

Policy Statement 6.9 – Advertising in Dentistry

Position Summary

Advertising of dental services or treatment should provide patients with information regarding the provision of services. It should not be false, misleading or deceptive nor encourage unnecessary or inappropriate dental services, use testimonials, offer inducements or exaggerate the practitioner's skills or treatment results.

1. Background

- 1.1. Advertising by dentists for many years was restricted by Government legislation. Changes to laws have altered many of the previous restrictions on advertising for all health providers, giving dentists much wider opportunities to communicate directly with the public as outlined in the guidelines for advertising published by the Board.
- 1.2. The regulatory framework for advertising dental services includes the National Law, the Competition and Consumer Act 2010, and, at State and Territory level, the various Fair-Trading Acts. There are also responsibilities under common law.
- 1.3. The audience for advertising by dentists includes fellow members of their profession, allied dental personnel, other health professionals and the public. Significant numbers of complaints arise from unrealistic expectations generated by advertising.
- 1.4. The use of graphic or visual representations in dental advertising, such as before and after photographs of patients, diagrams or cartoons and testimonials have a significant potential to be misleading or deceptive and may convey inappropriately high expectations of treatment outcomes

Definitions

- 1.5. ADVERTISING is the attracting of attention to, and the provision of information about, a product or service by means of announcements, broadcasts, the internet, social media or printed material.
- 1.6. BOARD is the Dental Board of Australia.
- 1.7. DENTAL PRACTITIONER is a person registered by the Board to provide dental care.
- 1.8. NATIONAL LAW is the Health Practitioner Regulation National Law Act 2009 as in force in each state and territory.

2. Position

- 2.1. Dental legislation, administered by the Board and Australian Health Practitioner Regulation Agency, must include appropriate provisions, to ensure the legitimacy of the advertising to protect public health and safety and maintain public confidence in the dental profession.
- 2.2. Dental Practitioners need to make themselves familiar with their legal obligations so that any advertising complies with the statutory requirements of the relevant Federal, State and Territory legislation.
- 2.3. In advertising to the public, it should be recognised that the needs of patients are diverse and, therefore, the information provided may need to differ due to cultural, language, and knowledge differences. Advertising should assist patients in selecting a practitioner who provides services which meet their needs.
- 2.4. Advertising should include:
 - name and qualifications of the dental practitioner;
 - the practice name, contact details including the address, telephone number/s and, if applicable, email address and website;
 - a statement of the regular office hours of the practice and after-hours services if available;

¹ This Policy Statement is linked to other Policy Statement: *5.15 Consent to Treatment*

- a statement of the services provided;
- details of access for the disabled, and
- languages other than English spoken by the practitioner and/or staff.

2.5. Information presented in the advertising of dental services should:

- be presented in a manner which is accurate and balanced;
- be in terminology that is readily understood by the targets of the advertising;
- avoid the use of self-evident exaggeration;
- include any health risks or limitations in outcomes of the treatment; and
- include any warnings required by the Board.
- not include inducements

2.6. A dental practitioner must not claim expertise in a field of practice of dentistry unless the practitioner has the registration, skills, knowledge, training and/or qualifications necessary to practice in that field.

2.7. A dentist should only use the title dentist or dental surgeon or, if a registered specialist, the associated specialist title.

2.8. Dental practitioners should only use the titled defined by their registration.

2.9. This Policy should apply equally to any dental practitioner, dental company or dental entity.

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