



# DHCR ADVERTISEMENT

## POLICY AND PROCEDURE

Department: Professional Licensing

Document Identifier: PP/AD/001/03

## Policy and Procedure – DHCR Advertisement

### INTRODUCTION

The Advertisement Policy and Procedure has been developed to provide a framework and ensure accuracy and integrity concerning the advertisement of products and services offered by licensed operators in DHCC. It details the requirements for a DHCC operator to receive approval of an advertisement for their product or services using the Ministry of Health and Prevention (MOHAP) guidelines as a reference in accordance with DHCA Rules, Regulations and Standards.

#### 1. PURPOSE

1.1	To ensure that all advertising conducted within or outside of the DHCC jurisdiction by a DHCC Licensed Healthcare Professional or Facility are in accordance with DHCA Rules, Regulations and Standards.
1.2	To provide information to all licensees in DHCC about advertisement process.

#### 2. APPLICABLE TO

2.1	DHCC Clinical Operators
2.2	DHCC Non-Clinical Operators
2.3	DHCC Healthcare Professionals
2.4	Includes but not limited to; any printed or electronic brochures, flyers, posters, hoardings, press release, audio or video advertisements and social media accounts.

#### 3. RESPONSIBILITY

3.1	The Licensing Department is responsible for reviewing and monitoring all advertisements produced by or related to DHCC Licensed Operators.
3.2	Approval of the proposed advertisement by the Licensing Department does not constitute the endorsement by DHCC, DHCR or the Licensing Department of any Operators, Professionals, Products, or Services appearing in any advertisement.
3.3	The right to decline or cancel any advertisement at any time is at the discretion of the Licensing Department.
3.4	Operators must obtain DHCR approval for all their medical advertisements in accordance with Policy and guidelines contained herein.
3.5	Operators must obtain MOHAP approval for their medical advertisements that will be displayed outside their facility after receiving approval from DHCR.

#### 4. POLICY

4.1	All advertisements must comply with UAE Federal Law (No. 430 of 2007) and MOHAP requirements.
4.2	DHCR reviews all DHCC operator submissions of advertisements and all relevant supporting information documents against the criteria in this policy and approves/rejects accordingly.

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4.3	The criteria used by DHCR to review, approve or reject includes but is not limited to the following: <ul style="list-style-type: none"> <li>4.3.1 Correct and true information as determined and verified by DHCR personnel using valid evidence bases;</li> <li>4.3.2 The product or service is in line with the operator license and scope of service;</li> <li>4.3.3 The operator has trained and licensed professionals for the service or product.</li> <li>4.3.4 Application contains DHCC location;</li> <li>4.3.5 Written in simple, easy to understand language without complex medical terms, unexplained abbreviations and acronyms.</li> </ul>
4.4	Advertisements used without required approvals will be considered as non-compliant with DHCR/MOHAP rules and regulation and are subject to violation.
4.5	Modifying an approved advertisement without obtaining further approval for changes will be will be considered as non-compliant with DHCR/MOHAP rules and regulation and are subject to violation.

### 5. PROCEDURE

5.1	The Licensed Operator must apply for Clinical Advertisement Review request through MASAAR ( <a href="http://www.dhcr.gov.ae">www.dhcr.gov.ae</a> ) for any advertisement at least 14 working days prior to advertising date.
5.2	Initial review response will be provided by DHCR to the applicant within ten (10) working days.
5.3	DHCR will review the advertisement to determine if the advertising information is true and correct in accordance with the Licensed Operator's licenses and permits.
5.4	In the event modifications are required, the Licensed Operator will be notified via MASAAR and must re-submit the advertisement to DHCR for final approval after incorporating the necessary changes.
5.5	Modifications should be submitted by licensed operator within thirty (30) calendar days of feedback from DHCR. Failure to comply or submit modifications within this period will result in rejection of the application.
5.6	For all approved advertisements, an Advertisement Material Review Approval Letter will be issued electronically with an associated approval reference number. The approval letter with associated reference number has a validity period of six (6) months from the date of approval, provided there is no change made to the advertisement content either by text, photo or video.
5.7	If the Licensed Operator intends to make changes to the approved advertisement a new Advertising Review Request must be submitted fourteen (14) working days prior to advertising date with the changes in the advertisement material highlighted.
5.8	Licensed operator must obtain MOHAP approval for their printed and electronic advertisement following DHCR approval. This requirement is exempted only if it is a printed advertisement placed within the premises of the DHCC facility.

