



Irish College of
Ophthalmologists
Eye Doctors of Ireland
Protecting your Vision

ADVERTISING AND MARKETING GUIDELINES

The Irish College of Ophthalmologists (ICO), the training body for eye doctors in Ireland and the medical experts on eye care, has devised these guidelines for the advertising and marketing of surgical and medical procedures.

The ICO places the highest priority on patient safety and urges all healthcare providers to refer to and abide by the following guidelines.

The guidelines apply to any marketing or advertising material (broadcast, print or online) that could be interpreted as or deemed to potentially influence the decision making process of a prospective patient.

The Irish College of Ophthalmologists make the following recommendations for advertising and marketing of surgical and medical procedures

- (a) Material must be truthful, legal and not misleading.
- (b) All material must adhere to the Medical Council (Ireland) Guidelines¹ and the relevant Advertising Standards Authority of Ireland (ASAI) standards².
- (c) Ensure that the information published is factual and can be checked, and does not exploit patients' vulnerability or lack of medical knowledge.
- (d) Marketing materials must be composed and designed to safeguard patients from unrealistic expectations. Claims must be objectively substantiated.

- 1. Materials must not minimise or trivialise the risks of interventions and must not exploit patients' vulnerability. Marketers should not imply that invasive surgery is*

¹ Section E PARA 54, *Guide to Professional Conduct and Ethics for Registered Medical Practitioners*, Irish Medical Council, 2009.

² A.S.A.I.: *Manual of Advertising Self-Regulation, with Code of Standards for Advertising, Promotional and Direct Marketing in Ireland* (6th Edition Jan, 2007, Chapter 1, Para 8.1).

a “minor procedure” or similar if that claim is likely to mislead as to the complexity or duration of the operation, the pain experienced either during or after the operation, the length of the recovery time or the potential side-effects.

- II. *Materials must not mislead as to the likely commitment required for pre-consultation, surgery, recovery and post-operative assessments.*
- III. *Marketers wishing to make secondary claims about an intervention, such as that it is “suitable for all”, “pain-free”, “without side-effects” or similar must hold evidence to that effect.*
- IV. *References to a “consultation” must not mislead as to the purpose of that appointment. Marketers should take care not to give the impression that such an appointment will be with a medical professional if that is not the case.*
- V. *Claims that imply superior skill such as “leading surgeons”, “best surgeons”, “foremost surgeons” and “surgeons of the highest calibre”, if used, must be provable. Showing that the surgeons have held high administrative posts in the medical profession is unlikely, on its own, to be enough to substantiate such claims.*
- VI. *Marketers must not imply unrealistic benefits, for example that the permanent removal of localised areas of fat will prevent subjects from gaining fat elsewhere, that tattoos can be removed without trace, that laser eye surgery can achieve better than 20/20 vision or that surgically replaced hair will last permanently or with minimal risk of untoward complications.*

Use of Before and After photographs

- I. *Marketers must hold documentary evidence that the before and after photographs used in their marketing communications are genuine and hold signed and dated proof from the subject shown.*
- II. *While marketers might be able to show that before and after photographs are genuine they still need to hold evidence which substantiates the level of efficacy implied by the photos.*
- III. *Marketing communications must not mislead consumers by exaggerating the capability or performance of a product.*

(e) Advertisements must not offer discount linked to a deadline date for booking appointments for surgery, or other date linked incentives.

(d) Advertisements must not offer surgery as a competition prize. Offering medical or surgical interventions as prizes may cause prospective patients to make decisions about

having a particular intervention sooner than they otherwise would have done, or to choose certain interventions (included in the promotion) over others that might be more suitable.

Offering medical or surgical interventions as prizes shows irresponsible disregard for patient safety, which could damage public confidence in the medical profession.

(e) Advertisers must not trivialise surgery by way of offering it as a package deal (e.g. refer a friend, reduced price for two people).

(f) Promotional events such as open evenings must not include financial incentives for potential patients to book a consultation appointment at the event.

(g) All staff and speakers at promotional events must be clearly identified with regard to their profession and role within the organisation.

(h) If pricing is quoted in marketing or advertising material, it must be clear about what is included in quoted prices and what other charges might be payable, including possible charges for revision or routine follow-up.

(i) Listing of qualifications of practitioners must be mandatory.

Guidelines for Advertising and Marketing of Surgical and Medical Procedures in Ireland

Irish College of Ophthalmologists

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