

# Podiatrists Registration Board of Tasmania

## Policy on Advertising by Podiatrists

<b>Policy Number</b> 3/2006	<b>Date Implemented</b> 2 June 2006	<b>Last Review</b> N/A	<b>Review</b> June 2009
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### Background

Advertising of services by the various health professions has in the past been undertaken in accordance with 'professional ethics', which have been developed by each profession. In some instances legislative requirements have been strongly influenced by those 'ethics'. Recently, this influence has changed as a result of government initiatives in the area of micro-economic reform.

The Podiatrists Registration Act 1995 does not contain specific provision relating to advertising. This is because the Tasmanian Government considers that advertising is most appropriately addressed under relevant consumer affairs legislation.

The Board considers that it is essential that podiatrists in Tasmania are fully aware of the regulations and the ethical issues involved in advertising their services, and that podiatrists be clear as to the manner of advertising deemed both appropriate and inappropriate by the Board.

The Board considers that a policy should be in place to outline the minimum acceptable requirements for podiatrists registered in Tasmania. Non-adherence or breach of the policy may be grounds for a finding or professional misconduct for the purposes of the Act. The prime objective of this policy is to provide guidance to podiatrists in the advertising of the services they provide, and to prevent the placing of advertisements which mislead the public and lower professional standards.

### Policy

1. Advertising should be done in a manner that will serve the interests of the community, not denigrate the services provided by other podiatrists and be in accordance with professional standards.
2. A registered podiatrist may advertise podiatry services. Advertising, however, should not:
  - a) Be false;
  - b) Be misleading or likely to mislead;
  - c) Be deceptive, or likely to deceive;
  - d) Be harmful;
  - e) Claim or imply that any particular podiatrist is superior to any other podiatrist;
  - f) Be likely to bring the profession into disrepute.

3. For the purposes of paragraph 2, an advertisement shall be taken by the Board to be false, misleading or deceptive, or be likely to mislead or deceive if:
  - a. It contains a material misrepresentation of fact, or
  - b. Is likely to create an unjustified expectation of beneficial treatment.
4. In addition, an advertisement for podiatry services shall not indicate that a particular podiatrist practices at a premises unless the podiatrist regularly attends that premises in the course of his or her practice.
5. Podiatry as a profession in Tasmania does not have formal specialty areas apart from podiatric surgery. While there are clearly distinct areas of practice such as sports medicine, biomechanics etc. a process to establish specialty certification/registration under the Act does not exist.
6. It is unlikely that the use of the term 'specialist in' or 'specialising' in would result in a finding of professional misconduct. However, the Board recommends that podiatrists refrain from using credentials in advertising that may suggest specialisation. Rather than stating 'paediatric podiatrists' and more appropriate statement may be 'podiatrists with training and expertise in paediatrics'.
7. Use of acronyms in advertising material should be limited to qualifications or credentials that are well known to the public. For example acronyms may be used for academic qualifications. However it is considered that professional memberships should be stated in full i.e. Member of the Australian Podiatry Association (Tasmania)
8. A registered podiatrist shall keep a record of the details of each advertisement for podiatry services they have authorised, for a period of 12 months after the publication of the advertisement. Advertising which appears on an invoice, statement, order, letterhead, business card, cheque or similar document and used in the course of the business of providing podiatry services, is not included in such records.
9. In the case of any conflict or discrepancy between this document and the Act, the Act prevails.

Approved

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Chairperson