

GUIDELINES & PROVISIONS FOR PUBLIC INFORMATION

This 3rd edition Guidelines document was endorsed by
members of the Malaysian Dental Council (MDC)
at the 107th MDC Meeting on
18 September 2014



**FOREWORD
FROM THE PRESIDENT OF
THE MALAYSIAN DENTAL COUNCIL**

The Malaysian Dental Council recognises the value and necessity of providing information to the public on practitioners and the services they provide. Information provided must be reliable and assist consumers in making informed decisions about accessing services and healthcare choices.

Information provided should not breach their obligations as professionals. Practitioners shall comply with professional obligations, comply with confidentiality and privacy obligations, present information in an unbiased, evidence-based manner and not make claims which cannot be substantiated.

The use of social media is expanding rapidly. Whether posted on the public domain or limited to specific groups, information on social media may still end up in the public domain and remain there, irrespective of the intent at the time of posting. Hence, practitioners must maintain professional standards at all times and be aware of the implications of their actions as in all professional circumstances.

These guidelines aim to help practitioners and other interested parties to understand their obligations when advertising a regulated health service. The document should be read in conjunction with the Dental Act and Regulations, the Code of Professional Conduct for Dental Practitioners, other Guidelines issued by the Council, as well as any statute or statutory provisions in force.

I take this opportunity to thank the working group and all others involved in the preparation of this document, and I look forward to greater public awareness and patient participation in healthcare decisions.


Datuk Dr Noor Hisham bin Abdullah

CONTENTS

	Foreword by the President of the Malaysian Dental Council	i
1.	Introduction	1
2.	General Principles	2
3.	Dissemination of Information to the Public	3
3.1	Name of Practice	3
3.2	Signboards/ signages	3
3.3	Media Announcements	4
3.4	Pamphlets and Brochures	4
3.5	Directories and Yellow Pages	4
3.6	Banners	4
3.7	Dental Product Endorsement	4
3.8	Service Groups and Health Screening Camps	5
3.9	Books, Articles and Publications	5
3.10	Third Party Involvement	5
3.11	Interviews and Lectures	6
3.12	Broadcasting, TV and Electronic Information Devices	6
3.13	Internet	6
4.0	Internet Applications and Technologies that are Inadmissible	8

APPENDICES

A. Permitted Signboards/ Signage	9
B. Guidelines on Use of Logo	11
Members of the Working Committee	12

1. INTRODUCTION

The Malaysian Dental Council (MDC) recognises that the ethical dissemination of relevant factual information regarding dental practices is necessary and the public should be informed of dental services available. Nevertheless, the provision of practice information should conform to guidelines as described in this document. The public should also be informed that canvassing for the purpose of obtaining patients by dental professionals is unethical and unprofessional.

This document applies to all dental practitioners in Malaysia.

Advertising

Advertising is a form of communication used to encourage or persuade people to purchase a product or service. Advertising messages can be viewed via various media including documents, notices, circulars, reports, commentaries, pamphlets, labels, wrappers or any announcement made verbally or by any means of producing or transmitting light or sound.

Canvassing

Canvassing is the systematic initiation of direct contact with individuals or a target group to achieve certain objectives.

2. GENERAL PRINCIPLES

The purpose of public information, in the dental practice context, is to inform the public about the type and nature of dental services available.

- 2.1** The information provided must be factually accurate and capable of being substantiated. It must not be exaggerated, false, misleading or deceptive.
- 2.2** The information provided shall not:
 - a) draw undue attention to the dental practitioner
 - b) be of a nature that could reasonably be regarded as likely to bring the profession into disrepute
 - c) make a claim which cannot be substantiated; or
 - d) recommend a specific product
- 2.3** Canvassing for the purpose of soliciting patients is prohibited
 - a) either by the practitioner himself, his employees, agents or others whether directly or indirectly; or
 - b) in association with or employment by persons or organizations.
- 2.4** In conducting opening ceremonies, it is the responsibility of the dental practitioner to ensure that it does not result in undue publicity for himself.
- 2.5** The use of comparisons either directly or by implication between one dental facility and another is prohibited.
- 2.6** The use of superlatives in describing the services or facilities available is not permitted.
- 2.7** There should be no mention of personal references of dental practitioners associated with a dental facility. Testimonials from patients can be published provided the patients' consent has been obtained and there are no monetary inducements or any other rewards involved in obtaining the testimonials.

- 2.8** Professional fees or tariffs shall only be displayed within the clinic premises.
- 2.9** Any images used must be with the consent of the individual involved. All photos and images used must be credited.

3. DISSEMINATION OF INFORMATION TO THE PUBLIC

A dental practitioner may provide information to the public in the following ways:

3.1 Name of Practice

Names of practices should be decent, appropriate and reflect professionalism. A dental practitioner shall not use the name of an existing clinic in the same locality.

