



'Advertising in dentistry – A view from Germany'

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Dental Practice Committee

Introduction: advertising in dentistry – a complex topic

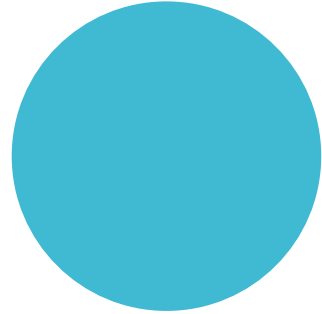


**AWARENESS OF
PRACTICE**



RESPONSIBILITY

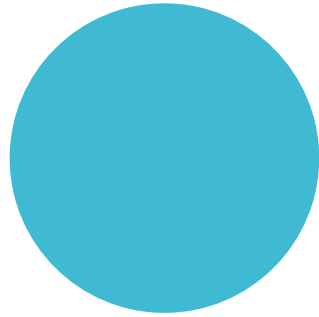
History:



Historical context:

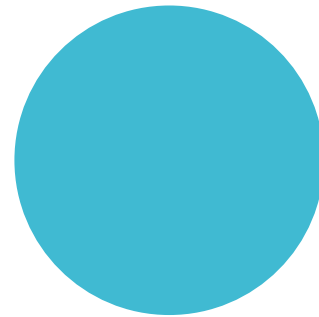
- Complete ban on dental advertising in Germany until 1986
- Gradual liberalization after rulings of the German constitutional court in 1986 and 2002
- Advertising now allowed under strict legal conditions

Legal framework:



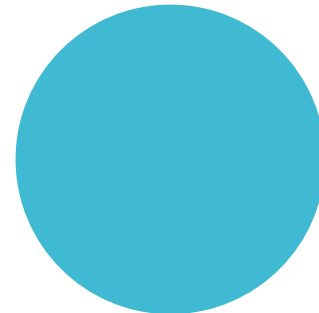
German Medicines Advertising Act (Heilmittelwerbegesetz)

- Protects patients from misleading advertising
 - Prohibition of exaggerated promises
 - No before-and-after images
 - No celebrity or third-party endorsements



German Act Against Unfair Competition (UWG)

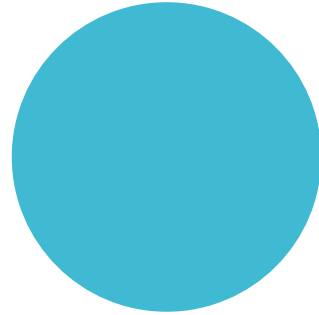
- Bans misleading and comparative



European Court of Justice Ruling (2017 – Case C-339/15)

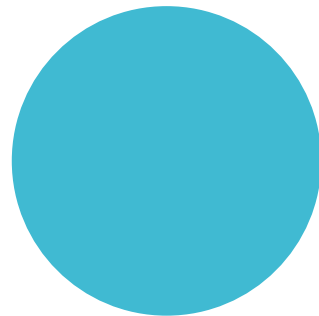
- Blanket bans on dental advertising ruled disproportionate
- Advertising must be:
 - Factual
 - Not misleading
 - Not unfair

Legal framework:



Professional Codes of Conduct issued by the regional Dental Chambers in Germany

- Based on §21 of the Model Code of the German Dental Association:
- Aims to protect patients from misleading or commercial advertising and stipulates the following requirements:
 - Factual, professional communication only
 - No superlatives, comparisons, or exaggerations
 - Restrictions on testimonials and photos
 - Prohibition of misleading advertising
 - Truthful



Enforcement of the Professional Codes of Conduct

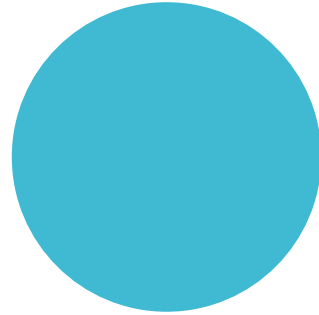
Dental chambers enforce professional conduct codes

