

College of Audiologists and Speech-Language Pathologists of Ontario



Advertising Services as a Regulated Health Professional

Presenters

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Agenda

1. What you can do
2. What you can't do
3. Why
4. Questions

} scenarios

Disclaimer

1. Purpose is to help improve compliance and consistency
2. CASLPO does not provide legal advice

Setting the regulatory context



Advertising: Resources

Resources:

- ✓ Professional Misconduct Regulation ([here](#))
- ✓ Proposed Advertising Regulation ([here](#))
- ✓ Code of Ethics (By-law No. 2011-8 [here](#))
- ✓ Ex.press articles ([here](#))
- ✓ Social Media Module ([here](#))
- ✓ Practice Advice articles ([here](#))
- ✓ Contact the College ([here](#))



Resources/Ressources

Should there be differences in documentation previously distributed to CASLPO members, it is up to the member to source the latest version posted on the CASLPO website.

Lorsque les documents distribués aux membres de l'Ordre ont été mis à jour ou modifiés, il incombe au membre d'obtenir la dernière version affichée dans le site Web de l'Ordre.



What is an advertisement?



Advertisement

A representation to the **public** by **any means** for the purpose of **promoting** goods or services respecting the practice of the **profession**

[Proposed Advertising Regulation](#)



Advertisement

- newspaper or other publication
- radio, television
- internet, e-mail, social media or other electronic media
- notice, handbill, sign, catalogue, letter, brochure, billboard, poster or business card



Advertising Principles



Broad Principles:

- ✓ Ethical
- ✓ Professional
- ✓ Transparent
- ✓ Accountable

Advertising: Principles

- ✓ Nothing false or misleading
Be truthful and honest
- ✓ Verifiable
Cite your sources
- ✓ Nothing disgraceful, undignified, unethical or unprofessional
Messages represent you and the profession
- ✓ Readily comprehensible
How will the public receive your message?





Scenarios



Advertising: Scenario 1

I am an audiologist in private practice.



I always receive positive feedback from my patients and have new patients requesting reviews to decide whether they want to receive my services.

Is it okay to post the reviews on my website?

Advertising: Scenario 1

Is it okay to post the reviews on my website?



1. Yes

2. Yes, but with patient consent

3. No

Advertising: Scenario 1

Answer: **3. No**



- Regulated health care professionals in Ontario are not permitted to advertise testimonials or patient reviews
- This is the longstanding position of the Ministry of Health and Long-Term Care

Advertising: Scenario 1

Why?

Because . . .

They are influential

But . . . they are also subjective, unreliable, unbalanced, not representative of everyone's experience and cannot be verified.



Advertising: Scenario 1

What can I do instead



Explain why you can't use testimonials as part of your advertising

Advertising: Scenario 1

What you can say...



Regulated hearing healthcare practitioners (audiologists), are NOT allowed to post testimonials in their advertising.

Why can't audiologists use testimonials?

Because they are subjective, unreliable, unbalanced, not representative of everyone's experience and cannot be verified.



Advertising: Scenario 1

What you can say...



The **advantages** of choosing an **audiologist** are:

- ✓ Audiologists are **regulated**
- ✓ They are well educated: a **master's** degree or a professional **doctorate**
- ✓ They keep on **learning**: they must participate in **continuing education every year**
- ✓ You can make a **complaint** if you are not happy with the care you receive (i.e. accountable)

Advertising: Scenario 2

I am a private practice SLP.
I have spent a lot of time
and money obtaining
additional training in my area of practice.



I would like to advertise to current and future
patients about my area of clinical focus.

Can I advertise my additional training?

Advertising: Scenario 2

Can I advertise my additional training?



1. Yes

2. Yes, only if it is a university program

3. No

Advertising: Scenario 2

Answer: 1. Yes.



- You can advertise true statements about your training
- However, you are not permitted to frame this additional training as **specialist**, **expert** or **superior** to other members

“Subsection (2) shall not prohibit an advertisement that contains a statement that the member has additional training in a particular area of practice” ([Proposed Advertising Regulation](#))

Advertising: Scenario 2

Suggested terminology for your advertising:

- ✓ advanced training in...
- ✓ clinical focus on...
- ✓ area of practice in...
- ✓ additional training
- ✓ graduate of xyz program

The description of additional training should be easily understood by the public.



Advertising Scenario 3

I am an SLP who works exclusively in the area of voice. I am also a singing teacher and have taken my education one step further by training to become a singing voice specialist.



Can I use the term 'singing voice specialist' on my website?

Advertising: Scenario 3

Can I use singing voice specialist?



1. No member can use 'specialist' associated with the professions
2. Yes, you are a specialist in singing voice
3. No, you can only advertise SLP services

Advertising: Scenario 3

Can I use singing voice specialist?



Answer: **1. No member can use 'specialist' associated with the professions**

- CASLPO does not currently have specialty certificates
- As such, an advertisement with respect to a member's practice may **not** contain a reference to a **specialty**

Advertising: Scenario 3

What can I do instead



- You can add the information about your training
- Advertise that you are a graduate of the singing voice program

An economist is an expert who will know
tomorrow why the things he predicted
yesterday didn't happen today.
~ Laurence J. Peter



EngineerDiaru.com

Advertising Scenario 4

I am an audiologist and have recently completed a course in mindfulness. I think that these skills will greatly help patients with tinnitus.

Can I advertise that I have mindfulness training on my website?



