



AMERICAN SOCIETY OF  
PLASTIC SURGEONS®

## Advertisers Guidelines for Compliance with ASPS Code of Ethics

I and/or my company \_\_\_\_\_ (the “Company”) have been retained by Dr. \_\_\_\_\_, a member of the American Society of Plastic Surgeons (the “Member”) to provide advertising/marketing/website/\_\_\_\_\_ (other) services. As a member of the medical profession and the American Society of Plastic Surgeons (the “Society”), the Member has a duty, when communicating with the public, through professional announcements, telephone and medical directories, computer bulletin boards, Internet webpages and broadcast and electronic media, to do so truthfully, honestly, and accurately. The Society’s Code of Ethics contains specific requirements and prohibitions about the Member’s actions and statements as well as statements made on the Member’s behalf. These are summarized below with examples. At the request of the Company, the Member will provide a copy of the complete Code of Ethics to the Company.

The Member is prohibited from:

- 1) Including misrepresentations of facts or omissions which make a statement deceptive or misleading;
- 2) Using exaggerated claims intended to or likely to attract patients;
- 3) Including statements or claims which are intended or likely to create false or unjustified expectations of favorable results;
- 4) Making representations or statements of opinion as to the superior quality of professional services which are not susceptible to verification by the public nor include statements representing that the Member possess skills or provides services superior to those of other physicians with similar training unless such representation can be factually substantiated;
- 5) Appealing to the layperson’s fears, anxieties, or emotional vulnerabilities;

- 6) Either failing to include reasonable warnings and disclosures or making representations of fact or implications regarding matters material to a person's decision to utilize the Member's services that are likely to cause an ordinary, prudent person to misunderstand or be deceived;
- 7) Including predictions of future success or guarantees that satisfaction or a cure will result from the performance of the Member's services;
- 8) Compensating, directly or indirectly, in cash or in-kind, a representative of the press, radio, television, or other communication medium in anticipation of or return for recommending the Member's services or for professional publicity, except for payment of the cost of advertising or promotional services;

The Company will disclose that an advertisement or solicitation is paid for where it is not apparent from the context alone;

Photographs or images will not:

- 1) Falsely or deceptively portray a physical or medical condition, injury, disease, including obesity, or recovery or relief therefrom;
- 2) Portray persons who have received the services advertised, but who experienced results that are not typical of the results obtained by the average patient without clearly and noticeably disclosing this fact;
- 3) Portray persons before and after receiving services, which use different light, poses, or photographic techniques that misrepresent the actual results achieved;
- 4) Use photographs of models who have not received the advertised services in any manner suggesting that the model did receive the advertised services; such photographs must clearly and noticeably disclose the fact that the model did not receive the advertised services.

Testimonials will not:

- 1) Include statements pertaining to the efficacy or quality of medical care if the experience of the endorser does not represent the typical experience of other patients or if, due to the infrequency and/or complexity of such care, the results in other cases cannot be predicted with any degree of accuracy;

- 2) Include statements or endorsements pertaining to the quality of the Member's medical care or qualifications if the endorser has been compensated by the Member or the Company for making such testimonial or endorsement;

The Company will submit all advertisements and work to the Member prior to dissemination or transmission.

Examples of problematic unsubstantiated statements include but are not limited to:

“Dr. X is the best plastic surgeon in...”

“Dr. X is the most distinguished and highly-credentialed surgeon.”

“Dr. X is the #1 breast surgeon in...”

“Dr. X will make you look younger with his cutting edge techniques.”

The Company is aware of and agrees to uphold these professional principles in the work provided to the Member.

Company Name and title

Date

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Member's Name

Date

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