

CHIROPRACTIC & OSTEOPATHY BOARD OF SOUTH AUSTRALIA

July 2009

NOTICE TO THE PROFESSION

The Board continues to receive complaints regarding advertising by chiropractors.

Practitioners should be aware of the requirements of Section 3.2 of the code of Professional Conduct & Practice, which relates to advertising.

Testimonials

Section 3.2 (i) of the Code stipulates that the use of testimonials in external advertising is not allowable.

The Board has recently re-visited the issue of testimonial advertising, and has concluded that:

- (1) The ban on written testimonials in external advertising will continue to be enforced.
- (2) The use of pre / post postural photographs and x-rays continues to be a valuable tool for the profession, but is open to misuse unless the highest standards of caution and clinical integrity are applied. The Board will continue to allow the use of pre / post images under the following conditions:
 - (i) the examples used represent a patient of the practice that is running the advertisement;
 - (ii) they are used with the patient's written consent;
 - (iii) they represent a true pre / post example *of the same person*, under the same conditions, over a clinically reasonable time-frame. This requires standardization of a practitioner's x-ray and photographic procedures to ensure that all pre / post images are a true representation of clinical changes achieved, and not the result of variations in positioning.

Failure to strictly apply these conditions may lead to disciplinary action against a practitioner for advertising in a manner that is false, misleading, or deceptive. (Section 3.2 (h) (i))

The Board reserves the right to review its decision to allow ongoing use of pre / post imaging advertising, and will do so if it continues to cite examples of advertisements in which the above conditions have not been rigorously applied.


Discounted Fees

Section 3.2 (h) (i) of the Code stipulates that a practitioner must not advertise any statement that is false, misleading, or deceptive.

The Board has received numerous complaints in recent years in which a practitioner has been accused of advertising a discounted initial consultation fee, only to add further fees for services such as preparing or delivering reports, without previously disclosing those fees in their advertising. The Board considers this practice to be misleading and deceptive, and requires practitioners to disclose any “hidden” fees in their advertising.

Similarly, practitioners offering discounted initial consultation fees have been seen to compare this fee to a “normal” fee which is not accurate. Any reference to the “normal cost” for the advertised services must accurately reflect the fees normally charged in that practice.

Failure to comply with these guidelines, and the requirements of the Code of Professional Conduct & Practice in general, may lead to disciplinary action and the finding of unprofessional conduct.



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REGISTRAR/CEO