Advertising Scenario 4

Can I advertise that I have mindfulness training on my website?

1. No, it has nothing to do with audiology
2. Yes, if there is evidence that it helps with tinnitus
3. Yes, it has nothing to do with audiology



Advertising Scenario 4

Answer: **2. Yes, if there is evidence that it helps with tinnitus**

You can advertise alternative approaches (mindfulness)

Remember . . .



“advertisement” means a representation to the public by any means for the purpose of promoting goods or services **respecting the practice of the profession**

Advertising Scenario 4

Answer: 2. Yes, if **there is evidence** that it helps with tinnitus

You can advertise alternative Approaches (mindfulness) as long as you follow the Position Statement



Guiding Principle 2:

When considering using a novel or alternative intervention practice, members should understand the rationale underlying the approach and **consider the evidence that exists regarding efficacy**

[Position Statement on Alternative Approaches to Intervention](#)

Advertising Scenario 5

As an audiologist I want to partner with a local golf club to advertise my clinic. The golf club will include my logo on their website and in return I will offer golf club members 10% off a hearing aids purchase.



Is this advertising relationship acceptable?

Advertising Scenario 5

Is this advertising relationship acceptable?

1. No, the golf club is an exclusive non-health organization
2. Not sure!
3. Yes, as long as you are transparent about your services

Advertising Scenario 5

Is this advertising relationship acceptable?



Answer: **3. Yes, however . . .**

- You must provide the same quality service as you would to patients paying full price
- You must not re-coup the 10% by hiding the cost in other service areas
- You are not paying the golf club for direct referrals

Advertising Scenario 6

I'm an SLP who has just started my own business. I share premises with a health hub (physio, dentist, massage, nutrition, counselling, and yoga).



Can I put up posters about my business and provide my business cards to other professionals in the hub to give to patients?



Advertising Scenario 6

Posters, business cards, educating other professionals - acceptable advertising?



1. Yes
2. No
3. Not sure!

Advertising Scenario 6

Posters, business cards, educating other professionals - acceptable advertising?



Answer: 1. Yes, you may advertise and promote your business as long as you adhere to CASLPO's principles and standards



Advertising Scenario 6

To build up my practice I want to offer my health hub colleagues a yoga session for every referral they send my way (the yoga teacher is my friend).



Is the gift of a yoga session acceptable promotion?

Advertising Scenario 6

Is the gift of a yoga session acceptable advertising?



1. Yes
2. No
3. Not sure!

Advertising Scenario 6

Is the gift of a yoga session acceptable advertising?



Answer: **2. No**

It is a **conflict of interest** for a member to accept or receive any benefit, directly or indirectly, or **confer any benefit**, directly or indirectly on, any person for the purpose of making or **accepting a referral** of a patient.

[Proposed Conflict of Interest Regulation](#)

Advertising Scenario 6

As an incentive, can I offer new patients a certificate for free coffee & muffin at the hub's café?



Is the gift of a coffee and muffin an acceptable promotion?

Advertising Scenario 6

Is the gift of a coffee and muffin to a new patient an acceptable promotion?



1. Yes
2. No
3. Not sure.

Advertising Scenario 6

Is the gift of a coffee and muffin an acceptable promotion?



Answer: **1. Yes**

However, with gifts, **context matters.**

Consider:

- Whether the gift is conditional on purchasing services
- Its relative value
- Who is giving it (clinic vs. the professional)
- How the patient will view the gift
- How it may affect the professional relationship

Advertising Scenario 7

I'm a member who owns my own clinic. I know about not posting testimonials on my clinic's Facebook page.

A patient, pleased with my care, wrote about their experience on their **OWN** Facebook page and tagged my clinic's Facebook page.



What should I do?

Advertising Scenario 7

What should I do about a tagged patient review?



1. Nothing – you didn't post the testimonial
2. Remove the tag
3. Take down your Facebook page

Advertising Scenario 7

What should I do about a tagged patient review?



Answer: **2. Remove the tag**

- If you are going to use social media in your advertising strategy you must **monitor** it on a regular basis.
- You can set your Facebook **not to allow** tagging without permission
- If it comes to your attention that a testimonial has been inadvertently posted, **un-tag** it.



Advertising Scenario 8

My employer has just launched a new advertising campaign that may contradict the College's proposed Advertising Regulation.



I'm a new employee and I'm not sure what I should do.

Advertising Scenario 8

What should I do about the advertising campaign?



1. Nothing, it's not within your control
2. Talk to your employer with suggestions for change
3. Notify the College.

Advertising Scenario 8

What should I do about the advertising campaign?



Answer: **2. Talk to your employer with suggestions for change**

- You are regulated and therefore **accountable**.
- Provide your employer with the [proposed Advertising Regulation](#) and other College resources.

Advertising Scenario 8

What should I do if my employer refuses to make changes?



Answer:

Have your employer contact the College so that they understand your obligation to comply with the advertising practice standards.

Summary



Advertising: Summary

- You are the regulated health care professional
- The public trusts the title of “Audiologist” and “Speech-Language Pathologists”
- With that trust comes responsibility to advertise in a way that is honest and clear to the public



Advertising: Summary

- Remember that it is important to be **proactive** about advertising concerns



- Contact **College staff** to discuss concerns and get support
- Engage with your employers' marketing efforts

Advertising: Summary

Most of the time it is clear what you can say or what you can't say . . .

when in doubt



stay away from the grey



Questions?



Thank you

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