

Editorial submission for professional associations

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Ahpra to conduct audits on advertising compliance

Auditing to check health practitioner compliance with advertising requirements will be conducted by the Australian Health Practitioner Regulation Agency (Ahpra).

The audit has been modelled on the well-established approach to auditing compliance with core registration standards and involves adding an extra declaration about advertising compliance when applying for renewal of registration in 2020.

When applying to renew their registration, health practitioners will be required to complete a declaration about their advertising compliance. The wording of the declaration reminds practitioners of their obligations when advertising their services.

The audit process will not delay a decision on an application for renewal.

The [Advertising Compliance and Enforcement Strategy](#) for the National Scheme was launched in April 2017, to support improved compliance with the National Law¹ advertising requirements through a risk-based enforcement and educative approach.

A revised strategy, along with updated [Guidelines for advertising a regulated health service](#) to help health practitioners understand their obligations when they are advertising a regulated health service will be released soon.

National Boards determined that the renewal declaration and audit are an effective approach to determine overall advertising and non-compliance rates following an advertising audit pilot in 2019.

‘Auditing will support improved compliance with advertising obligations across the entire registrant population, not just those who have had an advertising complaint,’ Ahpra Regulatory Operations Executive Director Kym Ayscough said.

‘It will also provide opportunities to become more proactive in preventing non-compliant advertising by registered health practitioners.’

Auditing will be carried out by Ahpra’s Advertising Compliance Team from February 2021 and will involve health practitioners who renewed their registration in 2020.

Practitioners who are renewing non-practising registration and those who have contacted Ahpra in response to a complaint about their advertising in the past 12 months will **not** be included in the audit sample. Nor will those with provisional or limited registration as pharmacists or with provisional registration as medical radiation practitioners.

When applying to renew their registration, health practitioners will be required to complete a declaration in response to the following statement:

I confirm that if I advertise my services or my business as a <health practitioner> that advertising complies with section 133 of the National Law and the Board’s advertising guidelines as it:

- *is not false, misleading or deceptive or likely to be misleading or deceptive*
- *does not offer a gift, discount or other inducement without stating the terms and conditions of the offer*
- *does not use testimonials or purported testimonials about the service or business*
- *does not create an unreasonable expectation of beneficial treatment, and*
- *does not directly or indirectly encourage the indiscriminate or unnecessary use of my services.*

For information about your advertising obligations see the advertising resources page at www.ahpra.gov.au/Publications/Advertising-resources.aspx.

¹ The Health Practitioner Regulation National Law, as in force in each state and territory (the National Law).

For more information

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