



Aboriginal and Torres Strait
Islander Health Practice
Chinese Medicine
Chiropractic
Dental
Medical
Medical Radiation Practice
Nursing and Midwifery
Occupational Therapy
Optometry
Osteopathy
Pharmacy
Physiotherapy
Podiatry
Psychology

Australian Health Practitioner Regulation Agency

Media statement

17 February 2014

National Boards confirm testimonials out

National Boards in the National Registration and Accreditation Scheme (the National Scheme) have revised the advertising guidelines that set down the Boards' expectations of registered health practitioners in relation to advertising.

The *Guidelines for advertising regulated health services* were reviewed as part of a routine three-year review. National Boards have consulted widely with the community and the professions on the guidelines. Revisions to the guidelines were informed by three years' experience with the current guidelines.

The current guidelines remain in place until new guidelines come into effect on 17 March 2014.

In relation to advertising, practitioners need to comply with the guidelines, the code of conduct for their profession and the advertising requirements detailed in section 133 of the Health Practitioner Regulation National Law, as in force in each state and territory (the National Law).

A breach of the advertising requirements in the National Law is an offence and carries a maximum fine of \$10,000 for a body corporate or \$5,000 for an individual per offence.

A breach of the advertising requirements in the National Law by a registered health practitioner may also constitute unprofessional conduct and/or professional misconduct and can be dealt with by the National Boards through the disciplinary mechanisms available under the National Law. This can lead to restrictions on the practitioner's registration and ability to practise.

Section 133 (1)(c) of the National Law specifically rules out the use of testimonials when advertising a regulated health service, or a business that provides a regulated health service.

The use of reviews in advertising of regulated health services is acceptable only when they comment on non-clinical issues, regardless of whether the review is positive, negative or neutral. Reviews must not contain statements about the quality of clinical care received from the regulated health practitioner, business and/or service.

The statutory offences unit of the Australian Health Practitioner Regulation Agency (AHPRA) manages breaches of the advertising guidelines and the advertising requirements of the National Law.

AHPRA CEO Martin Fletcher said the expectations of National Boards in relation to advertising were clear.

'The focus of regulation is to protect the public. In relation to advertising our priority is making sure consumers have access to clear information so they can make informed choices about their healthcare without being rushed to make decisions in haste,' Mr Fletcher said.

'The National Boards support informed decision making by consumers and we will take action as needed to support that,' he said.

Our work managing advertising complaints in 2012/13 is detailed in the [2012/13 Annual Report](#), from page 108.

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