

ADVERTISING, MARKETING AND TITLE USE

Policy

Original Policy Passed: March 2012
Effective as of: January 1, 2013
Last Reviewed or Revised: January 3, 2017

Introduction

This policy statement has been adopted to provide members with specific information about what may and may not be included in advertising and marketing as is commonly practiced in the Regulated Provinces. This policy is intended to protect the public from potentially misleading, confusing, or otherwise inappropriate advertising, and to protect the integrity and reputation of the MTAM, its members, and the massage therapy profession.

Definitions

“advertisement” means the use of space or time in any type of public medium including but not limited to the internet, radio, television, a commercial publication such as a brochure or handbill, to communicate with the public or a segment thereof, to promote professional services or enhance the image of the advertiser;

“marketing activity” includes

- a. an advertisement,
- b. any publication or communication in any medium with any patient, prospective patient or the public generally in the nature of an advertisement, promotional activity or material, a listing in a directory, a public appearance, or any other means by which professional services are promoted,
- c. contact with a prospective patient initiated by a Member, and
- d. use of the name of a Member’s clinic or business;

“unprofessional” means a marketing activity that is contrary to the best interest of the public or tends to diminish the profession’s ability to provide service of the highest quality.

General Rule

Any marketing activity undertaken or authorized by a Member in respect of their professional services must not be

- a. false,
- b. inaccurate,
- c. reasonably capable of misleading the recipient or intended recipient, or
- d. unverifiable.

ADVERTISING, MARKETING AND TITLE USE

Policy

Any marketing activity undertaken or authorized by a Member in respect of their professional services must not

- a. breach confidentiality of personal health information,
- b. include any sexual innuendo, or any language or images of a sexual nature,
- c. include anything that disparages any other profession or professional,
- d. include any statements that may discriminate on the basis of a protected status under human rights legislation, including the Manitoba *Human Rights Code* and the *Canadian Charter of Rights and Freedoms*.

If a marketing activity

- a. takes advantage of the weakened state, either physical or emotional, of the recipient or intended recipient, or is calculated or likely to do so,
- b. creates in the mind of the recipient or intended recipient an unjustified expectation about the results which the Member can achieve, or is calculated or likely to do so,
- c. implies that the Member can obtain results
 - i. not achievable by other Members,
 - ii. by improperly influencing a public body or official, or any corporation, agency or person having any interest in the welfare of the recipient, or
 - iii. by any other improper means, or
- d. compares the quality of professional services provided with those provided by another Member, or
- e. implies superior services or treatment outcomes, or
- f. uses a testimonial or endorsement from any person or group that implies superior services

The Board of Directors may thereby find that marketing activity violates this policy.

Quality of a Marketing Activity

Any marketing activity undertaken or authorized by a Member in respect of their professional services

- a. must not tarnish the reputation, image or stature of the profession, and
- b. must be dignified and in good taste.

A graphic or other image used by a Member in an advertisement as a massage therapist should not suggest that some service is being provided other than massage therapy.

Statement of Fees

A Member who, in any advertisement, includes a statement of fees for a specific service must

ADVERTISING, MARKETING AND TITLE USE

Policy

- a. ensure that the statement sufficiently describes the fees and professional services to enable the recipient or intended recipient to understand the nature and extent of the professional services to be provided and the cost to the patient,
- b. not compare the fees charged to those charged by another Member and
- c. state the period of time that the fee applies.

Use of Titles in Advertising

In a marketing activity or advertisement to promote a massage therapy practice, a Member may use only those occupational titles that have been approved by the Board.

- **Massage Therapist**
- **Registered Massage Therapist**
- **Massage Therapy**
- **Therapeutic Massage**
- **Massothérapeute**
- **Massage Thérapeutique**
- **Massothérapie**
- **R.M.T**
- **M.T.**

The College of Massage Therapists of Ontario has protected these nine official marks under the provisions of Section 9 of the *Trademarks Act of Canada*. Members of the MTAM have used these designations in Manitoba for many years with the approval of the College of Massage Therapists of Ontario (CMTO) with the understanding that the standards practiced by MTAM members are the same as Ontario.

Restriction on Specialist Titles

A Member must not use the title “specialist” or any similar designation, term or reference that suggests a recognized special status, accreditation or practice on any letterhead or business card or in any other marketing activity.

In describing his or her practice as a massage therapist or as someone permitted to provide massage therapy, a Member may list

- a. the professional services that s/he is trained in and is capable of providing as a Member,
- b. the techniques that s/he has been trained to provide as a Member, or
- c. the typical types of injuries or health problems that s/he is trained to assess and treat as a Member, providing however that the professional services or techniques or the types of injuries

ADVERTISING, MARKETING AND TITLE USE

Policy

or problems so listed fall within the scope of practice of a massage therapist as followed by the MTAM.

A Member may state that the listed service or technique is a “preferred area of practice” or “area of focus” but must not otherwise use any other expression that might suggest or denote they are a “specialist” (implying they are better than someone else).

Advertising of Services that Fall Outside the Scope of Practice

If a Member is also trained to provide a service or technique that falls outside the scope of practice of a massage therapist as followed by the MTAM, that Member may advertise that service or technique so long as

- i. that non-massage therapy service is not linked to or associated with their status as a Member, and
 - ii. there is a clear separation of professional services that fall within and outside the scope of practice of Members,
- b. that Member must use separate letterhead, business cards, statements of account and similar documents for her non-massage therapy service, and
 - c. that Member must not bill for massage therapy services while using an occupational title of the non-massage therapy profession.

Advertising if Dual-Registered

If a Member is also a licensed professional with another college, that dual-registered Member may use the other profession’s occupational title in their advertising, but in so doing the Member must clearly distinguish between the services they she provides as a member of the other college so that the public would not be confused by the dual listing.

A dual-registered Member

- a. must use separate letterhead, business cards, statements of account and similar documents for each college that they are a member of, and
- b. must not bill for massage therapy services while using the occupational title of the other profession.

Advertising with Others

If a Member is advertising their services in conjunction with other persons, that Member must ensure that there is a clear separation of their respective services so that the public would not be confused about which person provides which service.