Sanctions include:

Warnings, fines, reprimands

Referral to professional courts in serious cases

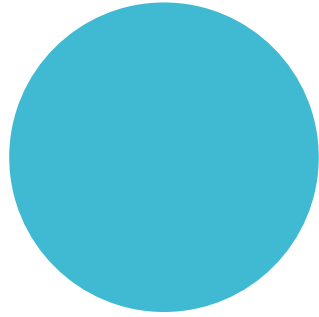
Online Review Platforms:



Recent Developments – Online Review Platforms

- Platforms can list dentists without consent
- Must remain neutral and serve public interest
- Prohibited:
 - Fake or defamatory reviews
 - Self-reviews by dentists or staff
 - Covert advertising via reviews

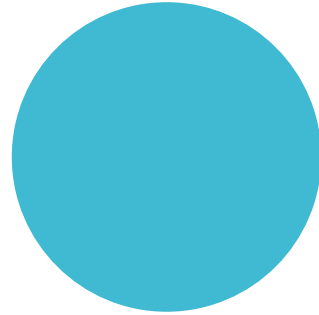
Statistics:



Statistics

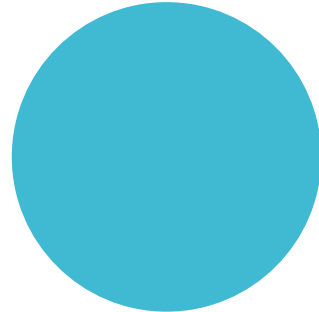
- Violations in the field of dental advertising are rare
- For example the German Centre for Protection Against Unfair Competition listed
 - 22 cases in 2019
 - 15 cases (Jan–Aug 2020)
- Problem: No central database; cases handled regionally

Types and opportunities for advertising



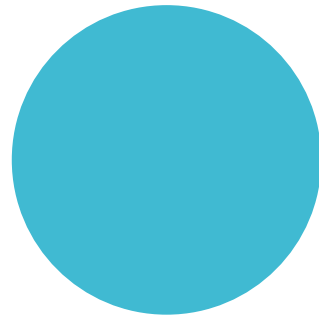
Traditional advertising:

- Advertisements
- Flyers
- Practice signs



Digital advertising:

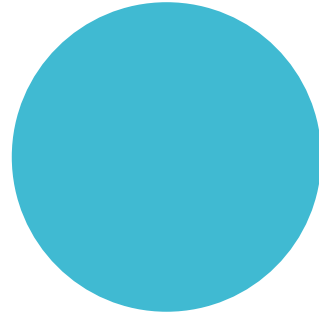
- Website
- social media
- reviews



Opportunities:

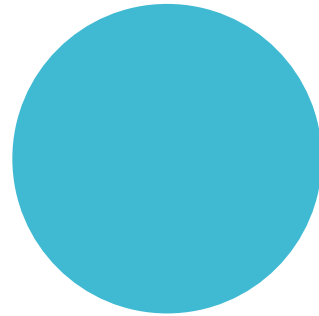
- More patient access
- Modern image
- Informative education

Risks and ethical challenges:



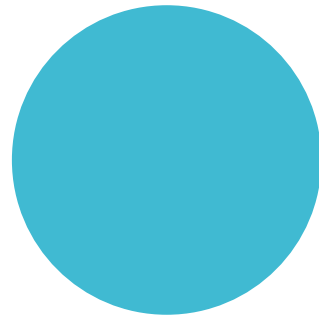
Misleading:

- Exaggerated promises or unrealistic expectations



Influence:

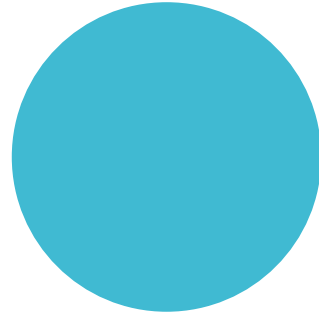
- Patients may feel pressured to accept (invasive) treatments



Reputation damage:

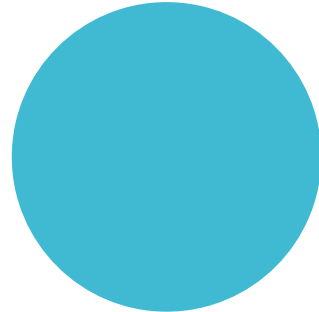
- Dubious advertising damages the reputation of the profession
- And puts other practices under pressure to correct dubious information> this can cause problems to find the adequate treatment, if patients are misinformed.

