

# What is ethical and effective marketing?

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Early Careers Fundamentals workshop

[  ] I have no potential conflict of interest to report

**YOUR NEW YEARS  
RESOLUTION NOW!**

**GET THE LAP-BAND!  
WITH INSURANCE**

**1-800-GET-THIN**

**FREE INSURANCE VERIFICATION**

**(800-953-5000)**

You may be a candidate for the LAP-BAND® if your BMI is over 35 or between 30 and 40 with other specific medical conditions. The LAP-BAND® procedure may require follow-up care and re-evaluations. Consult your physician before deciding if the LAP-BAND® is right for you. For more information, visit [www.1800getthin.com/safety](http://www.1800getthin.com/safety).

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CLEAR CHANNEL



*New Dates!  
New Destination!*

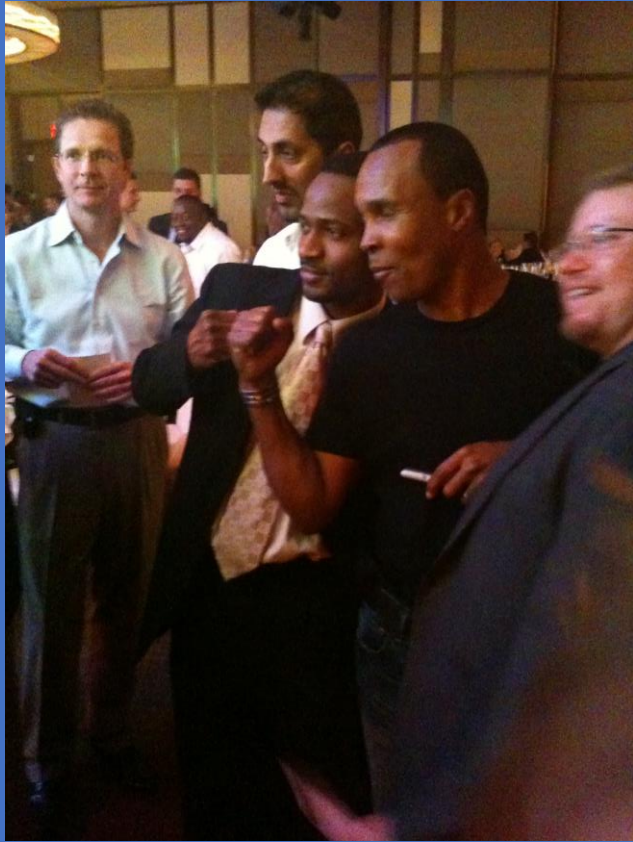
**27<sup>th</sup>** Annual Meeting, *June 21-26 in Las Vegas*  
at the new *Aria at CityCenter*

The graphic features a dark blue background with a gold and white wavy design. The ASMBS logo is in the top right. The text is centered, with the year '27th' in a large, stylized font. The dates and location are highlighted in a red oval.



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**Ahpra**  
& National  
Boards

## **Guidelines for advertising a regulated health service**

## 4.1 False, misleading or deceptive advertising

133 (1) *A person must not advertise a regulated health service, or a business that provides a regulated health service, in a way that—*

*(a) is false, misleading or deceptive or is likely to be misleading or deceptive*



Advertisers must not make false, misleading or deceptive claims in their advertising. To avoid being misleading and deceptive when advertising, advertisers should aim for the following:

- sell your professional services on their merits
- be honest about what you do and say in relation to your business practices
- be able to identify when published material falls under the definition of advertising
- be able to regularly check and maintain compliance of all your advertising
- look at the overall impression of your advertising.<sup>5</sup> Consider who the audience is, what the advertisement is likely to say or mean to them, and how easy it is for your audience to navigate and understand your advertising.

Advertising may be false, misleading or deceptive when it:

- misleads, either directly or by implication through the use of emphasis, comparison, contrast or omission
- provides partial information and/or omits important details
- uses scientific information that is inaccurate, unbalanced, not easily understood by the public, or does not clearly identify researchers, sponsors and the academic publication in which the results appeared
- makes statements about the effectiveness of the treatment that are not supported by acceptable evidence
- makes unqualified claims about the effectiveness of treatment by listing health conditions that a treatment or service can 'assist with' or 'treat'
- suggests a practitioner is a registered health practitioner or holds specialist registration, qualifications or an endorsement when they do not, by using a title and/or other means
- minimises, underplays or under-represents the risk or potential risk associated with a treatment or procedure
- compares health outcomes, regulated health professions or practitioners or prices without complete information
- makes claims about providing a superior regulated health service.

