



Advertising

The Rules of the Board of Regents specifically address advertising by licensed professionals, and provide that advertising “not in the public interest” shall constitute professional misconduct. Advertising not in the public interest includes advertising “that is false, fraudulent, deceptive or misleading” or “that makes any claim relating to professional services . . . which cannot be substantiated by the licensee.” The New York General Business Law makes false advertising illegal, punishable by a \$500 fine for each instance of false advertising. The AVMA Code of Ethics also addresses advertising by veterinarians, and defines false and misleading advertising as advertising that communicates false information or is intended, through a material omission, to leave a false impression.

A veterinary practice can include the names of staff veterinarians in an advertisement, but the following guidelines should be followed to avoid misleading the public and making any statement that can be construed as “false advertising”:

The listing of staff veterinarians, their degrees and any board certifications must be accurate and truthful (see AVMA guidelines for appropriate degrees and specialty designations for veterinarians).

Only veterinarians employed by the practice should be listed as staff veterinarians.

Veterinarians who work part-time can usually be considered part of your veterinary staff if they are employees of the practice; relief veterinarians who are not employees of the practice should not be listed as part of your veterinary staff.

Specialists who are not employees of the practice, but are available for consultations, should not be listed as employees of the practice (i.e., staff veterinarians) even if their services may be rendered from time to time on the premises of the practice.

Specialists providing these services to a veterinary practice can be mentioned in an ad as being available to clients of the practice through the practice, and days/times the specialist is available. Since the specialist is not an employee of the prac-

lice, the practice should ensure that the specialist has reviewed and approved any mention of him or her in an advertisement before its publication.

The following was provided by NYSVMS Board Counsel.