

## **ADVERTISING AND PUBLICITY**

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It is the position of the North Carolina Board of Chiropractic Examiners that advertising or publicity that is deceptive, false, or misleading constitutes unprofessional conduct under the Chiropractic Practice Act.

The term “advertising” includes oral, written and other types of communication disseminated by or at the direction of a licensee for the purpose of encouraging or soliciting the use of the licensee’s services. **At issue is whether a member of the general public would be confused or deceived by the advertising in question.**

The following general principles are intended to assist licensees in meeting the Board’s expectations:

- (1) advertisements should not contain false claims or misrepresentations of fact, either expressly or by implication;
- (2) advertisements should not omit material facts; and
- (3) licensees should be prepared to substantiate claims made in advertisements.

Licensees should avoid advertising and publicity that creates unjustified medical expectations, that are accompanied by deceptive claims, or that imply exclusive or unique skills or remedies. Similarly, a statement that a licensee has cured or successfully has treated a large number of patients suffering a particular ailment is deceptive if it implies a certainty of results and/or creates unjustified or misleading expectations. When using patient photographs, they should be of the licensee’s own patients and demonstrate realistic outcomes. Likewise, when a change of circumstances renders advertising inaccurate or misleading, the licensee is expected to make reasonable efforts to correct the advertising within a reasonable time frame.

The advent of the Internet and the proliferation of websites purporting to “rate” healthcare providers mean that licensees cannot always control information about themselves in the public domain. However, a licensee is expected to exercise reasonable efforts to bring about the correction or elimination of false or misleading information when he or she becomes aware of it.

Business letterheads, envelopes, cards, similar materials, websites and social media platforms are understood to be forms of advertising and publicity for the purpose of this Position Statement.

***\*Nothing in this Position Statement shall alter the lawful requirements of N.C.G.S. § 90-142, 90-154, 90-154.1, 90-154.2, 90-154.4, or scope of practice of chiropractic as defined in N.C.G.S. §90-143 or the extent and limitation of license as defined in N.C.G.S. §90-151.***