



Natural Health Practitioners of Canada
Praticiens de la Santé Naturelle du Canada

Guidelines for Ethical Advertising

January 2020

Table of Contents

WHAT IS ADVERTISING	2
ETHICAL ADVERTISING	2
1. Public Interest	2
2. Factual Advertising	2
Title Protections	3
Modality Trade or Service Mark	4
Testimonials	4
Incentives and Discounts	4
3. Fair Access to Treatment	4
4. Canadian Code of Advertising Standards	5
5. Client-centered Focus	5
Extended Health Benefits	5
6. Privacy	6
7. Canada’s Anti Spam Legislation	6
8. Integrity of Holistic Health Professions	7
9. Professional Accountability	7
Social Media	8
CONTACT INFORMATION	9

What is Advertising?

Advertising is the use of space or time to communicate with the public, including the use of internet, radio, television, or printed publications. Examples of professional advertising include:

- websites
- social media
- newsletters
- flyers and pamphlets
- business cards
- business logos and signage
- online directories
- classifieds (online and print)

Ethical Advertising

Professional advertising aims to increase revenue through the paid promotion of a product or service. However, advertising of a holistic health practice by a practitioner must prioritize the ethical requirements of that profession.

All NHPC members must read and comply with the Association's Code of Ethics as a condition of membership. The Code of Ethics is the central document that guides all aspects of a member's practice, including advertising. Ethical advertising demonstrates commitment to public interest, clients, and the integrity of the profession.

The following guidelines are based on the NHPC Code of Ethics and provide information on the ethical and legal obligations of professional advertising.

1. PUBLIC INTEREST

Advertising by holistic health practitioners must serve public interest by including accurate information that allows the public to make informed decisions about health and wellness treatments. Practitioners complete specialized training and are accepted as experts in their field by the public; therefore, it is their duty to respect the imbalance of knowledge between them and the public by sharing accurate information.

The applicable NHPC Code of Ethics standards that relate to the public interest are:

- beneficence #1: respect the inherent worth and dignity of each and every client and demonstrate respect for the rights of all persons
- beneficence #2: recognize that the principle objective of Natural Health practices is to serve the health needs and best interests of the client

2. FACTUAL ADVERTISING

Advertising of a holistic health practice must be factual, accurate, and clear. The applicable NHPC Code of Ethics standards that relate to factual advertising are:

- non-maleficence #3: refrain from falsely advertising services through any medium or forum of public communication in an untruthful, misleading, or deceptive manner
- non-maleficence #5: represent honestly the benefits and limitations of treatment
- non-maleficence #6: only provide natural health services within the scope of the practitioner's competencies

Advertisements of holistic health practices and businesses may include:

- general information about a professional practice, including: practitioner's names, location, business hours, and contact information
- educational qualifications of the practitioner
- information on the types of services offered within the scope of the practitioner's practice
- evidence-based information on the benefits of the service(s) provided

Advertisements of holistic health practices and businesses **MUST NOT**:

- make a claim or a guarantee about a treatment that is false, misleading, exaggerated, or which cannot be verified by reliable evidence (e.g. massage therapy can cure chronic illness such as cancer)
- create unreasonable expectations of treatments
- promote services outside the practitioner's scope of practice, including nutritional advice and counseling

Title Protections

All members must be aware of the title protections and trademarks designated to regulated health professions in their province. Regulatory colleges have the authority to investigate the use of protected titles by non-registered practitioners and may proceed with a court injunction or prosecution if titles are misused.

Members registered with a regulatory college are advised to consult the college directly to ensure title usage in advertising is in accordance with provincial legislation. Members who practise a non-regulated profession or who practise in a non-regulated province should only use titles or credentials that are accurate.

Modality Trade or Service Mark

The NHPC recognizes several modalities that are trademarked or have a service mark. Advertisements that include promotion of these modalities can only be used by members who have completed recognized programs of study and have fulfilled any other conditions set out by the regulating body.

Testimonials

If advertisements include a testimonial, it should be genuine (i.e. made by real clients), current, and honest. Members should seek the client's consent prior to publishing any testimonial.

