

Guideline G-016  
Advertising Committee  
Approved by Council: January 13, 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

The advertising guideline is designed to detail Standard of Practice S-016: Advertising, and to give members guidance when educating members of the public. Advertisements should help the public make informed choices regarding their health care. To assist members of the public in making knowledgeable choices, advertisements must be informative and maintain a professional image.

## Description of Guideline

### 1. An advertisement must be:

- (a) accurate, factual and contain information that is verifiable;

*Providing the public with accurate, factual, objective and verifiable information to make an informed choice in health care is in the public's best interest. Subjective opinions may cause confusion and lack of trust.*

- (b) readily comprehensible by the persons to whom it is directed.

*Advertisements should be readily understandable so the general public is not confused by the message.*

### 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 standard of practice (S-010: Techniques, Technologies, Devices or Procedures);

*Such references assist the public in finding a particular type of chiropractic care and allow an informed choice*

*Members may advertise services (e.g., acupuncture, ultrasound, x-rays), adjustive techniques, and other procedures within the public domain (e.g. orthotics, nutritional products). Members should understand exhaustive lists of everything possible may confuse the public and are not advised.*

- (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;

*Members may only use terms such as "specialist" and "specializing in" in reference to the specialties recognized by CCO. A member cannot advertise a specialty in area(s) not recognized by CCO. A member may express an "interest in" or "focus on" an area of practice.*

- (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;

*Advertising a member's affiliations in any other medium may confuse the public and may cause comparisons to other members, which is not permitted.*

- (d) allow an individual or organization to endorse a member, provided:

*An unqualified endorsement from a source with little or no expertise is not in the public's best interest and undermines the public's trust.*

- (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 consultation<sup>1</sup>.

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*Members may advertise complimentary/ courtesy initial consultations. Members may not bill any third-party payors for complimentary/courtesy consultations.*

3. Any advertisement with respect to a member's practice must not contain:

- (a) anything false or misleading;

*False or misleading statements undermine public trust in the profession and may result in a complaint to CCO by a colleague or a member of the public.*

- (b) a guaranteed success of care;

*Claims and guarantees of success are often not verifiable and may appear unprofessional. Members should not use expressions such as “will help” and “does relieve” which imply a guarantee. Members may use expressions such as “may be able to help” or “has been shown to relieve.”*

- (c) any comparison to another member’s or other health care provider’s practice, qualifications or expertise;

*Comparison to any facet of another member's practice is unprofessional. The public and the profession are better served by positive and generic chiropractic facts.*

*Members should not use adjectives with comparatives (e.g., “more” or “better”) in their advertising because they imply a comparison. Members may use words such as “safe” and “effective” to describe the chiropractic profession in general.*

- (d) any expressed or implied endorsement or recommendation for the exclusive use of a product or brand of equipment used to provide services;

*Exclusive endorsements of products suggest superiority and imply a comparison, which is not permitted.*

- (e) testimonials that refer to a particular member or office;

*Testimonials that refer to the benefits of chiropractic and not to a particular member or office are permissible. Testimonials must be truthful and verifiable, and must meet all other elements of CCO's advertising standard.*

- (f) material that, having regard to all the circumstances, would reasonably be regarded as disgraceful, dishonourable or unprofessional.

*All advertisements must maintain professional integrity and serve the public’s best interest.*

*It is an act of professional misconduct to engage in conduct or perform an act that, having regard to all the circumstances, would reasonably be regarded by members 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;

*The public is entitled to full disclosure of what is and what is not included in the advertised fee.*

- (b) there are no hidden fees/costs;

*The public is entitled to full disclosure of what is and what is not included in the advertised fee.*

- (c) the member does not bill a third-party payor for the complimentary portion of the diagnostic or treatment service;

*A member is not permitted to bill any third-party payor for complimentary diagnostic or treatment services as this practice is unethical and may be professional misconduct.*

- (d) the advertisement expressly states the timeframe to be honoured for any complimentary or discounted diagnostic or treatment service;

*To ensure there is no confusion or misunderstanding, the advertisement must indicate the exact timeframe in which the complimentary or discounted diagnostic or treatment services apply.*

- (e) the advertisement does not limit the offer to a certain number of participants;

*Members of the public must all be given an equal opportunity to obtain the advertised complimentary or discounted diagnostic or treatment services. An advertisement that limits an offer to a certain number of participants may be misleading.*

- (f) no obligation is placed on the patient for follow-up appointments as a result of the complimentary or discounted diagnostic or treatment service;

*A member may not use an advertisement for complimentary or discounted diagnostic or treatment services to pressure or coerce a member of the public to return for follow-up appointments.*

- (g) the advertisement is presented in a professional manner that maintains the dignity of the profession.

*All advertisements must be presented in a professional manner, maintain professional integrity, and serve the public's best interest.*

5. A member advertising the exchange of products/services for proceeds/donations to a charity may do so as follows:

*An advertisement that encourages philanthropy, if done professionally and ethically, serves the public's interest.*

- (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");

*The charity or organization must serve the public interest.*

- (b) the charity is disclosed in them advertisement;

*The public is entitled to full disclosure regarding the charity or organization for which proceeds are being collected.*

- (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;

*The public is entitled to full disclosure regarding how the proceeds will be divided.*

- (d) the member may not bill any third-party payor for the diagnostic or treatment services provided in exchange for the charitable proceeds/donation;

*A member is not permitted to bill any third-party payor for complimentary diagnostic or treatment services as this practice is unethical and may constitute an act of fraud.*

- (e) the member providing diagnostic or treatment services in exchange for the charitable proceeds/donation must comply with all CCO standards of practice.

*Members must comply with all CCO standards of practice. If the member is uncertain if the proposed advertisement is appropriate, he/she is encouraged to submit it to the Advertising Committee for review prior to publication. Turnaround time for a response is approximately 10 business days.*

6. Public presentations or displays<sup>2</sup> are permissible provided:

*The advertising standard permits public presentations for educational or informational purposes. Being intrusive to the public within a public place, harassing the public or using pressure tactics are unprofessional and undermines the public's trust.*

- (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 standard ;
- (d) assessment(s) performed comply with CCO's Public Display Protocol (Policy P-16) and are for educational purposes;

*Assessment procedures, as listed in CCO's Public Display Protocol (Policy P-016), are permitted, provided the protocol is followed and consent is obtained.*

- (e) no controlled acts of diagnosis and/or adjustments are performed;

*Since a complete history and examination are inappropriate at a public display, making a diagnosis or performing an adjustment is not permitted. Adjustments at a public display may alarm the public when observing an adjustment procedure without a proper explanation.*

- (f) no coercion or pressure tactics are used<sup>4</sup>.

7. (a) Banner advertising on the Internet must comply with CCO's advertising standard of practice.

*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.*

- (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: Advertising.

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; and

*A member is responsible for all advertising that is directly or indirectly controlled by that member.*

- (b) contact or communicate with or allow any person to contact or communicate with potential patients via telemarketing or electronic methods.

*It is not professional to harass the public with solicitous contacts, intrusion and disturbance of privacy.*

### 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.

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.

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<sup>1</sup> A 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.

<sup>2</sup> “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 distributed or presented.

<sup>3</sup> It is strongly recommended that material to be distributed be pre-approved by the Advertising Committee.

<sup>4</sup> Voluntary appointments are permitted - i.e., potential patients ask for the member’s business card or request an appointment.