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### 6. COMMUNICATION: (check all that apply)

<input checked="" type="checkbox"/>	Announcement
<input type="checkbox"/>	Awareness
<input type="checkbox"/>	Training
<input checked="" type="checkbox"/>	Other specify; Website

### 7. DEFINITIONS

7.1	<b>Advertising</b> refers to a description or presentation of a product, idea, organization, or education in order to induce individuals to buy, support, or approve of it. Types of advertisements include but not limited to brochures, flyers, posters, hoarding, press release, audio or video advertisements, etc.
7.2	<b>DHCC:</b> Dubai Healthcare City
7.3	<b>DHCR:</b> Dubai Healthcare City - Regulatory
7.4	<b>Licensed operator</b> means DHCC Clinical Operators, DHCC Non Clinical Operators and DHCC Licensed Healthcare Professionals
7.5	<b>MOHAP:</b> Ministry of Health and Prevention.

### 8. APPENDIX

8.1	Advertisement Guidelines
8.2	Flowchart
8.3	Social Media Content of Medical Advertisement

### 9. REFERENCES

9.1	UAE Federal Law No. 430 of 2007
9.2	
9.3	

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### APPENDIX 1

#### Advertisement Guidelines

1. A Licensed operator shall include in the advertisement their business name and business address. If healthcare professionals are advertised, their title should be aligned with their license titles and their professional qualifications advertised should be relevant to their field of practice.
2. Services advertised should be aligned with the Commercial License and Clinical Operating Permit.
3. A Licensed operator may advertise by means of posters, outdoor billboards, public transport, cinemas, magazines, newspapers, social media, and business website. Electronic media, including television and radio, is allowed provided that:
  - a. The Licensed operator submits a complete copy of the proposed advertising material, to DHCR for review and approval.
  - b. Licensed operator covers all costs involved in the procedure.
4. If the advertisement is in a language other than Arabic or English, the legal translation of that document must be submitted with the Advertising Review Request.
5. Any medical product/device/equipment advertised should have MOHAP registration.
6. Advertising materials must be scientifically accurate and evidence based.
7. A Licensed operator may advertise fixed prices, or a stated range of prices, for specified professional services, provided any such advertisement clearly states whether additional charges may be incurred for related services that may be required in individual cases.
8. Submission should include reference to sponsorship of any government agency, hospital or other facility with official documentation.
9. Advertisements for medical products must not contain or include reference to free samples.
10. Advertisement should truthfully state the nature, quality and properties of the medical product/treatment.
11. Advertisements should not directly or indirectly encourage unnecessary or excessive use of the medical product/treatment.
12. Advertisements should not contain any offer of money refunds.
13. Advertisements should not suggest trial use of medical products/treatment.
14. Advertisements should not give the impression that a normal lifestyle requires the use of particular medical product/treatment.
15. Advertisements should not give the impression or claim that the use of a particular medical product/treatment is needed to cope with the stress of modern living.
16. Advertisements should not include any words, phrases or illustration which claim or imply the cure of any illness or disease other than the relief of its symptoms.

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17. Advertisements for an Education Activity should be supported with approval from DHCR Education Department.
18. Advertisements for a Research Activity should be supported from DHCR Research Department.
19. Social media advertisements by HCO and HCP should be in compliance with the Social Media Content of Medical Advertisement guidelines (Appendix 3).