Risks and *ethical challenges*:



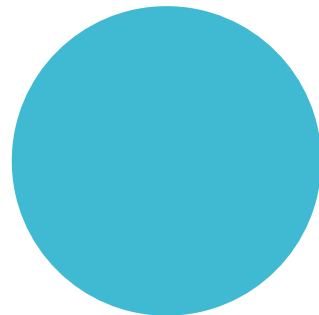
Responsibility towards patients:

- Truth
- transparency
- respect



Avoidance of overtreatment:

- no promotion of unnecessary treatments



Patient protection:

- no advertising that urges treatment or excessively praises it

Examples:



JA, ER IST ES
WIRKLICH!

DEIN NEUER ZAHNARZT
DANIEL WINTER.

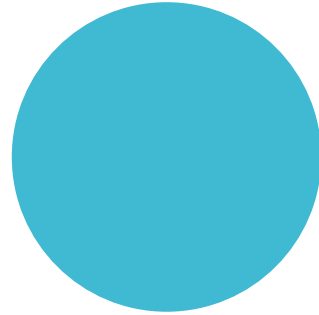
 WWW.ZAHNARZT-IM-GLATT.CH


ZAHNARZT IM GLATT
DANIEL WINTER
1.200 × 592

Examples:

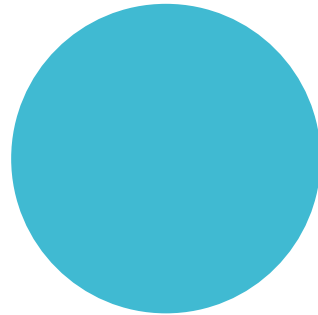


Pressure from patient requests and how to deal with it:



Patient requests:

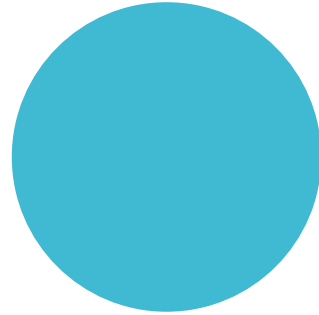
- Patients come with certain expectations, requests and, in some cases, desired treatments that are not always medically necessary.



Challenge for the dentist:

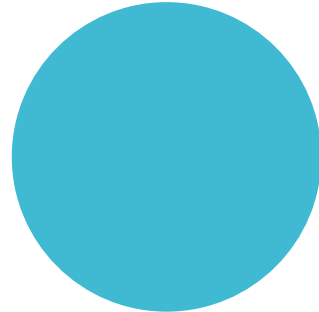
- Finding a balance between patient satisfaction and professional ethical responsibility
- Avoiding situations in which patients are pressured into undergoing unnecessary or overpriced treatments.

Ethical approach:



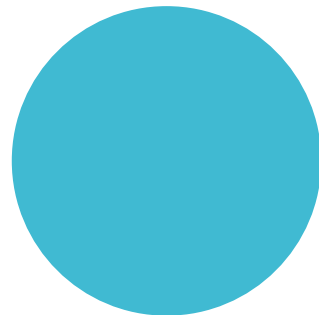
Information:

- Honest advice
- highlighting the benefits and possible risks
- Being able to say no: Open communication when treatment is not necessary.



