

STANDARDS OF PRACTICE

Advertising

Under Review: No

Issued By: Council: Jan 1, 2010 (*Advertising by Regulated Members*)

Reissued by Council: Jan 1, 2021; Jul 1, 2011; Oct 1, 2015 (*Advertising*)

The ***Standards of Practice*** of the College of Physicians & Surgeons of Alberta (“CPSA”) are the **minimum** standards of professional behaviour and ethical conduct expected of all regulated members registered in Alberta. Standards of Practice are enforceable under the *Health Professions Act* and will be referenced in the management of complaints and in discipline hearings. CPSA also provides **Advice to the Profession** to support the implementation of the Standards of Practice.

Note: a [glossary](#) of terms can be found at the end of this document. Glossary terms are indicated in teal with a “G” throughout this document.

1. A regulated member who is responsible for an [advertisement](#)^G **must** ensure the information provided:
 - a. conforms to the *Code of Ethics & Professionalism*;
 - b. contains factual and relevant information about the nature of the practice;
 - c. includes the [practice discipline](#)^G as identified on the member’s practice permit issued by CPSA;
 - d. is accurate, clear and explicitly states all pertinent details of an offer, with disclaimers as prominent as other aspects of the message;
 - e. is supported by current, best-available medical [evidence](#)^G;
 - f. is compatible with the best interests of the public and upholds the reputation of the medical profession;
 - g. clearly specifies when services being offered are not or may not be publicly funded through the Alberta Health Care Insurance Plan;
 - h. is not false, incomplete, misleading or deceptive;
 - i. does not include claims, representations, endorsements or testimonials regarding the service or business;

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- j. does not create unreasonable expectations of beneficial treatment, such as guarantees or warranties about results; and
 - k. does not encourage the indiscriminate or unnecessary use of health services.
2. A regulated member **must**:
- a. ensure advertising done on their behalf by a third party complies with this standard;
 - b. show, in writing, where advertising by a third party was reviewed and approved; and
 - c. be able to demonstrate this review and approval to CPSA upon request.
3. A regulated member **must** promptly comply with direction from the Registrar to:
- a. substantiate any advertising claim or representation;
 - b. confirm whether a specific advertisement is made by or on behalf of the regulated member; or
 - c. change or stop using any advertising message(s) that the Registrar deems in violation of any part of this standard or the *Code of Ethics & Professionalism*.
4. A regulated member **must not** directly or indirectly participate in advertising that:
- a. discredits, disparages or attacks another product, service, facility, clinic, provider or group;
 - b. promises or offers more effective services or better results than those available from another provider unless substantiated to the satisfaction of the Registrar based on publically available information; or
 - c. offers any **inducement**⁶ to a patient to receive a medical service, including but not limited to:
 - i. time-limited prices for a service;
 - ii. discount coupons, gift certificates, or prizes for a service;

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- iii. communal gatherings (“parties”) where consultation or medical services are offered;
 - iv. a service in conjunction with “makeovers” created for entertainment or promotional purposes; or
 - v. events, including “education sessions,” where registration fees are donated.
5. A regulated member **must not**:
- a. disclose the name or identifying features of a patient unless the regulated member has obtained the patient’s prior written [consent^G](#) to use the information for advertising purposes (documentation of this consent must be [noted in the patient’s record](#) and available for CPSA to verify upon request); or
 - b. use a [protected title^G](#) listed in Schedule 21 of the *Health Professions Act (HPA)* alone or in combination with other descriptors to imply specialization in an area or branch of medicine unless recognized by CPSA or authorized by the Registrar to use that title.
6. Notwithstanding clause 5(b), a regulated member **may** use a protected title as authorized by the Department of National Defence.
7. In advertisements, a regulated member **may** indicate a [practice interest^G](#) in advertisements **only** if:
- a. the area of interest falls within the context of the member’s practice discipline;
 - b. the area of interest is a demonstrated, significant focus of the member’s practice; and
 - c. the regulated member pursues continuing medical education related to the area of interest.

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GLOSSARY

Advertisement/advertising: any communication made orally, in print, through electronic media or via the internet (including websites and social media), by or on behalf of a registered member, to the public where its substantial purpose is to promote the regulated member, the regulated member's services, or the clinic or group where the regulated member practices or with which the regulated member is associated. (From CPSBC's [Advertising Practice Standard](#))

Practice discipline: refers to a regulated member's scope of practice (e.g., family practice, general surgery, pediatrics).

Evidence: rigorous, peer-reviewed clinical research that supports a claim and/or service.

Inducement: anything that persuades or influences someone to do something.

Consent: permission for something to happen or agreement to do something; a regulated member must obtain a patient's consent in accordance with the *Informed Consent* standard of practice. For more information, please refer to the Informed Consent for Adults and Informed Consent for Minors Advice to the Profession documents.

Protected title: a protected title is part of the agreement between the province and the regulated profession. This indicates anyone using the title is appropriately trained and registered with the appropriate regulatory body. A person not trained and/or registered cannot use the protected titles listed in Schedule 21 of the *Health Professions Act*.

Practice interest: refers to areas within a regulated member's scope of practice they concentrate on and/or have a special interest in (e.g., gynecology, obstetrics, surgery).

RELATED STANDARDS OF PRACTICE

- [Code of Ethics & Professionalism](#)
- [Conflict of Interest](#)
- [Informed Consent](#)
- [Patient Record Content](#)
- [Responsibility for a Medical Practice](#)
- [Sale of Products by Physicians](#)

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COMPANION RESOURCES

- Advice to the Profession:
 - [Advertising](#) – to be updated
 - [Informed Consent for Adults](#)
 - [Informed Consent for Minors](#)
- [Are You Up to Standard? Advertising](#)
- [Health Professions Act](#)
- [Canadian Code of Advertising Standards](#)
- [Health Canada Regulation of Health Products Advertising](#)

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