

## Professional Advertising

\*(This Practice Advisory replaces the advisory issued by the College in September 1998.)

*This Practice Advisory is intended to assist you in understanding your legal and professional responsibilities with respect to any advertising related to your dental practice. This advisory should be read in conjunction with the College's Practice Advisory on Practice Names.*

### What does RCDSO mean by professional advertisement?

Professional advertisement means any material related to your practice which is published, displayed, distributed or used, whether by you directly or by someone on your behalf. This includes:

- advertisements
- flyers
- websites
- advertorials
- newsletters
- business cards
- stationery
- logos
- signage
- announcements
- or other information related to the dentist/dental practice, regardless of the form or the manner of distribution.

### What is the purpose of the College's advertising regulations?

The basic intent of these regulations is to protect the public interest and to ensure that advertisements by dentists do not demean the integrity and dignity of the profession.



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## How do I ensure compliance with this regulation?

There is no substitute for reading and following the regulation itself; however, here are highlights of the relevant sections that may be of some assistance to you in complying with the requirements of the regulation.

1. Ensure that you personally control any and all printed and/or electronic material about your practice that is made available to the public.
2. Do not engage in advertising promotion that would result in the sharing or splitting of fees or payments to a third party that relate to the amount of business that you obtain as a result of an advertising or marketing campaign.
3. Do not include in your advertisement materials anything that would be considered by the College to be in violation of the advertising regulation. This includes using:
  - statements which are unclear, untrue or misleading;
  - statements which are indicative of superiority or uniqueness;
  - statements which suggest or create an expectation of favourable results or appeal to the public's fears;
  - testimonials or any statement that can only be verified by a person's personal feelings or views;
  - incentive programs, including giveaways, contests, draws or free products or services;
  - reference to your continuing education, or membership or positions at the College or in societies, associations, academies or similar institutions;
  - reference to any degrees or diplomas other than those relating to the degrees or diplomas required for you to obtain a certificate of registration from this College;
  - superlative or comparative terms, such as "state of the art," "cutting edge" or any other words or phrases to suggest a higher quality in relation to services, equipment, technology used, or products or persons providing the services.
4. If your advertisement makes any reference to an area of dental practice, a dental procedure or treatment, you must clearly disclose whether you are registered with the College as a general practitioner or a specialist; and if a specialist, in which specialty.
5. There is nothing to prevent you from advertising a fee; however, if you do so, you must keep in mind the following:
  - The fee must be clearly stated so that anyone reading the advertisement will know what you are offering.
  - Unless otherwise specified, the advertised fee would be the maximum fee inclusive of all services, including laboratory costs. The advertised fee would be applicable to all patients, whether or not they were aware of the advertisement and whether or not they had dental insurance coverage.

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## For more information

The College will offer advice about any proposed advertisement. If you wish to use this service, please send a copy of the proposed advertisement to the College by email at [info@rcdso.org](mailto:info@rcdso.org) or by fax at 416.934.5617.

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**ONTARIO REGULATION 220/94** Relevant sections of the Professional Misconduct Regulations include the following:

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Excerpt from Ontario Regulation 853/93 made under the Dentistry Act, 1991, section 2, paragraphs 60 to 61.

2. The following are acts of professional misconduct for the purposes of clause 51 (1) (c) of the Health Professions Procedural Code:

60. Publishing, displaying, distributing, or using or causing or permitting, directly or indirectly, the publication, display, distribution or use of any advertisement, announcement or information related to a member's practice, which,
- i. as a result of its content or method or frequency of dissemination, may be reasonably regarded by members as likely to demean the integrity or dignity of the profession or bring the profession into disrepute,
  - ii. includes information that,
    - A. is false, misleading, fraudulent, deceptive, ambiguous or confusing or likely to mislead or deceive the public because, in context, it makes only partial disclosure of relevant facts,
    - B. is not relevant to the public's ability to make an informed choice, or
    - C. is not verifiable by facts or can only be verified by a person's personal feelings, beliefs, opinions or interpretations,
  - iii. makes comparisons with another practice or member or would be reasonably regarded as suggestive of uniqueness or superiority over another practice or member, or
  - iv. is likely to create expectations of favourable results or to appeal to the public's fears.

61. Publishing, displaying, distributing, or using or causing or permitting, directly or indirectly, the publication, display, distribution or use of any advertisement, announcement or information related to a member's practice, which makes reference to any area of practice, dental procedure or treatment unless the advertisement, announcement or information discloses whether the member is a specialist or a general practitioner and, if a specialist, in what particular specialty. O. Reg. 853/93, s. 2; O. Reg. 220/94, s. 1.



**Royal College of  
Dental Surgeons of Ontario**

*Ensuring Continued Trust*

6 Crescent Road  
Toronto, ON Canada M4W 1T1  
T: 416.961.6555 F: 416.961.5814  
Toll Free: 800.565.4591 [www.rcdso.org](http://www.rcdso.org)