Patient partnership:

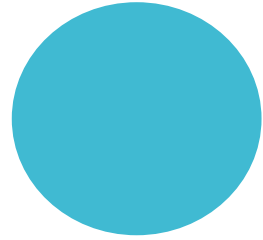
- Making decisions together
- relying on trust



Documentation:

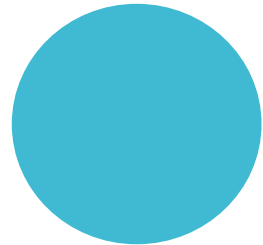
- Documenting all consultations thoroughly

Best practices & recommendations:



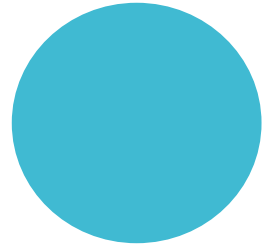
Honest advertising:

- No exaggerated promises



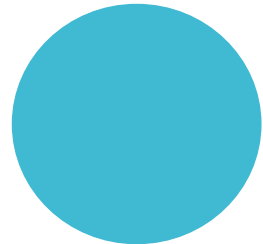
Respect patient rights:

- Focus on the patient's decision



Transparent advice:

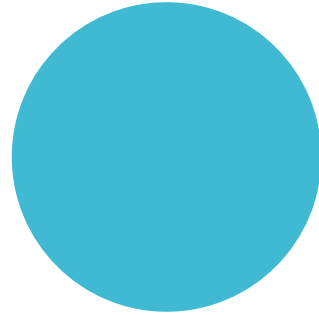
- Talk openly about risks and side effects



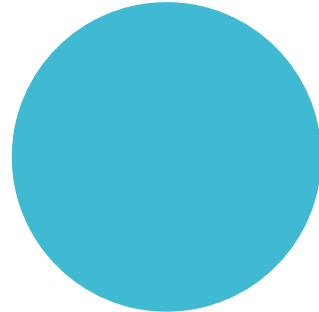
Ethical limits in marketing campaigns:

- No aggressive or manipulative advertising
- no pressure

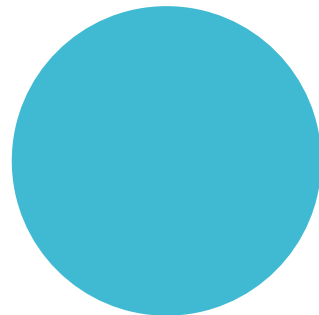
Future prospects & sense of responsibility:



- **Digitalisation** opens up new opportunities, but also requires an even greater sense of responsibility.

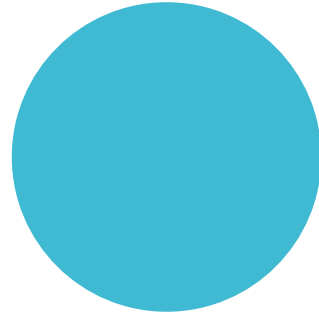


- **Review management** should be conducted honestly in order to maintain trust.

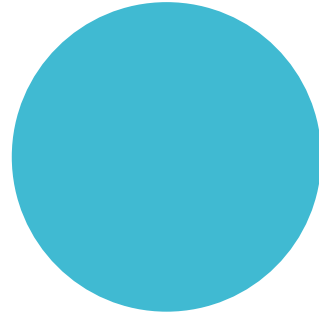


- As professional dentists, we have a special responsibility to ensure not only patient acquisition through advertising, but also quality and ethics.

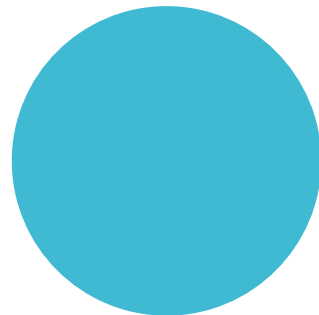
Summary & conclusion:



- Advertising in dentistry is generally permitted, but it must not come at the expense of health, ethics and trust.



- Legal requirements are strict, but professional ethical responsibility is at least as important.



- Honesty, transparency and respectful treatment of patient wishes are the cornerstones of a successful and responsible practice.

Thanks for your attention.

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National Liason Officer

