

Practice Standard

Advertising and Communication with Public

Practice Standards are legally enforceable standards which set out requirements related to specific aspects of naturopathic doctors' practices. Practice standards are provided for under s.19 of the Health Professions Act. They link with other standards, policies, and bylaws of the College of Naturopathic Physicians of BC, and all legislation relevant to the practice of naturopathic medicine.

Introduction

This standard sets out the CNPBC requirements and limits for registrant advertising.

The College recognizes registrants' legitimate interest in promoting their services and sharing information with the public about the benefits of naturopathic medicine. A naturopathic doctor (ND) may use any public medium to advertise professional services to members of the public, or other healthcare professionals, provided that the services advertised are within the ND's scope of practice.

This standard references the CNPBC Bylaws (the "Bylaws") and other practice standards created by the Board pursuant to the Bylaws.

Definitions

Advertisement: the use of a public medium or the use of a commercial publication to communicate with the public or a segment thereof, for the purpose of promoting professional services or enhancing the image of the ND. Advertisement materials include in-office promotional materials such as pamphlets, brochures, signage, news bulletins and business cards.

Credentials: a term for a variety of degrees, qualifications, and designations granted by agencies including professional associations, academic institutions, and educational bodies.

Reserved Title: a title the minister has prescribed for use exclusively by registrants as set out in the *Naturopathic Physicians Regulation*.

Marketing includes but is not limited to:

- an advertisement,
- any publication or communication in any medium with any patient, prospective patient, or the public, generally in the nature of an advertisement, promotional activity or material, a listing in a directory, a public appearance or any other means by which professional services as an ND are promoted, and
- contact with a prospective patient initiated by or under the direction of a registrant.

Standards

1. Any marketing undertaken or authorized by registrants in respect of their professional services must be:
 - a. true.
 - b. accurate.
 - c. verifiable.
 - d. reasonably capable of not misleading the public.
 - e. in a manner that upholds the public interest in the practice of the profession.

2. Marketing violates section (1) if it:
 - a. is calculated or likely to take advantage of the weakened state, whether physical, mental, or emotional, recipient or intended recipient.
 - b. is likely to create in the mind of the recipient or intended recipient an unjustified expectation of the results which the registrant can achieve.
 - c. implies that the registrant can obtain results
 - i. not achievable by other registrants,
 - ii. by improperly influencing a public body or official or any corporation, agency or person having any interest in the welfare of the recipient, or
 - iii. by any other improper means.
 - d. compares the quality of services provided by the registrant with those provided by
 - i. another registrant,
 - ii. a person authorized to provide health care services under another enactment, or
 - iii. another health profession
 - e. includes “before and after” photos, unless the registrant has obtained **written** consent, in accordance with the [CNPBC Practice Standard Informed Consent](#), from the patient to permit the use of their photographs in marketing. This consent must be available for the duration of “before and after” photos publication and for 1 year after for the College to verify, if requested.

3. Registrants may use testimonials in marketing provided:
 - a. they obtain **written** consent to use a testimonial in accordance with the [CNPBC Practice Standard Informed Consent](#),
 - b. all testimonials are truthful, accurate, in good taste and otherwise conform to this Practice Standard,
 - c. testimonial providers are made aware that they can revoke consent at any time and
 - d. this consent must be available for the duration of testimonial use and for 1 year after for the College to verify, if requested.
4. Registrants must not exercise undue influence on a patient by offering improper inducements, enticements and/or incentives (see table on page 6).
5. Registrants, who, in any advertisement, include a statement of fees for a specific service:
 - a. must ensure that the statement sufficiently describes the fees and services to enable the recipient to understand the nature, cost and extent of the services to be provided.
 - b. may advertise that naturopathic services may be subsidized by the Medical Services Plan of British Columbia or that they are authorized by the Workers Compensation Board of British Columbia to perform or provide services but must clearly state in the advertisement the cost to the patient of the services to be provided.
 - c. must not compare the fees charged by the registrant with those charged by another professional.
6. References to professional qualifications and reserved titles used in marketing must be consistent with the *CNPBC Practice Standard for Use of Title*.
 - a. Registrants, unless they have a notation of certification entered into the CNPBC online register, must not use the term “certified” or any similar designation suggesting a recognized special status or accreditation on any letterhead or business card or in any other marketing.
 - b. Registrants must not use the term “specializing in”, “specialist” or any other term, title, designation or phrasing that could reasonably be interpreted as indicating a specialization in an area of practice of the profession.
 - c. Registrants must not use titles or descriptions of their work which are reasonably likely to confuse or mislead the public about the registrants’ qualifications.
7. Registrants:
 - a. May market a “primary diagnostic procedure” as such if the procedure is listed accordingly within the [Standard of Practice: Diagnostic Testing](#)
 - b. May advertise a “non-diagnostic/information gathering procedure” but not relate it to a specific condition or diagnosis.

