

# NYSSPS BRIEF



## Protecting Patients from Misleading Advertisements

While it is legally permissible, should a gynecologist augment breasts, a dentist lift the face or family practitioner be engaged in liposuction? Due to misleading advertisements, and because cosmetic/reconstructive surgery may legally be performed by the holder of an MD license no matter what his or her specialization, patients are choosing physicians who have not completed rigorous accredited residency training programs directly related to cosmetic or reconstructive procedures. This places them at risk for complications or even death. Some health care providers are using weekend courses to suffice as “formal training” in complex and potentially dangerous procedures providing a pathway to advertise these types of services. Is that enough for the safety of New York’s patients?

According to AMA surveys, patients are not confident about the truth of healthcare advertisements and 88 percent of patients believe that health care providers should be required to display their level of training and legal licensure.

The term “board certified” was intended to signify the highest achievement in clinical training and expertise, but the use of this term is widely and inconsistently used in advertisements. Simply stating one is “board certified” alone is not specific enough for a patient to understand the type of training his or her physician has. Listing oneself as board certified in one field of medicine in the same advertisement for procedures that one is not specialized in are subtle ploys intended to confuse and mislead patients of specialized training.

### Our Ask:

Common sense precautions can be taken to help provide the necessary clarity and transparency that patients deserve when they seek health care services. It’s important that patients have accurate information regarding the education, training and qualifications of the health care providers involved in their treatment.

- Prohibit advertisements or websites advertising health care services from including deceptive or misleading information.
- Require all health care professionals to clearly and accurately identify themselves in all writings, advertisements and other communications.
- Certifications in which the physician has not completed post-graduate training in that specialty or subspecialty are to be excluded from advertisements.

## Who We Are

The New York State Society of Plastic Surgeons, Inc was founded in 2008 on the following guiding principles:

To provide an entity through which plastic surgeons are represented to the appropriate state and national medical organizations and regulator agencies.

To promote the advancement of the art and science of cosmetic and reconstructive plastic surgery.

To promote the highest standards of professional skills and competence among plastic surgeons.

To promote the exchange of information among plastic surgeons.

To promote the highest standards of personal and professional conduct among plastic surgeons.

To promote the purposes and effectiveness of plastic surgeons as is consistent with the public interest.

New York State Society of Plastic Surgeons, Inc  
Stuyvesant Station  
PO Box 3728  
Albany, NY 12203  
Phone: 518-598-7755  
Fax: 518-514-1424  
Web: [www.nyssps.org](http://www.nyssps.org)