Incentives and Discounts

Advertising may include an incentive or discount as a promotion. In this case, the advertisement must include information on the terms and conditions of the promotion.

3. FAIR ACCESS TO TREATMENT

Reflecting NHPC's core values of choice and inclusivity, advertising must promote fair access to holistic health care services to all Canadians. Advertising cannot include any statement, position, or depiction that is discriminatory (i.e. an action or a decision that treats a person or a group negatively for reasons such as their gender, ethnicity, age, or disability).

In Canada, human rights are protected by federal, provincial, and territorial laws and include fair access to services and products regardless of citizenship, creed, gender, sexual orientation, age, marital status, family status, or disability. The applicable NHPC Code of Ethics standards that relate to fair access to treatment are:

- beneficence # 12: recognize the responsibility of the profession to promote fair access to the Profession's services
- non-maleficence #10: in providing Natural Health services, refrain from discriminating against any client on such grounds as age, gender, marital status, medical condition, national or ethnic origin, physical or mental disability, political affiliation, race, religion, sexual orientation, or socio-economic status

4. CANADIAN CODE OF ADVERTISING STANDARDS

Advertising a holistic service or business should comply with the Canadian Code of Advertising Standards, which sets the criteria for acceptable advertising. The Code details ethical considerations that are used to assess advertisements, including:

- accuracy and clarity
- disguised advertising techniques that conceal its commercial intent
- deceptive price claims or discounts
- bait and switch
- fully explained guarantee or warranty
- comparative advertising that unfairly discredits, disparages, or attacks one or more products or services
- genuine testimonials
- professional or scientific claims cannot be distorted
- misleading imitations
- disregard for safety
- exploitation of fear
- promotion of products inappropriate for children
- advertising that may harm or exploit a minor

A full copy of the Code is available on the Ad Standards website: adstandards.ca/code/

5. CLIENT-CENTRED FOCUS

The primary purpose of a therapeutic relationship between a client and practitioner is to serve the health and wellness of the client. Advertising of a holistic business or service must not serve the self-interest of the practitioner over the client.

The applicable NHPC Code of Ethics standards that relate to client-centered focus are:

- non-maleficence # 1: place the well-being and best interests of the client first and foremost and provide competent, conscientious, and diligent care with compassion and due regard for the client at all times
- non-maleficence # 12: treat all clients with respect; refrain from exploiting them for personal advantage, whether physical, sexual, emotional, religious, financial, or for any other reason

Extended Health Benefit Plans

Advertisements may include information about insurance providers that recognize the practitioner as an eligible provider as well as the member's eligibility for direct billing. All information about third-party insurance

coverage must be accurate and complete. Because insurance coverage varies across providers and sponsors, the information included in advertisements must be communicated in a way that does not mislead a current or potential client.

It is a member's duty to place the benefit and well-being of the public before revenue. Advertisements should not promote the unnecessary or excessive use of holistic health care services. Advertising should also not encourage clients to abuse their benefits. Reimbursement for treatments is contingent on the medical necessity of the service. Insurance companies will investigate excessive use of benefits which could potentially lead to the loss of coverage for the client. For example, advertising at the end of the year which encourages clients to use up their benefits is not ethical or in the best interest of the client.

6. PRIVACY

NHPC members have a legal and ethical obligation to respect the privacy of clients, extending to all areas of business practice, including advertising. The personal information of a client collected during the provision of services must be kept confidential and should not be included in any form of advertising. All clients are entitled to the protection of personal privacy, including notable and famous individuals.

Special consideration needs to be taken to ensure any photos or videos of the practice do not reveal the identity of any client. If a client agrees to be included in practice advertising, written consent that includes the purpose and application of advertising should be obtained in order to ensure transparency.

The applicable NHPC Code of Ethics standards that relate to client privacy are:

- non-maleficence # 19: respect the client's right, subject to applicable privacy legislation, to control the collection, use, disclosure of and access to his or her information, and practise within relevant laws, governing privacy, and confidentiality of personal health information
- non-maleficence # 20: share client information only with the client's informed consent or as may be legally required or failure to disclose would cause significant harm

7. CANADA'S ANTI SPAM LEGISLATION

Canada's Anti Spam Legislation (CASL) is federal legislation that protects Canadians from spam and related online threats. It has been in effect since 2014.