It is an offence to:

- Use language or images that mislead
- Unreasonable expectation of benefits of treatment
- Encourage health service that is not clinically indicated
- Claims not supported by evidence

Advertising is anything that promotes you or your practice or service

- Website
- Signage
- Brochures
- Print, radio, television

But also.....

- Social media posts
- Business cards
- Email signatures
- Letterheads
- Professional notices

## Claims about skills

- Can't claim you are the best or one of the best in your specialty
- Avoid comparisons between yourself and other healthcare providers

# Testimonials

- You cannot use testimonials about clinical aspects of your care
- Unedited, nonclinical testimonials are acceptable

# Photographs and images

- Beware of before and after images
- Real patients that have undergone the procedure advertised
- Consent



## Social media

- Can't repost compliments
- Don't encourage positive reviews
- Turn off comments?

## Rewards and inducements problematic

- Gift vouchers
- Discounts for referrals

Discounts for treatment are allowed as long as full cost of treatment is advertised and T and C's are clearly identified

# You are responsible

- Check prior to publication
- Regular review

## Advertising breaches can be costly

- AHPRA gives opportunity to correct
- Persistent and repeated breaches prosecuted
- Penalties up to \$60000 for individuals and \$120000 for companies

Step 1:  
Understand  
your target  
audience



Step 2: Build  
your  
practice's  
website



Step 3:  
Implement social  
media and  
targeted  
advertising  
campaigns



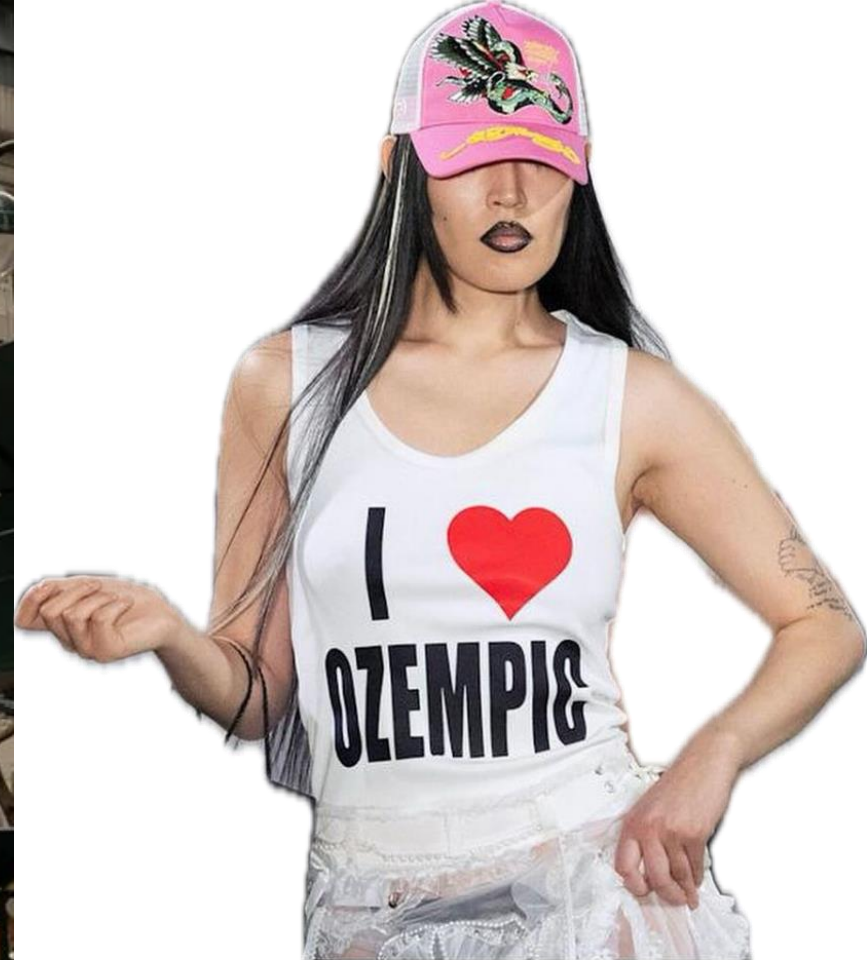
Step 4: Create  
engaging and  
informative  
content





## Step 5: Live events





impulsiona procura  
lores e causa muda

Thank you