### PROHIBITED ADVERTISEMENTS

Advertisements that:

1. Do not have approvals
2. False, deceptive, or misleading
3. Have the effect of intimidating or exerting undue pressure
4. Guarantee a cure
5. Make claims of professional superiority that a Licensed operator cannot substantiate
6. Affects the traditions, values, ethics, teaching and the religion of the community by containing inappropriate images, drawings or symbols, which may lead to public offence or mistreatment of their feelings
7. Commercially harms other health facilities in terms of clients' rights and any use of superlatives or exaggeration of the products or services such as:
  - a. The Unique, The One and Only, The Best, Guaranteed to Cure, The only, Expert, Most, Latest, etc
  - b. Clinically proven (unless substantiated)
  - c. Clinical trials (unless substantiated)
  - d. Complete cure
  - e. Cures when other treatments fail
  - f. Guaranteed
  - g. Improve sex life
  - h. Increase/Improve memory/performance
  - i. Instant cure
  - j. Other drugs/products/treatments cannot compare with it
  - k. Perpetual youth
8. Are comparative
9. Contain confidential patient information
10. Contain patient photographs/video without consent from patient or patient's guardian
11. Arouse unwarranted and unrealistic expectations of the service/product
12. Lead to consumers self-diagnosing or inappropriately treating diseases
13. Mislead directly or by implication or through emphasis, comparisons, contrast or omissions
14. Contains language which could bring about fear or distress

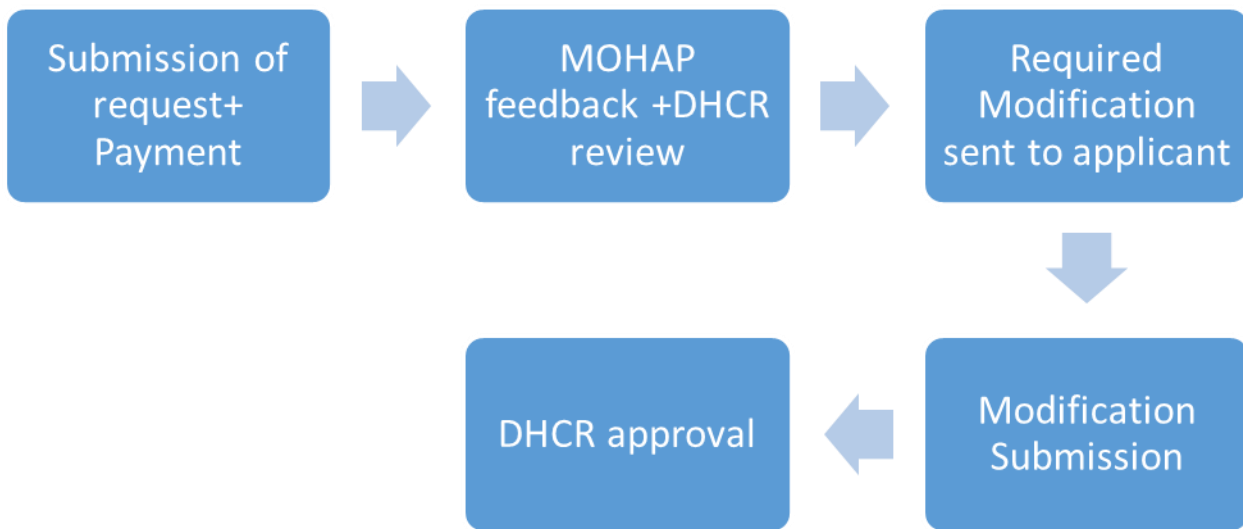
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15. Encourages inappropriate consumption
16. Contain any claim or statement of effectiveness in all cases of a condition
17. Contain any claim or statement that product is safe and has no side effect
18. Are directed at minors (under 18years)
19. Have Product/service/treatment descriptors:
  - With sexual implications
  - That are exaggerated or misleading
  - That specify a substance not found in the product
20. Have any representation regarding the treatment, cure or prevention of the following conditions (all conditions but not limited to):
  - Neoplasia
  - HIV/AIDS and/or HCV
  - Mental Illness