8. Registrants must not advertise compounded products. [Policy on Manufacturing and Compounding Drug Products in Canada \(POL-0051\)](#)
9. Registrants must not:
 - a. speak on behalf of the CNPBC through their public marketing activities unless they have been expressly authorized by the Board chair or registrar to state the official position of the college,
 - b. endorse or lend themselves as an ND to the advertisement of any property, product, investment or service for sale to the public unless such property, product, investment or service relates directly to the profession,
 - c. involve a patient or solicit a patient to become involved in selling products or services for the direct or indirect benefit of the registrant.
 - d. engage in, condone, and/or be included in any advertising and/or marketing that could mislead a member of the public to believe that an unregulated individual is a regulated health professional.
10. Registrants are solely responsible for the content of any marketing prepared by a third party, for the benefit of the registrant, and must ensure by contract that they are fully informed of all such communication with the public.
11. Registrants must retain for one year after the date of publication or broadcast, any advertisement or brochure, and must provide to the Board upon request:
 - a. a copy of any such publication, or
 - b. a recording of any such broadcast made by use of any electronic media, including radio, television, and microwave transmission, email, or website, and
 - c. a written record of when and where the publication or broadcast was made.
12. Registrants must, when requested by the Discipline Committee, the Inquiry Committee or the Board, provide evidence satisfactory to the committee or Board verifying the statements made in their marketing (e.g. primary literature and medical databases).
13. Registrants must adhere to all Canadian Advertising regulations.
14. All communication in a public medium from the registrant must not be misleading or unbecoming of the profession.

Applying the Standards



- NDs regularly review their website to ensure advertising meets the principles outlined above.
- NDs are aware of the power differential between patient and provider, and how it may impact their patient's response to advertising or marketing of products and services.
- NDs have documentation that validates their advertising claims.
- NDs do not refer to the cure of symptoms or diseases or appeal to the public's fears.
- NDs' advertising, including business cards, does not refer to an area of specialization but rather a focus of practice.
- Modalities, conditions treated, or areas of focus may be listed but not as "specialties."
 - ✗ Dr. Jane ND specializes in women's health and fertility.
 - ✓ Dr. Jane ND's practice is focused on women's health and fertility.
 - ✗ Dr. Jane ND specializes in classical homeopathy.
 - ✓ Dr. Jane ND focuses on classical homeopathy.
- NDs' marketing does not use medical designations such as oncologist, cardiologist, neurologist, and gastroenterologist to refer to or imply an area of specialization.
 - ✗ Dr. Jane ND is a naturopathic cardiologist.
- If displaying non-diagnostic testing offered, NDs do not relate them to a diagnosis.
Example:
 - ✗ Darkfield Microscopy for cancer diagnosis
 - ✗ Meridian Stress Assessment for allergies
 - ✓ Clinic services include Darkfield Microscopy and Meridian Stress Assessment
 - ✓ Dr. Jane, ND offers PAP smear tests for cervical cancer screening.
- NDs do not solicit or involve a patient to sell multi-level marketing products for the direct or indirect benefit of the registrant.
- Advertising compounded products to the public is not permitted. This includes IV vitamin therapies and Platelet Rich Plasma therapies. NDs are permitted to advertise that they

offer IV therapy, but they are not permitted to advertise specific IV recipes/compounded products or advertise IV therapy in relation to the treatment of specific conditions.

- Regarding aesthetic products such as Botox, NDs are permitted to advertise the brand name, generic name and common name of the product, and its price per given quantity of the product, but are not permitted to advertise these products in relation to the treatment of specific conditions.
- An ND's communication to the public, for example via a personal social media page, even if not intended as marketing may be subject to regulation if it is misleading or unbecoming to the profession.

Inducements to Treatment

- Inducements, enticements, and/or incentives to patients may interfere with patients' autonomy and naturopathic doctors' fiduciary responsibility. They put the public at risk because they may:
 - allow the self-interest of naturopathic doctors to displace their concern for patients' wellbeing,
 - minimize the inherent risk of treatment, whether this is understated by the naturopathic doctor or minimized in the mind of the patient, and thereby interfere with the patient's ability to give informed consent to treatment,
 - create an environment in which provision of services to patients unsuitable for those services is more likely, or
 - interfere with the naturopathic doctors' ability to maintain the confidentiality and privacy of patient information.
- Discounts per se do not conflict with the professional obligations of NDs. NDs are free to provide services gratis or at a reduced rate but should not include them in advertisements or as time-limited offers.

Examples of Inducements	
 <p style="text-align: center;"> A book to the 50th person to visit your promotional table Free meet and greet consultations Discounted fees for Students/Seniors Individual rate reductions </p>	 <p style="text-align: center;"> Gathering personal information for a draw to win a specific treatment Fees for services not rendered (gift certificates, card/bonus points) Serving alcoholic refreshments in treatment setting or informational setting Time limited discounts (25% of Myer's IVs on Mondays or Discount for the first 10 patients to book) </p>

References

- [Health Professions Act](#)
- [CNPBC Bylaws](#) , specifically section 100
- [Naturopathic Physicians Regulation](#)
- [CNPBC Practice Standard Use of Title](#)
- [Canadian Code of Advertising Standards](#)

Disclaimer

In the event of any inconsistency between this standard and any legislation that governs the practice of naturopathic doctors, the legislation shall govern.

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Effective Date: May 1, 2023

Pub. No. SOP-23-26