, products or ventures that are not of benefit to them. This guideline has been created to delineate between informational and persuasive advertising.

Format

Matters such as form, size, and advertising medium are not specified, and as such are left to the discretion of members as long as the regulatory requirements are met. Members are advised that in mediums such as directory listings (e.g. Yellow Pages), most profession listings are reserved in size and appearance. This serves to reduce costs for all members, while providing clear and non-persuasive information for the public.

"Specialists"

At present the College does not recognize "specialist certificates", however academic degrees, fellowships, and diplomat standing are recognized. Members are advised that the use of the title "Dr." or "Doctor" is appropriate but including an occupational designation such as "optometrist" is recommended for clarity (for example, Dr. John Doe, Optometrist). The use of the title "Dr." or "Doctor" together with the academic degree "O.D." is redundant.

Brand Names

Informational advertising which makes reference to specific products, drugs, or instruments is permitted if it is directed to the member's patients only. (For example, this would allow informing patients, by newsletter, of a new diagnostic instrument within the practice, or informing patients of a manufacturer or supplier sponsored price reduction for contact lenses. Conversely, mass mailing or newspaper advertising of the same information is not permitted.) Presentation of brand names on a web site is not permitted. Mass mailing or postal code mailing of informational material that does not contain a reference to specific brands of products, drugs or instruments is not considered solicitation provided it is not addressed, and as such is permissible.

Maintaining Confidentiality

Testimonials are not permitted in advertising; and members are reminded that any reference to a patient by name, in promotional materials, is a breach of patient confidentiality unless the patient has consented to the release of this information.

In Office Material vs. Advertising

Promotional materials for use within the office only are not considered advertising, and as such are not subject to these guidelines. However, web sites are accessible by the general public and are therefore considered to be advertising and are subject to these regulations.

As always, your College's foremost concern is to safeguard the interest of the public. These guidelines will allow for greater flexibility in the choice members have in advertising their practices while maintaining tasteful and appropriate public exposure for the profession.