

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 be accurate, clear and balanced.

1. Background

- 1.1. 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 and Drugs & Poisons legislation. The Therapeutic Goods Administration is responsible for regulating the advertising of therapeutic goods. There are also responsibilities under common law.
- 1.2. The audience for advertising by dentists includes fellow members of their profession, allied dental personnel, other health professionals, and the public. Complaints may arise from unrealistic expectations generated by advertising.
- 1.3. The use of graphic or visual representations in dental advertising, such as before and after photographs of patients, diagrams or cartoons and clinical testimonials have a significant potential to be misleading or deceptive and may convey inappropriately high expectations of treatment outcomes.

Definitions

- 1.4. 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.
- 1.5. BOARD is the Dental Board of Australia.
- 1.6. DENTAL PRACTITIONER is a person registered by the Australian Health Practitioner Regulation Agency via the Board to provide dental care.
- 1.7. 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. Information presented in the advertising of dental services should:
 - be presented in a manner which is accurate, clear and balanced;
 - be in terminology that is readily understood by the targets of the advertising;
 - not include clinical testimonials;
 - include any health risks or limitations in outcomes of the treatment;
 - be supported by good quality evidence;

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

- include any warnings required by the Board; and
 - not directly or indirectly encourage the indiscriminate or unnecessary use of health services.
- 2.5. 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.
- 2.6. Dental practitioners should only use the protected title defined by their registration (e.g, dentist, dental surgeon, dental hygienist, dental therapist, oral health therapist, dental prosthetist).
- 2.7. This Policy should apply equally to any dental practitioner, dental company, or dental entity.

Policy Statement 6.9

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