

Media statement

7 March 2013

Board confirms online comment not always advertising

The Medical Board of Australia has moved to clarify the difference between advertising and online comment.

Medical Board of Australia Chair, Dr Joanna Flynn AM, said the recent release of revised advertising guidelines and a new social media policy – to come into effect on 17 March 2014 – had triggered lively debate online.

“It’s great that doctors are engaging with their regulatory responsibilities and wanting to make sure that how they practice meets the expectations of the Board,” Dr Flynn said.

“But there is a clear difference between advertising – which requires an intent to promote the health services – and unsolicited online comment over which practitioners do not usually have control,” she said.

The National Law prohibits the use of testimonials in advertising a regulated health service, which means a service provided by or usually provided by a registered health practitioner.

The advertising guidelines apply to testimonials in the context of advertising - when testimonials are used to advertise or promote a regulated health service. The clearest examples are when practitioners use testimonials in a print or television advertisement or to promote their services on their own website.

The Board expects practitioners to take reasonable steps to remove testimonials they are using to advertise or promote regulated health services they provide, or when the testimonials are used by someone advertising the regulated services on their behalf. (This could be a third party who is advertising the services the practitioner provides at the practitioner’s request).

But the Board recognises that practitioners are unable to control what is written about them in a public forum.

The Board does not expect practitioners to actively monitor internet sites. We do expect them to ensure that their own advertising, or that done by others on their behalf, meets the Board's standards.

When a practitioner has been advised by AHPRA that it considers any advertising to contravene the National Law, we expect the practitioner to take reasonable steps to ensure the advertising is removed.

For more information

- Visit www.ahpra.gov.au under *Contact us* to lodge an online enquiry form
- For registration enquiries: 1300 419 495 (within Australia) +61 3 8708 9001 (overseas callers)
- For media enquiries: (03) 8708 9200