



# Guidelines for Promotion and Advertising

## Introduction

The College of Dietitians of Alberta prohibits the use of individual client “testimonials” in advertising dietetic services.

A **Testimonial** refers to “a published endorsement by an individual *patient/client* about the skills and qualities of a regulated member.”

Use of client testimonials, as defined, is not in line with several aspects of ethical and professional dietetic practice. One aspect of the College’s *Code of Ethics* indicates:

### 3.7 Advertising / Promotion and Endorsement

(1) The dietitian does not engage in any form of advertising/promotion or endorsement of products and services that:

- (b) makes statements or claims that are false, misleading, inaccurate or unverifiable;
- (c) creates an unjustified expectation about the results that can be achieved.

The use of testimonials in advertising and promoting one’s business may touch on or impact these and other aspects of ethical and professional practice including: integrity of the profession; honest, accurate, professional use of information; client consent; client privacy of health information; perceived or real conflicts of interest; managing professional-client boundaries; selection bias and evidence-based practice, including verifiable, appropriately sampled data.

Testimonials are usually a personal opinion, testament or statement from an individual patient/client related to clinical or direct patient/client care or services they have personally received by the Registered Dietitian (RD).

## Potential areas of ethical and/or professional concern

The College acknowledges the growth in private practice dietitian business in Alberta, and with that the changing environment including access to credible information and the increase in the number of other individuals providing nutrition advice. Registered Dietitians must be visible and accessible to clients to guide and support evidence-based nutrition practices.



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The College also relies on the RD's professional judgment to do what is in the best interest of clients, however there are times when a clear articulation of expectations best serves the public interest. To clarify and address potential for advertising concerns, and to align with other colleges in Alberta, the College addressed the use of testimonials by using clearer language in the revised *Standards of Practice*. The wording in the *Standards* provides clarity around the definition of and rationale for avoidance of individual patient / client testimonials to promote one's business.

In the College's *Standards of Practice*, **testimonials** refer to "a published endorsement by an *individual patient* about the skills and qualities of a regulated member. While typically positive, a testimonial can also be negative. Testimonials are a problem for several reasons, most notably because patient privacy is compromised and selection bias may lead to misconceptions by the public. While publication by an independent party of all feedback (good and bad) collected in a transparent and fair manner may be acceptable, publication of selected testimonials might not fairly reflect most patients' experience."

The term "patient" has clinical, direct client care connotations, however the *Standards of Practice* define "client" more broadly as "an individual, family, substitute decision-maker, team members, group, agency, stakeholder, government, employer, employee, business, organization, community, or population who is the direct or indirect recipient(s) of the Registered Dietitian's expertise".

And although *individual* patient testimonials are prohibited, specifically when clinical aspects such as treatments provided, outcomes and/or skills of the practitioner are reviewed, there are circumstances where "client" reviews are acceptable. Below we outline the potential issues with individual patient testimonials, and later we review acceptable advertising options.

### **Integrity of the Profession**

One argument for use of testimonials to promote Registered Dietitians' businesses has been that unregulated individuals are able to use them and are therefore perceived by some to have an unfair business advantage over RDs. Members of regulated health professions are held to a higher standard of practice than unregulated individuals. Having a protected title(s) and being accountable for ethical, client-centred services is an advantage for RDs. The College's advocacy efforts, alongside those of the profession and individual RDs, educate the



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public about the benefits of using a regulated nutrition professional for nutrition services. Regulated status means accountability to provide services in the public's best interests.

Regulated professionals also have a responsibility to maintain public trust. For RDs, this means ensuring that practice maintains patient/client privacy, is evidence-informed and is advertised in a professional, ethical and honest way.

### **Conflicts of Interest**

In a professional relationship, a client should always feel safe in the knowledge that the RD is focused on them, rather than their business. Therein lies one danger of requesting personal testimonials from patients/clients to use in advertising: when a dietitian's professional judgment is superseded by a personal interest or gain, conflicts of interest are at issue. When soliciting testimonials, in the mind of a reasonable person, it may be perceived that an RD's primary concern is focused on their own interests (their business income, new business gains, etc.) rather than being focused on the client's best interests. A client should never wonder "If I don't give permission for my testimonial to appear in their advertising, how will that affect my relationship with this RD? Will I continue to receive the best quality services?"

Potentially, an action by an RD that is perceived as a conflict of interest may damage the professional-client relationship, damage the integrity of the profession and may constitute unprofessional conduct. It is the responsibility of the RD to nurture client trust and avoid situations where they may be perceived as self-serving.

### **Professional-Client Boundaries**

Like a conflict of interest, a boundary crossing may also become an issue when using individual patient/client testimonials. The difference between the two is that the competing interest, related to boundaries, is personal feelings rather than financial gain. In a professional-client relationship, the RD has power and authority over patients/clients, and therefore it is the RD's responsibility to maintain appropriate professional boundaries at all times. Requesting a personal testimonial may feel unwelcome or uncomfortable to a client, and they might feel obligated to comply. These feelings may compromise the professional-client relationship.