3.2 Signboards/Signage

Signboards/signage refer to notices exhibited by the dental practitioner to identify his place of practice. Lighting is permitted for all signboards/signage except for professional plates and directional signboards. Flashing or neon lights are not permitted.

There are five categories of permitted signboards/signage (**Appendix 1**):

- a) Main signboard
- b) Subsidiary signboard
- c) Directional signboard
- d) Professional plate; and
- e) Consultation hours.

3.3 Media Announcements

An announcement -

- a) shall be allowed on the commencement of the primary practice, opening of a branch practice or the change of address of a practice
- b) may contain photographs and logos
- c) of oral health campaigns may include the names, addresses and contact numbers (as in 3.3 g, h and i) of the clinics involved and the logos of the organizing associations or service organizations.

3.4 Pamphlets and Brochures

Distribution is allowed in hotels, tourism offices and health facilities (hospitals and/or health complexes) and within the premises of the dental clinic. Logos and photographs are permitted.

3.5 Directories and Yellow Pages

The maximum size shall not exceed one page. Logos and photographs are permitted.

3.6 Banners

A banner to announce the opening of a new dental clinic is allowed for the purpose of public information, provided it conforms to local government regulations. It should not be displayed earlier than one month before the opening date and should not be displayed for more than one calendar month.

3.7 Dental Product Endorsement

Dental practitioners are allowed to sell or recommend oral healthcare-related products within their premises. However, they should not induce patients towards a specific product nor should the activities lead to a conflict of interest in the management of patients.

3.8 Health Screening Camps

Groups or organisations may organise and offer free dental check-ups for the public. The names of the clinics, telephone numbers and addresses of practices of the dental practitioners conducting these free check-ups may be published by the Malaysian Dental Association or other organisations. Any inquiries for additional information by members of the public should be handled by the groups or organisations concerned.

3.9 Books, Articles and Publications

It is permissible for the authors' names to be published. The names may be followed by qualifications and place of practice. These should not be unduly emphasised in large or heavy print. There must not be laudatory editorial references to the authors' professional status or experience.

3.10 Third Party Involvement

- a) A dental practitioner may enter into an agreement with individuals and/or organisations to inform the public of their services, provided that the agreement does not permit or compel unethical conduct. In the undertaking of such contracts, the dental practitioner is required to deal fairly with the public and his fellow dental practitioners.
- b) Dental practitioners are advised to be discerning when dealing with third parties who provide dental care programmes and they must ensure that:
 - i) there is no canvassing;
 - ii) there is no fee splitting; and
 - iii) these programmes are open to participation by all dental practitioners.
- c) It is unethical for a dental practitioner to contract his services under conditions that make it difficult

to render services to his patients in a timely and reasonable manner.

3.11 Interviews and Lectures

- a) **Lectures to the Lay Public** - A dental practitioner who delivers a lecture should request the chairman to be circumspect with introductory remarks concerning his professional status or achievements.
- b) **Press Interviews** - A dental practitioner giving an interview to a press reporter should strictly adhere to these guidelines. The responsibility for the contents of such interviews rests solely with the dental practitioner.

3.12 Broadcasting, TV and Electronic Information Media

Dental practitioners are permitted to participate in programmes on the radio, TV and other electronic information media provided they observe appropriate ethical standards and do not seek to place themselves in an advantageous position over their colleagues.

3.13 Internet

Dental practitioners are allowed to set up websites, social media and mobile apps to inform the public about their practices.

- a) **Website Contents** - the same information as for 'Professional Business Cards, Letterheads and Notices may be included:
 - i) Name of the dental practitioner(s)
 - ii) Registrable professional qualification(s)
 - iii) Honorary title(s)
 - iv) Practice address(es) - map and illustration may be included.
 - v) Home address
 - vi) Consultation hours

- vii) Telephone / fax numbers
- viii) E-mail and other social media address(es)
- ix) Web page address(es)
- x) Logo – must comply with these guidelines
(Appendix 2)
- xi) Photograph of the dental practitioner
- xii) List of services provided

All images used must be credited.

- b) **Social Media** - 'social media' describes the online and mobile tools that are used to share opinions, information, experiences, images, and video or audio clips, and includes websites and applications used for social networking. Common sources of social media include, Facebook and LinkedIn, blogs (personal and professional) and microblogs such as Twitter, content-sharing websites such as YouTube and Instagram, and discussion forums and message boards to cite a few.

In using social media, dental practitioners should be aware of their obligations under the Dental Act, the Code of Professional Conduct, relevant guidelines and other relevant legislations, such as the Private Healthcare Facilities and Services Act 1998, as well as this guideline.

