

SP 13.0 Advertising, Marketing and Practice Promotion Materials & Content Including Yellow Page and Directory Listings

Effective September 1, 2005
Revised by Council June 19, 2009
Revision Effective August 1, 2009

Purpose and Objective

1. To provide members with a Standard of Practice related to advertising, marketing and practice promotion that will support an appropriate and professional image of the chiropractic profession.
2. To allow for the provision of information that will assist members of the public in their selection of a registered chiropractor and options related to chiropractic treatment/care.

Definitions and Context Within This Standard of Practice

Advertising and Marketing:

Information and materials designed principally for distribution to an external market (i.e. new patients, other health professionals, employer groups, general public).

Examples may include websites, newspaper ads, flyers, brochures, business cards, postcards, testimonials, office signage (external), bus benches, billboards, TV and radio ads, public service announcements, announcements made via any other medium and any other method of providing information to an external market audience.

Practice Promotion:

Information and materials designed principally for distribution to an internal market (i.e. current patients).

Examples may include appointment cards, brochures or handouts, postcards, testimonials, announcements, fee information, personal acknowledgements such as birthday cards and any other method of providing information to an internal market audience.

Information presented in this Standard of Practice addresses these areas as individual target audiences and provides examples of what is permitted and what is not permitted.

Free Initial Consultation:

Practitioners may promote and provide 'free initial consultation' services to prospective patients. No additional services, treatments or care may be provided on the date of the 'free initial consultation'. Generally, the service provided in this activity would be primarily conversational and would likely include a superficial case history, with perhaps a few cursory examinations in order to render an opinion about the propriety of chiropractic care in the circumstances revealed. The dialogue with the prospective patient and any subsequent recommendations are expected to be rationale, professional and anchored in appropriate clinical context. Provision of this information may or may not lead to the booking of a complete assessment and potential therapeutic treatment.



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An appropriate record of this “consultation” will include the history and examination issues revealed. This record constitutes a patient record and is subject to all ACAC patient record requirements.

Practitioners may not bill the prospective patient or any third party payer (i.e. Insurance) for any portion of the “free initial consultation”.

Compliance with this Standard of Practice related to advertising, marketing and practice promotion requires that all information and materials

Shall:

- Be truthful and factual in its content
- Be professional in description, content and presentation
- Be compliant with legislation in Alberta
- Identify the practitioner specifically as a doctor of chiropractic

Shall Not:

- Be false or misleading
- Claim or allude to professional superiority (except ACAC recognized chiropractic specialty designations)
- May not use the term “specialist” (except ACAC recognized chiropractic specialty designations)
- Guarantee results or imply a specific outcome
- Disrespect or denigrate any other profession or practitioner, their services or products
- Reference, in any manner, “discounted” services
- Violate the confidentiality of any patient
- Alter material or context of materials provided by the Alberta Association and College of Chiropractors (ACAC) without the express written permission of the ACAC
- Include information or statements in conflict with any ACAC standards, policies or position statements
- Include offers of discounted fees for services related to activities connected with fundraising or donations to charity

May:

- Include ACAC recognized chiropractic specialty designations
- Include the phrase “WCB Authorized” if the practitioner holds a current service contract with the WCB-Alberta
- Reference “Free Initial Consultation”

** Any information not expressly identified in the examples included in this Standard of Practice must be approved by the Office of the Registrar prior to print approval or release.

Enforceability

Any member identified to the Registrar/Complaints Director as non-compliant in the Standard of Practice related to advertising, marketing and practice promotion materials & content, including yellow page and directory listings. is subject to the investigations and complaints process under Part 4 of the *Health Professions Act*. Identification may occur as a result of the Practice Visit process, patient/public complaint or any other means by which the information is brought to the attention of the Registrar/Complaints Director.



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Penalty

| First Time Offenders | Second Time Offenders | Third Time Offenders |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> • \$1,000.00 fine plus an ACAC reprimand (copies to Council) • or referral to a Hearing Panel • This financial penalty may be levied at the discretion of the Registrar or the complaint may be referred directly to a Hearing Panel | <ul style="list-style-type: none"> • \$2,500.00 fine plus an ACAC letter of reprimand presented to the member by Council in person, • or a referral to a Hearing Panel • This financial penalty may be levied at the discretion of the Registrar or the complaint may be referred directly to a Hearing Panel | <ul style="list-style-type: none"> • Direct referral to a Hearing Panel with a recommendation for a \$5,000 fine, plus additional sanctions for professional misconduct, as prescribed by the Hearing Panel |