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### **Selection Bias and Evidence-Based Practice**

While typically positive, a testimonial can also be negative, however negative testimonials are rarely if ever shared. Selection bias – selecting only those testimonials that favour the RD’s services – may lead to misconceptions by the public. While publication of all feedback (good and bad) collected in a transparent and fair manner by an independent third party may be acceptable, publication of selected testimonials might not fairly reflect most patients’ experiences.

Registered Dietitians must remember that evidence-based practice is one of the foundations of a health professional’s practice and decision-making processes, and therefore using an “anecdote” to promote one’s business may be seen as unethical and not “evidence-informed”.

Overall, testimonials favour the Registered Dietitian’s personal interests over the individual client’s best interests, and therefore should be avoided.

### **When and how use of testimonials may constitute unprofessional conduct:**

- The truth or value of an individual’s testimonial cannot be verified by the public when they are used in advertisement for dietetic services. Testimonials are anecdotal, subjective and may not be in line with a scientific approach to data collection and representation, and therefore are not evidence-based.
- Testimonials from a select number of clients may not be representative of all clients and may be taken out of context. By nature, the implication is that a testimony positively favours an experience, however this may not be the case for all patient / client experiences. A selection of positive accounts is not considered evidence-based data collection and sharing (i.e. “cherry picking” data).
- Asking an individual client for a testimonial may put an RD in a real or perceived conflict of interest. For example, the RD may be putting a need to advertise for business ahead of the client’s need to feel that their welfare is above all else. Whether this is true or not, it may be perceived as a conflict of interest.
- Paying or offering free services or incentives to a client in exchange for a testimonial (to post on their own or the client’s website, social media page, etc.) constitutes unprofessional conduct.



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- Testimonials may cross a professional boundary by putting clients in an awkward position when asked to provide a testimonial. Using, or requesting to use, unsolicited testimonials raises concerns about the privacy of the person providing the statement, and the discomfort they may feel in refusing a request to use the statement for promotional purposes.

Registered Dietitians should feel reassured, however, that there are many professional, ethical and creative advertising options available that respect individual client boundaries and privacy and protect the public interest.

### **What can RDs creatively do to promote their businesses if they can't use an individual client testimonial?**

The above concerns relate to individual patient/client testimonials. Registered Dietitians who practice in the area of direct patient/client care in a clinical, outpatient private or public clinic, primary healthcare, or any other setting where individual patient/client privacy, and respect for professional-client boundaries are paramount as part of client-centred care, need to be mindful and aware of the risks of using testimonials to promote business. Registered Dietitians who work in publicly funded healthcare environments, will not likely be in a position to request or desire the collection of patient/client testimonials due to the nature of their roles. Likewise these requirements are not applicable to the Health Region in Alberta, as a larger entity.

Registered Dietitians who provide services to private sector companies/corporations, NGOs, educational institutions, etc. and NOT to individual clients for clinical / direct client care, may find the information related to individual client testimonials less relevant. A review provided by a business regarding an RD's workplace wellness workshops, for example may be acceptable because it could be verifiable (provide contact information, link to company's website), would not breach individual client confidentiality or privacy (would be generally applicable to the participants who attended), nor would it put vulnerable persons at risk. Any conflicts of interest that the RD has for working with that company must be declared/avoided and/or otherwise managed.



### Acceptable Advertising Practices

The following professional and ethical advertising practice examples protect the public and respect the client's best interests:

- Use public medium for advertising services such as posters and print-based publications, websites, blogs, social media platforms such as Facebook and Twitter (without inviting individuals to provide testimonials on those websites or in the comments; manage testimonials and information added by others on your websites and blogs).
- Continue to state factual, honest information that demonstrates examples of services provided and that is relevant in helping the public choose dietetic service providers. For example, "use of the FODMAP diet may reduce IBS symptoms" or "changes to diet may reduce blood sugars associated with diabetes and may reduce medication use."
- Use and state verifiable information, that which can be easily checked for accuracy and reliability.
  - Use statements from organizations regarding the value of RDs (e.g. Heart and Stroke), including links to the College website.
  - Refer to aggregate results from publicly available surveys or studies.
  - Refer to summary results from your own research/quality improvement work; make the aggregate information available to the public, individual clients and/or the College upon request, without using client specific information. For example, show a graph of trends. Ensure that data is based on good research and quality improvement practices (random sampling, data collection, analysis and sharing).
  - With their consent, list (and/or link to) companies that use your services on your website. These services can be verified by an individual calling the company.
- With their consent, list (and/or link to) health professionals who refer their patients/clients to you for services.
- Use business directories to advertise.
- Unsolicited testimonials/reviews provided on public forums or third-party websites such as Yelp, Google Reviews, Rate Your MD, etc. are acceptable. However, the RD should not link to the third-party website, nor use the information to advertise their business on their website.



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- Clients may recommend an RD's services on their own website and post a link to the RD's website. However, the RD cannot ask the client to do this, nor can they provide a link to that client's testimonial.
- An RD may re-tweet a positive response to the RD's presentation at a conference or wellness workshop. Do not re-tweet individual client experiences/reviews.
- Use socially acceptable advertising which avoids explicit words or displays.

### Acknowledgements

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