

**481—574.15(153) Communications.** Communications by inclusion or omission to the public must be accurate.

**574.15(1)** The following standards apply to the communications related to the practice of dentistry:

*a.* Statements, testimonials, photographs, graphics or other means of communication shall not convey false, untrue, deceptive, or misleading information.

*b.* Communications should not incite an individual's anxiety in an excessive or unfair way, and they should not create unjustified expectations of results.

*c.* Communications that refer to benefits or other attributes of dental procedures or products that involve significant risks must also include realistic assessments of the safety and efficacy of those procedures or products. Communications should also include information about alternatives where necessary to avoid deception.

*d.* Communications must neither misrepresent a dentist's credentials, training, experience or ability nor contain claims of superiority that cannot be substantiated.

**574.15(2)** Dentists are encouraged to engage in truthful, nondeceptive advertising. Dentists who engage in the types of advertising that do the following shall take care to ensure that ads are consistent with these rules:

*a.* Include claims that the service performed or the materials used are professionally superior to those which are deemed to be consistent with standard practice or that assert that one licensee is better than another when superiority of service or materials cannot be substantiated.

*b.* Reference an unearned or nonhealth degree.

*c.* Reference attainment of an honorary fellowship. An honorary fellowship does not include an award based on merit, study or research. The attainment of fellowship status may be indicated in scientific papers, curriculum vitae, third-party payment forms, and letterhead and stationery that is not used for the direct solicitation of patients.

*d.* Promote a professional service that the dentist knows or should know is beyond the dentist's ability to perform or that creates an unjustified expectation concerning the potential result of any dental treatment.

*e.* Include communication that is likely to intimidate or exert undue pressure or influence over a prospective patient.

*f.* Include a testimonial attesting to a quality of competence of a service or treatment offered by a licensee that is not reasonably verifiable.

*g.* Utilize statistical data or other information that creates an unjustified expectation about results that the dentist can achieve.

*h.* Include personally identifiable facts, data or other information about a patient without first obtaining patient consent.

*i.* Include any misrepresentation of a material fact.

*j.* Suppress, omit, or conceal any material fact or law without which the communication would be deceptive.

*k.* Include circumstances that indicate bait-and-switch advertising. The board may require the advertiser to furnish data or other evidence pertaining to those sales at the advertised price as well as other sales. Where the circumstances indicate deceptive advertising, the board may initiate an investigation or disciplinary action as warranted.

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