



GUIDELINES AND PROVISIONS FOR
PUBLIC
INFORMATION
JULY 2022

GUIDELINES AND PROVISIONS FOR PUBLIC INFORMATION

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1. INTRODUCTION

The Malaysian Dental Council (MDC) and the Malaysian Dental Therapists Board (MDTB) recognises that the ethical dissemination of relevant factual information regarding dental practices is necessary, and the public should be informed of dental services available. Nevertheless, the provision of practice information should conform to guidelines as described in this document.

The purpose of this guideline is to:

- a) explain the obligations and the responsibilities of healthcare advertisers;
- b) describe advertising that is prohibited; and
- c) outline the use of factual information in advertising.

Advertising is a useful way to communicate the services a practitioner offers to the public so that they can make an informed choice. A practitioner must not advertise information that is false, misleading, and deceptive. The advertisement must not provide information to the public in such a manner as to tout, solicit or encourage the use of services by any practitioner.

Advertising messages can be viewed via various media including verbal, written or electronic transmission. These include (but not limited to) documents, notices, circulars, reports, commentaries, pamphlets, labels, wrappers, or any other announcements.

This guideline applies to all practitioners in Malaysia. Practitioner means any dental practitioner or dental therapist registered under the Dental Act 2018. Any violation of this guideline may be subject to disciplinary authority by the MDC or the MDTB.

2. GENERAL PRINCIPLES

The purpose of public information, in the dental practice context, is to inform the public about the type and nature of dental services available.

- 2.1.** The information provided must be factually accurate and capable of being substantiated. It must not be exaggerated, false, misleading, or deceptive.
- 2.2.** The statements describing the services or facilities available must not contain laudatory terms indicating subjective praises, commendations, and compliments.
- 2.3.** The information provided shall not:
 - a) draw undue attention to the practitioner
 - b) be of a nature that could reasonably be regarded as likely to bring the profession into disrepute
 - c) make a claim which cannot be substantiated; or
 - d) recommend a specific product using the professional qualification.
- 2.4.** The use of comparisons either directly or by implication between one dental facility and another is prohibited.
- 2.5.** Testimonials from patients can be published provided the patients' consent has been obtained, and there are no monetary inducements, or any other rewards involved in obtaining the testimonials. Patient's confidentiality and personal data shall be protected at all times.
- 2.6.** A practitioner must have a list of clinical procedural fees available for the patient within the clinic premises. These fees may be displayed on the clinic's official webpage and/or (social media platform) under the name of the

practice. The Person in charge (PIC) of the clinic should be the account administrator.

- 2.7.** Any images used must be with the consent of the individual involved. All photos and images used must be credited in compliance with the guidelines set by the relevant acts and regulations, for example, Personal Data Protection Act 2012, Copyright Act 1987.

3. DISSEMINATION OF INFORMATION TO THE PUBLIC

A practitioner may provide information to the public in the following ways:

3.1 Name of Practice

The name of practice should be decent, appropriate and reflect professionalism. A practitioner shall not use the similar name of an existing clinic in the same locality.

Permissible wording for the name of practice shall be as follows:

- a) General practice – *“Klinik Pergigian....”* or *“Surgeri Pergigian....”* or *“Pusat Pergigian....”*
- b) Specialist practice – *“Klinik Pergigian Pakar (specialty)....”* or *“Pusat Pergigian Pakar....”*

The word *“Pusat”* shall only be used for a **group practice**.

3.2 Media for Public Information

Only ten (10) media listed below can be used for this purpose:

3.2.1 Signboard

Signboard refers to notices exhibited by the practitioner to identify his place of practice.

There are six categories of permitted signboards:

- a) Main signboard
- b) Subsidiary signboard
- c) Directional signboard
- d) Professional plate
- e) Consultation hours; and
- f) List of services provided

Permitted Signboards

3.2.1 (a) Main Signboard

The type, dimension, content, and design of a signboard shall comply with the regulations set by the Private Healthcare Facilities & Services Act 1998, as well as other local authorities such as the local council and *Dewan Bahasa & Pustaka*.

- i. The name of the facility should be the same as stated in *Borang C* and *Borang G – Perakuan Pendaftaran Klinik Pergigian Swasta*
- ii. The primary language shall be *Bahasa Malaysia*. Additional translations in other languages are permitted and shall not be larger than the primary language.
- iii. Any additional contact information is permitted, such as telephone number, email address, website, social media messaging apps, QR Code.
- iv. Logos are allowed on the main signboard. Refer to **Appendix A**.

3.2.1 (b) Subsidiary Signboard

- i. The signboard may be fixed on the exterior or within the facility.
- ii. No words other than those specified for the main signboard are permitted.

