

# Advertising your additional qualifications

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Advertising of a health professional's credentials is strictly regulated with the aim of protecting both the patient's and the health professional's rights. The same ethical principles govern all forms of advertising, whether published in print, electronic or other media. Health professionals must refrain from self-promotion. Unethical behaviour such as the canvassing and touting for patients is strictly forbidden by the HPCSA.<sup>1</sup> Nowadays, however, advertising on the Internet has become a norm and every dental practitioner is ethically and legally responsible for his or her online websites. This is made clear by the HPCSA who state "if a health care professional chooses to make known that he or she practices in a specific field, the health care professional assumes a legal and ethical responsibility for having acquired a level of professional competence within the field of expertise which must be demonstrable and acceptable to his or her peers". By advertising services that one is not trained to provide, the principle of non-maleficence (do no harm) becomes significant.

Irrespective of the manner in which the advertisement is depicted, the advertisement must "not be unprofessional, untruthful, deceptive or misleading...".<sup>2</sup> The principle of veracity is key to the claims made. This principle expresses the concept that professionals have a duty to be honest and trustworthy in their dealings with all patients including the primary obligations of respecting the position of trust inherent in the dentist-patient relationship, communicating truthfully without deception and maintaining intellectual integrity.

General dental practitioners should be aware about misleading the public on websites and to be careful about representation, either expressed or implied, regarding specialisation in a specific area. According to the HPCSA, a "specialist is a dentist who registered as a specialist in a specialty or related specialties and subspecialty (if any) recognised in terms of the regulations and who confines his or her practice to such specialty or related specialties and subspecialty (if any)." In addition, a practitioner is entitled to insert on his or her professional stationery (i) specialty or subspecialty or field of professional practice (if any) and (ii) registered qualifications or other academic qualifications or honorary degrees in abbreviated form. However, fellowships of associations rather than formal academic postgraduate training may mislead the public as it may create an unjustified expectation and indicate the attainment of education or skills in the field of dentistry, if it is not subject to reasonable substantiation. Claims of superiority whether through the use of titles, professional attainments, personal qualities, superior knowledge or quality of service may be construed as unprofessional conduct when

the same quality of services can be rendered by practitioners practising in the same field.<sup>1</sup>

The HPCSA guidelines, Section 27: Specialists 27.1 Rule 25 in terms of s67 (f) dealing with regulations of the Health Professions Act 56 of 1974 state that "A medical or a dental specialist shall adhere to the regulations made under section 61(1)(f), relating to the conditions of practising as a specialist." The regulations are as follows:

- (i) the registration in terms of section 35, of the specialties or categories of registered persons;
- (ii) the requirements to be satisfied, including the experience to be obtained, the nature and duration of the training to be undergone and the qualifications to be held by persons before any specialty or category may be registered;
- (iii) the circumstances under which any applicant for the registration of a specialty shall be exempted from any of such requirements;
- (iv) conditions in respect of the practices of persons whose specialties or categories have been registered, including conditions restricting the practice of any such person to the specialty or category registered in his or her name."

Non-health related degrees, honorary degrees or titles used in advertising services may mislead the public who may assume the degree is related to the qualifications of the dentist as a dental practitioner. Such extraneous data should be avoided in any advertisement. A title may distinguish a practitioner for his services to the profession or to the community, but does not necessarily represent greater skill or further education. The respect for patient autonomy requires one to tell the truth. Deceiving patients about what one is able to offer him/her shows a lack of respect for patients and their autonomy. In addition, it is an infringement of their rights and the principle of justice is also violated if a sense of fairness does not prevail. Beneficence refers to doing good and the active promotion of goodness, kindness and charity.<sup>3</sup> In acquiring the knowledge and skills we claim to possess and providing these to the patient, the obligation of beneficence is satisfied. However, this principle is clearly breached if a dentist makes unjustified claims to be able to provide 'extraordinary' care in addition to general dental care if he/she lacks the knowledge and skills to do so. Furthermore, by advertising services that one is not trained to provide, the risk-benefit ratio is affected and the concept of harm to the patient and the principle of non-maleficence (do no harm) becomes significant.

## References

1. Govan P. Advertising and promotion by dentists. SADJ 2009; 64(9):386-7.
2. Department of Health. Health Professions Act, 1974 (Act No. 56 of 1974). No. R.68 Ethical rules of conduct for practitioners. Registered under the Health Professions Act, 1974: Amendment. Government Gazette, February 2009, Pretoria.
3. Beauchamp TL, Childress JF. Principles of Biomedical Ethics. New York: Oxford University Press, 2001.

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