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### APPENDIX 2

#### Advertisement Review and Approval Process Flowchart





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### APPENDIX 3

#### DHCR Guidelines for Social Media Content of Medical Advertisement

The HCOs and HCPs licensed by DHCA are required to be ethical and culturally sensitive in advertising their professional services. In addition to print, audio, and video advertising, HCOs and HCPs may use all three modes in Social Media Advertising. The content of such advertisement will need DHCR approval followed by MOHAP approval to ensure that the information provided on social media is in compliance with the applicable Laws, Policies, and Guidelines, maintains patient confidentiality, represent best practice, and facilitates informed decision-making for potential patients.

Medical Advertisement on social media should be in compliance with the general guidelines on this subject. DHCA has the authority to take decisions as deemed appropriate for social media advertisement content that is not included in the below mentioned guidelines:

1. Social Media Advertisement (SMA) refers to advertisement on online communication platforms which include, but are not limited to, websites, applications, forums, blogs, microblogs, social networks, social bookmarks, social curation, etc.
  - Social network includes but is not limited to Facebook, Flickr, Instagram, LinkedIn, Pinterest, Periscope, Reddit, Snapchat, Twitter, Tumblr, Vimeo, WhatsApp, YouTube, etc.
  - Sharing of information, experiences, and opinions with or without images, audio clips (including voice notes on WhatsApp), or video clips on any of the above mentioned platforms will be deemed as SMA.
2. SMAs related to healthcare should comply with UAE Federal and local laws and regulations.
3. HCO must register their social media accounts on the MOHAP website.
4. The ethical and legal implications of SMA must be taken into account prior to posting an SMA, as patients/consumers might not be in a position to judge the merits of the published healthcare service(s) or product(s).
5. HCO/HCP are accountable for the content and style of SMAs.
6. The Medical Director of the HCO is responsible for all content advertised related to the health facility or HCP.

The responsibilities include:

- Having in place clear social media policies and ensuring all employees are aware of their responsibilities. These policies should be reviewed and updated on a regular basis.
- Training all staff on acceptable social media use as part of their induction training and conducting refresher-training sessions at regular intervals.

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- Educating staff to avoid social media discussions with patients who may disclose their health information.
  - Communicating the potential penalties for social media violations to all employees.
  - Nominating a person(s) trained and experienced to moderate the content of social media accounts for the health facility and its health professionals and to implement controls and recommendations where required.
  - Ensuring appropriate access controls are in place to prevent unauthorized use of the HCO's and HCP's social media account.
  - Ensuring all SMAs that use the health facility name and/or location have to be approved by the Medical Director.
  - Archiving SMAs and/or posts with edits and formats for verification and audit by DHCA.
7. HCPs engaging in SMA have the following responsibilities:
- HCPs should maintain a separate professional and personal social media account and avoid interacting with current or past patients on personal social media accounts.
  - HCPs engaged in SMA should have a valid license from a UAE authority for the medical/surgical specialty they are advertising, should be competent through education, training and experience to provide the service advertised and act in a manner of professional capacity, integrity and authenticity as advertised.
  - HCPs promoting only their service (without using the HCO name and/or location) are responsible and accountable for the content on their social media account.
  - Ensuring that medical information in SMA is supported by current evidence-based international best practice in medicine, peer-reviewed literature, originate from recognized bodies of scientific and clinical knowledge and conform to minimal standards of care.
  - Disclose clearly any information (e.g., financial, professional or personal) that could influence patients' understanding or use of the information, products or services offered on any social media platforms offering healthcare services or information.
  - Ensure that any latest treatment and therapies and medical news mentioned or discussed on the social media account are safe and secure, i.e. they should be
    - Approved and recognized in the medical field, and
    - Within the scope of practice of HCP's specialty.
  - Avoid claiming one's own services or products are superior to those provided by another health professional or health facility within or outside DHCC.
  - Protect patient privacy and confidentiality at all times, especially on social media.
  - Avoid inappropriate and unprofessional behavior online and maintain professionalism online as one would during a face-to-face consultation.