- c) **Bulk or Mass Email** - the only time when bulk/ mass e-mailing by a dental practice is permitted is when it is sent to *bona fide* patients of the practice under one or more of the following circumstances:
- i. Commencement of a branch practice
 - ii. Taking over or merging with another practice
 - iii. Entering into or dissolving a partnership with another dental practitioner
 - iv. Relocation of practice to new premises, and
 - v. Closure of practice.

d) **Mobile Apps** – a mobile app is a computer programme designed to run on smartphones, tablet computers and other mobile devices. In using mobile apps, dental practitioners should be aware of their obligations under the Dental Act, the Code of Professional Conduct, relevant guidelines and other relevant legislations, such as the Private Healthcare Facilities and Services Act 1998, as well as this guideline.

4. INTERNET APPLICATIONS AND TECHNOLOGIES THAT ARE NOT ADMISSIBLE

4.1 Bulk or Mass E-mail

Bulk or mass e-mail to distribute electronic leaflets, brochures, pamphlets or letters to the public at large is not allowed.

4.2 Soliciting

Any technology or application that may lead to soliciting or may be deemed to be a form of solicitation or touting or providing an unfair advantage over other dental practitioners is not allowed.

PERMITTED SIGNBOARDS/SIGNAGE

MAIN SIGNBOARD

1. The wording of the main signboard may be painted or embossed directly on the wall or mounted on a board.
2. The primary language shall be *Bahasa Malaysia*. Additional translations in other languages are permitted and shall not be larger than the primary language.
3. Permissible wording:
 - a) General Practice – *Klinik Pergigian... or Surgeri Pergigian....*
 - b) Dental Specialist = *Klinik Pergigian Pakar*
 - c) Only a registered dental specialist may use the word 'Pakar'
 - b) Telephone number, e-mail address and web address.
4. Logos are allowed on the main signboard.

SUBSIDIARY SIGNBOARD

1. The signboard may be fixed on the exterior or within the facility.
2. This board shall be half the size of the main signboard.
3. No words other than those specified for the main signboard are permitted.

DIRECTIONAL SIGNBOARDS

1. **Within the facility** - directional boards within the building should comply with the following requirements:
 - a) Each board should not exceed 450 sq.cm; and
 - b) Each board should only bear the name of the practice, the floor/ room number and/ or an indicative arrow.

2. **Outside the facility** - directional boards with the name of practice only and an arrow pointing in the direction of the clinic is permissible if:
 - a) It conforms to local government regulation
 - b) The size of the signboard does not exceed 45 cm by 90 cm
 - c) It is not illuminated.

PROFESSIONAL PLATE

1. The plate must be placed within the clinic premises.
2. It can either be in the form of a plaque, a plate or stencilled on the wall.
3. If it is considered necessary to include the names of partners, associates or assistants, these should appear together with the name of the principal dental practitioner.
4. A partner, associate or assistant may have his own professional plate.
5. The plate should carry only the following information:
 - a) Name of the dental practitioner
 - b) The dental practitioner's titles (Division II dental practitioners may not use the title "Dr." or "Doktor")
 - c) Basic and additional qualifications deemed registrable by the MDC.

CONSULTATION HOURS

This board must be fixed on the front or within the clinic premises and should comply with the following requirements:

- a) The total area should not exceed 2500 sq. cm.
- b) It should bear only the name of the practice and the consultation hours.

GUIDELINES ON USE OF LOGO

The Malaysian Dental Council permits the use of logos solely for informational purposes. Each practitioner is personally responsible for the logos and liabilities attached therein.

- a) A logo is a non-heraldic badge used for identification of a dental practice.
- b) A logo must reflect the good image of the profession.

MEMBERS OF THE WORKING COMMITTEE

- | | | |
|-----|---|---------------|
| 1. | Dr. Haja Badrudeen bin Sirajudeen | Chairman |
| 2. | Dato' Dr. Lakshmanan a/l Nachiappan | |
| 3. | Prof. Dr. Noorliza Mastura binti Ismail | |
| 4. | Dr. Yap Yoke Yong | |
| 5. | Dr. Suresh Nair a/l Paramasswaran | |
| 6. | Dr. Chai Yeong Chang Raymond | |
| 7. | Dr. Elise Monerasinghe | |
| 8. | Dr. Noormi binti Othman | MDC Secretary |
| 9. | Dr. Sofiah binti Mat Ripen | Secretary |
| 10. | Dr. Azliza binti Dato' Zabha | Co-secretary |

ACKNOWLEDGEMENT

The working group wishes to record its thanks to Dr. Khairiyah binti Abd. Muttalib, Principal Director of Oral Health, Ministry of Health Malaysia for her invaluable advice and assistance in the preparation of this document.