CASL applies to all commercial electronic messages, including email and text, distributed for the purpose of promotion. To comply with CASL, members must:

- obtain the client's consent to send them commercial electronic messages

- maintain records of the client's consent, including the provisions for which the client provided consent
- allow clients to unsubscribe from all commercial electronic messages and communications, and process requests to unsubscribe within 10 days

The penalties imposed on businesses that violate CASL include fines up to \$10 million per violation. For more information on CASL visit: fightspam.gc.ca

8. INTEGRITY OF HOLISTIC HEALTH PROFESSIONS

NHPC members are representatives for the Association and holistic health professions. As public awareness of holistic health practices increases, there is an increased responsibility for practitioners to demonstrate high standards of professionalism. Advertisements of a professional practice should demonstrate personal integrity and collectively elevate the status of the profession.

Professional advertising must be in good taste and should not discredit, disparage, or attack other professionals, products, services, or companies.

The applicable NHPC Code of Ethics standards that relate to practitioner integrity are:

- beneficence# 4: conduct themselves with honesty and protect their personal integrity in all professional relationships
- beneficence # 7: nurture the culture of Natural Health by recognizing the contributions and accomplishments of Natural Health practitioners

9. PROFESSIONAL ACCOUNTABILITY

Professional advertising is an extension of professional reputation, and members are accountable for the promotion of their practice. Members are responsible for any advertising of their practice, even if an outside party has been contracted to market the business. Oversight and awareness of the promotion of a business is necessary to ensure advertisements adhere to the NHPC Code of Ethics.

Members who are employed or working as an independent contractor at any facility must ensure that the advertising and online presence of the business is professional. It is good practice to research the facility name, phone number, and address online to ensure that no questionable search results appear. Working at a location with unprofessional search results can damage individual professional integrity due to the practitioner's relationship with the business.

A practitioner's online presence includes all practising locations that are associated with the member. There have been a growing number of health and spa establishments across Canada that operate as non-therapeutic

parlours and offer sexual services in lieu of or in conjunction with a holistic or spa service. Advertisements for these businesses use suggestive language, inappropriate photos, and are featured on adult service review forums. All members are cautioned to be extremely vigilant in vetting any new potential practice locations.

Professional advertising **does not** include:

- any sexual content or innuendo, including images or language of a sexual nature, such as describing the physical attributes of a therapist, including a photo of a therapist in unprofessional attire, indicating an all female staff, or stating a therapist's ethnicity
- the use of emojis (frequently used in advertising of non-therapeutic services)
- slang or language which has a sexual connotation (e.g. 4 hands massage, sensual)
- hours of operation outside of what is appropriate for a legitimate health-based business (e.g. operations that extend past 9 p.m.)

The applicable NHPC Code of Ethics standards that relate to professional accountability are:

- non-maleficence # 24: refrain from participating in any form of deprecatory behaviour that demonstrates a lack of respect for client, colleagues, the profession, or the general public
- non-maleficence # 26: refrain from any and all conduct or behaviour that diminishes the credibility and honour of the profession

Social Media

Practitioners commonly use social media to advertise their services. To ensure compliance with the NHPC Code of Ethics when using social media, members must:

- Maintain defined professional boundaries by keeping business accounts separate from personal accounts and establishing clear boundaries between the two (e.g. do not accept a client's "friend" invitation on a personal Facebook account)
- Think twice before posting, responding to comments, or clicking "like" on both personal and professional social media platforms. Consider whether what you post or "like" will reflect badly on you, your business, or your profession. To protect your reputation, consider asking others not to tag you in any photos without your permission
- Never identify clients online, either by name or any other information that could potentially identify them. This is a violation of client privacy and a breach of relevant privacy legislation that could potentially lead to lawsuits and professional disciplinary action
- Avoid negative comments about colleagues, employers, and clients which could lead to civil actions such as defamation of character
- Be aware of your clinic's policies regarding the use of social media. If you are the business owner, spend time developing policies around this topic for your staff members to follow

Contact Information

If you have questions or concerns about the Association's Ethical Advertising Standards, please contact:

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