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8. HCPs and/or administrative staff of the HCO and influencers promoting any activity, healthcare service or outcomes specifying the facility name and/or location should obtain approval of the Medical Director of the HCO prior to posting it on social media.
9. HCOs and HCPs shall not use the DHCC or any other government or public authority logo for SMA unless explicit written approval has been acquired.
10. The use of negative statement(s) against any HCP or HCO in or outside DHCC, or any government entity is not acceptable and may be subject to investigation and interrogation.
11. HCOs and HCPs receiving financial or other material benefit for promoting healthcare, or non-healthcare, related products or services should have a transparent relationship with the relevant organization (or individual) and this should be documented and disclosed to their patients.
12. HCOs and HCPs must be transparent in their SMA if the services are for research base or are in experimental period.
13. A written and signed consent must be obtained from any individual or patient whose name, statement, pictures, images, audio/video is used in any form of SMAs. The SMA consent should be limited to the subject and the period for which consent was granted. In case of patients from age group 0-18 years, obtain verifiable consent from the child's parent before collecting, using, or disclosing personal or health information of the child.
14. All SMA must be substantiated, particularly in terms of the outcome(s) of treatment, whether implied or explicitly stated and should always include the associated risks.
  - Language, picture, images, audio/video used in the SMA should not breach Islamic teachings, UAE culture/law/interests/policies, and health ethics.
  - Absolute statements, exaggerated claims or expressions such as, but not limited to -*unique, one of a kind, the best, exclusive, safest, the only, incomparable, unprecedented, best product, magic, miraculous, assured success, very limited quantity, has no side effects, get money back, 100%, absolutely certain, distinguished, famous, pioneer and immediate results* - should not be used.
  - There should be no display of intimacy or sex appeal.
  - The SMA should not endorse/encourage unhealthy, risky behaviors and habits.
  - Pictures/Images/Video of before and after treatment should be of the same individual, using the same lens, with no photo shop enhancements or equivalent software and should include the following statement, "there is no guarantee that the result will be the same, as it might vary from one individual to another" and the risks. This should be written in the same font size as the rest of the SMA.
  - The content of SMAs should not exploit the trust of consumers and fine print statements should be legible to target view and be placed in a prominent location.
  - Video filming or live streaming for SMA while the patient is undergoing surgery or induced under General Anesthesia (GA) in any DHCC facility for promotion of the health facility or healthcare professional is **not** allowed.
15. Health facilities and/or HCP should avoid promoting:

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- Non-therapeutic products
- Products and services not directly related to healthcare
- Products and services that are not proven to be healthy or sound
- Products that are not supported by clinical evidence
- Products that affect health adversely.

16. SMA by a HCO or HCP may include:

- Promoting public health information as part of a public health campaign or public health activities.
- Awareness education on healthcare products and services through public health activities.

17. In event of a conflict between Guideline, Policy, and/or Law pertaining to any medical advertisement (print, audio, video, social media), Law shall take precedence followed by Policy.

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### REVISION HISTORY

S No	Summary	Amend Type*	Page	Issue No	Issue Date
1	Technically Reviewed and replaced in new template	Modify	All	2	17/10/2018
2	Addition of Statement #19 in Appendix 1 – Advertisement Guidelines	Add	5	3	
3	Addition of Appendix 3 – Social Media Content for Medical Advertisement Guidelines	Add	8-12	3	
4					
5					

\*Amend Type – New/Add / Modify / Cancel