

## Is your advertising compliant?

AHPRA and the Board are concerned about the number of advertising complaints about osteopaths. The [Guidelines for advertising of regulated health services](#) and requirements of the National Law are unchanged, and we are continuing to provide guidance to advertisers, including registered practitioners. In this bulletin we have drawn on examples and advice on what is likely to be acceptable or not acceptable in advertising osteopathy. We hope this is useful when looking at your own or others' advertising. Ultimately, regulating advertising is about protecting the public and public safety.

An advisory group of people who hold responsible positions in the three university osteopathy programs and the two professional associations in Australia met recently to consider claims made in de-identified advertising and provide advice to the Board. The group was not focussed on any particular technique or approach.

This clarification of the advertising guidelines is based on the deliberations of the Osteopathy Board and the Statutory Offences Unit as well as the advice provided by the advisory group. Reading and understanding this information can count towards your continuing professional development (CPD) as one of the mandatory topics – see the [CPD guidelines](#) for further details.

## The use of titles

### Context

Under the National Law, there is no specialist registration for osteopathy, and the title 'specialist' is restricted. It is therefore unlawful for osteopaths to call themselves specialists or imply that they are specialists in their advertising.

### Acceptable use of title

All registered osteopaths can use the title 'osteopath' in their advertising. It is also acceptable to list credentials and recognised qualifications in advertising.

### Unacceptable use of title

It is not acceptable to claim specialisation or using words such as 'specialist', 'specialty' or 'specialise' (or any other words deriving from 'special') as it may give the impression that an osteopath is a specialist in a particular area, which is contrary to the advertising provisions of the National Law. However, an osteopath could reasonably say they have an 'interest', 'experience' or 'predominantly practise' in an area of clinical practice.

## Advertising of osteopathic services

### Context

Under section 133 of the [National Law](#), it is an offence to advertise regulated health services in a way that is false, misleading or deceptive or is likely to be misleading or deceptive.

### Acceptable and unacceptable advertising

Care must be taken with certain words in advertising.

1. **The word 'cure'**. An example of the acceptable use of the word would be 'I cannot cure arthritis but I may be able to reduce the severity of the symptoms'. It is unacceptable to state that osteopathic treatment or a particular osteopathic approach can cure any condition. Not all improvement can necessarily be attributed to osteopathic treatment, relapses frequently occur and the response to treatment varies considerably from individual to individual.
2. **The words 'can help/improve'**. Where there is substantive or good quality evidence that osteopathic treatment can help certain conditions, it is acceptable to state something like 'osteopathic treatment or a particular osteopathic approach can help/improve these conditions'. Where there is limited or inconclusive evidence that osteopathic treatment can help certain conditions, it is unacceptable to state that osteopathic treatment can help/improve these conditions. In such circumstances, it is acceptable to state that osteopathic treatment or a particular osteopathic approach may/might help or improve certain conditions.
3. **The word 'safe'**. It is acceptable to state something like 'osteopathic treatment is generally considered safe but occasionally it may cause adverse reactions in some people'. It is unacceptable to state that osteopathic treatment or a particular osteopathic approach is safe without also acknowledging that all forms of osteopathic treatment have the potential for adverse reactions.
4. **The word 'effective'**. Where there is substantive or good quality evidence that osteopathic treatment can help certain conditions, it is acceptable to state something like 'osteopathic treatment or a particular osteopathic approach has been shown to be effective for the treatment of these conditions'. Where there is limited or inconclusive evidence that osteopathic treatment has been shown to be effective in the management of certain conditions, it is acceptable to state something like 'osteopathic treatment or a particular osteopathic approach may be effective in the management of certain conditions'.
5. **The words 'non-invasive'**. It is unacceptable to use these words in relation to the advertising of internal techniques, intra-oral techniques or needling procedures.

## Previous advertising messages from the Board

The Board has written about its expectations regarding advertising in previous issues of its newsletter. Links are included below.

- You should not advertise treatments or make claims for treatments unless there is an [evidence base](#) to justify what you say.
- You should not use testimonials, [time limited offers](#) and discounts.
- You cannot use the term '[specialist](#)'.
- You should seek [advice](#) on advertising.

## Transition period for amending advertising

Practitioners will have a reasonable transition period from the date of publication of this bulletin to fix up their print and electronic advertising. The Board and AHPRA recognise the practical implications of amending advertising and the time it takes will vary, depending on the type of advertising.

## Complaints about advertising

Complaints about the advertising of registered osteopaths are managed by AHPRA on behalf of the Board under Part 7 of the National Law (Offence complaints).

Offence complaints are dealt with by AHPRA Legal Services in the relevant state/territory. Practitioners who breach the guidelines and/or the National Law will initially receive a letter from AHPRA asking them to amend or remove their advertising so as to comply with Part 7 of the National Law and the advertising guidelines. If a practitioner fails to comply with a first warning letter, a second letter will be sent to them. If the practitioner again fails to amend or remove their advertising the matter will be referred to the Statutory Offences Unit, to consider whether it is appropriate for prosecution.

The first place to go to lodge a complaint about advertising is to AHPRA's website under the [Notifications](#) tab.