Supplementary Information (examples)

Examples of what is permitted and what is not permitted are provided to assist with clarification of this Standard of Practice:

Business Cards/Exterior Office Signs/Letterhead:

| May include the following information: | May not include the following information: |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> • Practitioner name and clinic name • Address (including directional wording) • Phone & fax numbers • Website and e-mail addresses • Professional Corporation information • Photos • Hours of operation • Methods of payment accepted • Languages spoken • Services/techniques available • CCA/ACAC logos (must state "member") • Clinic logos • ACAC recognized chiropractic specialties • WCB authorization • Handicapped (facility) access availability • Other current province/state licenses • Academic credentials from post secondary degree granting institutions and/or accredited chiropractic colleges | <ul style="list-style-type: none"> • Special interest areas of practice except those recognized by designations (i.e. may not use phrases such as "with a special interest in pediatrics, sports injuries, etc." unless a recognized specialty is attached) <p>ACAC recognized specialty designations:</p> <ul style="list-style-type: none"> -Chiropractic College of Radiologists (FCCR), -College of Chiropractic Sciences (FCCS), -College of Chiropractic Orthopedists (Canada) (FCCO(C)), -College of Chiropractic Rehabilitation Sciences (FCCRS(C)), -College of Chiropractic Sports Sciences (FCCSS(C)) <ul style="list-style-type: none"> • Information that violates the requirements of any other Alberta legislation (i.e. Veterinary Medicine Act) • Information restricted by copyright law • Information or statements in conflict with any ACAC standards, policies or position statements |



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Flyers/Handbills/Newspaper Ads/Billboards/Bus Benches/Postcards/Yellow Page and Directory Listings

| May include: | May not include: |
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| <ul style="list-style-type: none"> • All information permitted on business cards • General chiropractic health information • Testimonials (with written patient permission) • Practitioner or clinic photographs/graphics | <ul style="list-style-type: none"> • Same restrictions as business cards • Information restricted by copyright law • Information or statements in conflict with any ACAC standards, policies or position statements • Offers of discounted fees for services related to activities connected with fundraising or donations to charity |

Internal Practice Promotion Materials

| May Include: | May not include: |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> • All information permitted on business cards • Testimonials with written patient permission • Patient photos with written patient permission • General chiropractic health information • Specific fee information -including "Free Initial Consultation" • Personal patient acknowledgement (with written permission) • Practitioner/staff (with written permission) photos and information about activities | <ul style="list-style-type: none"> • Sign-in Sheets (violates privacy laws) • Information or statements in conflict with any ACAC standards, policies or position statements • Information restricted by copyright law • Offers of discounted fees for services related to activities connected with fundraising or donations to charity |

Promotional Fees – Internal Materials

| May: | May not: |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> • Provide patients with a "no balance bill" service only on a promotional basis (i.e. birthdays, patient appreciation days, etc) • Provide these types of services for "loyalty related" patients • Reference "Free Initial Consultation" (see definition) <p>Please note:</p> <ul style="list-style-type: none"> • Must ensure an "internal" fee schedule for current patients that clearly identifies the parameters of promotional services | <ul style="list-style-type: none"> • Offer discounted fees for services related to activities connected with fundraising or donations to charity |



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Promotional Fees – External Materials

| May: | May not: |
|----------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> Reference “Free Initial Consultation” (see definition) | <ul style="list-style-type: none"> Reference discounted fees Contain information or statements in conflict with any ACAC standards, policies or position statements Offer discounted fees for services related to activities connected with fundraising or donations to charity |

Member’s Personal or Clinic Website (considered external and subject to all of the related standards)

| May include: | May not include: |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> All information permitted in external categories listed above Link to the ACAC website Link to other chiropractic information sites that do not provide information that is contradictory to ACAC standards or policies Reference “Free Initial Consultation” (see definition) | <ul style="list-style-type: none"> Reference to “discounted services” Information restricted by copyright law Information or statements in conflict with any ACAC standards, policies or position statements May not offer discounted fees for services related to activities connected with fundraising or donations to charity |

TV/radio

| May include: | May not include: |
|--------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> All information permitted in categories listed above | <ul style="list-style-type: none"> Reference to “discounted services” or related information Information restricted by copyright law Information or statements in conflict with any ACAC standards, policies or position statements May not offer discounted fees for services related to activities connected with fundraising or donations to charity |

