



European Deontological Recommendation

Information and Advertising

*European Council of Medical Orders
Conseil Européen des Ordres des Médecins*

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Working Group on Deontological Recommendations

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I – Review of the texts approved by CEOM

1 – The European Charter of Medical Ethics (Kos 2011)

- Principle 6** The physician uses his professional knowledge to improve or maintain the health of those confiding in him, at their request; he may not act to their detriment under any circumstances,
- Principle 12** The physician acting as a simple practitioner towards a patient, or as an expert or member of an institution, must ensure the greatest transparency in what might appear to be a conflict of interest and act in full moral and technical independence.
- Principle 16** The physician exercises his profession with conscience, dignity and in independence.



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2 – Orders and Similar Bodies' International Conference (January 6th, 1987)

PUBLICITY ON NEW FINDINGS

Article 31 Doctors have to publicize their new findings or scientific conclusions on diagnosis or therapeutics in professional press in priority. They shall have their findings reviewed by colleagues prior to publicize them on a broader scale.

Article 32 Any lucrative exploitation of a medical success by someone, a group of people, or a school, goes against medical ethics

3 – 1995 Appendix B

MEDICAL ACTIVITY ANNOUNCEMENT

Articles 1 to 9



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3 – San Remo – 12 March 2010
Dr. R.KERZMANN – A.S.STURBOIS

Publicité et information de santé

« La santé, un de nos biens les plus précieux...mais aujourd'hui, précieux égale argent ».

1

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4 – Deontological Codes Study

Germany: 23b, 27.

Austria: Mentioned once.

Belgium: 12, 13, 14, 15, 16, 17.

Chypre : 41, 42, 43, 44, 45, 46, 47.

Spain: 64, 65.

France: 13, 19, 20, 79, 80, 81.

Greece : 17.

Slovenia: 10, 11, 12.

Ireland: 54, 62.

Italy: 55, 56, 57.

Luxembourg: 17, 18, 19, 20, 28, 29.

Portugal: 11, 12, 13, 16, 20 (2).

Czech Republic: 2.

Romania: 8, 39, 125 (1) to (6).

United Kingdom: 70 (Good Medical Practice).

Switzerland: 19, 20, 21, 22, and DC Appendix 1 and 2.



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Remark: Advertising is not defined in any deontological code.

☛ ☛ We should find inspiration in European texts (R. Kerzmann, San Remo, 2010)

➔ **Directive of the European Parliament and of the Council concerning misleading and comparative advertising, COM/2006/0222, May 5th 2006:**

Article 2:

For the purposes of this Directive: ‘advertising’ means the making of a representation in any form in connection with a trade, business, craft or profession in order to promote the supply of goods or services, including immovable property, rights and obligations;



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Proposal of a definition of “advertising” for the European deontological recommendations

“Advertising” refers to any form of communication made by a doctor or by a third person for the physician’s profit, in order to promote his/her services or to increase the value of his/her image.



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Given the European Charter of Medical Ethics (Kos 2011), principles 6, 11 and 15

“Advertising” refers to any form of communication made by a physician or by a third person for the physician’s profit, in order to promote his/her services or to increase the value of his/her image.

Comparative advertising is forbidden.

The information given by the physician must only concern objective data; it should be careful, precise, clear and in accordance with actual scientific data.

Advertising cannot encourage the use of tests and treatments for commercial ends.

The physician should not participate in medicine or health product promotion.

Patient’s dignity and private life should not be harmed in any way.

This guideline applies to all media.