3.2.1 (c) Directional Signboard

- i. **Within the facility** - a directional signboard within the building should only bear the name of the facility, the floor/ room number and/or an indicative arrow.
- ii. **Outside the facility** - a directional signboard should bear the name of the facility only and an arrow pointing to the direction of the facility and conforms to the regulations set by relevant local authorities.

3.2.1 (d) Professional Plate

It can either be in the form of a plaque, a plate or stencilled on the wall.

- i. The plate should carry only the following information:
 - a) Name of the dental practitioners with professional titles
 - b) The dental practitioner's titles (Division II dental practitioners shall not use the title "Dr." or "Doktor")
 - c) Basic and additional qualifications deemed registrable by the MDC or MDTB
 - d) MDC or MDTB registration number
 - e) Honorary titles, for example, Tun, Tan Sri and Dato'.
- ii. The plate should not carry the following information:
 - a) Honorary professional qualifications, for example, FADI, FICD, FICCDE etc

- b) Additional qualifications not approved by the MDC as published on the MDC website
- iii. A partner, associate or assistant may have his professional plate.

3.2.1 (e) Consultation Hours

This board can either be in the form of a plaque, a plate or stencilled on the wall. It must be fixed on the front or within the clinic premises and should bear only the name of the facility and the consultation hours.

3.2.1 (f) List of services provided

This board shall only contain a list of services approved by the relevant authority that is the Control of Medical Practice Division (CKAPS), upon the registration of the facility.

3.2.2 Billboard

The type, dimension, content, and design of a billboard shall comply with the regulations set by the Private Healthcare Facilities & Services Act 1998, as well as other local authorities such as the local council and Dewan Bahasa & Pustaka.

- i. The name of the facility should be the same as stated in *Borang C* and *Borang G – Perakuan Pendaftaran Klinik Pergigian Swasta*
- ii. The primary language shall be *Bahasa Malaysia*. Additional translations in other languages are permitted and shall not be larger than the primary language.
- iii. Any additional contact information is permitted, such as telephone number, email address, website, social media messaging apps, QR Code.

- iv. Logos are allowed on the main billboard. Refer to **Appendix A.**

3.2.3 Mass mailing

Mass mailing is only permitted when it is sent to *bona fide* patients of the practice under one or more of the following circumstances:

- i. Commencement of a branch practice
- ii. Taking over or merging with another practice
- iii. Entering or dissolving a partnership with another practitioner
- iv. Relocation of practice to new premises; and
- v. Closure of practice.

3.2.4 Pamphlets and Brochures

The pamphlets and brochure shall only contain educational information as well as the basic information of the clinic (name of clinic, practitioner, and MDC registration number) and the services provided.

3.2.5 Banners

A banner to announce the opening of a new dental clinic is allowed for the purpose of public information, provided it conforms to regulations set by local authorities.

It shall only be displayed upon receiving the no objection letter/ “*Surat Tanpa Halangan*” from the Control of Medical Practice Division (CKAPS) during the clinic registration procedure.

3.2.6 Books, Articles and Publications

For the purpose of public information, it is permissible for the authors' names to be published. The names may be followed by qualifications, MDC or MDTB registration numbers and place of practice. These should not be unduly emphasised in large or heavy print. There must not be laudatory editorial references to the authors' professional status or experience.

3.2.7 Interviews and Lectures

- i. **Lectures to the Lay Public** - A practitioner who delivers a lecture should request the chairman to be circumspect with introductory remarks concerning his professional status or achievements.
- ii. **Press Interviews** - A practitioner giving an interview to a press reporter should strictly adhere to these guidelines. The responsibility for the contents of the interview rests solely with the practitioner.

3.2.8 Broadcasting, TV and Electronic Information Media

Practitioners are permitted to participate in programmes on the radio, TV and other electronic media provided they observe appropriate ethical standards and do not seek to place themselves in an advantageous position over their colleagues.

3.2.9 Internet

Practitioners are allowed to set up websites, social media and mobile apps to inform the public about their practices.

- a) **Website Contents** - may include:
 - i) Name of the practitioner(s)
 - ii) Registrable professional qualification(s)

- iii) MDC registration numbers
- iv) Practice address (es) - map and illustration may be included.
- v) Home address
- vi) Consultation hours
- vii) Telephone / fax numbers
- viii) Email and other social media address(es)
- ix) Web page address(es)
- x) Logo – must comply with these guidelines (**Appendix A**)
- xi) Photograph of the practitioner
- xii) List of services provided
- xiii) Fees
- xiv) Educational materials
- xv) Date of the last update
- xvi) Any other information required by other acts or regulations, for example, Company Act 2016

If a practitioner wants to promote his services on his clinic website, he must make clear that the treatment advertised may not be appropriate for every patient and that it is conditional on a satisfactory assessment being carried out. He must assess the patient, obtain his informed consent, obtain an updated medical history, and explain all the options before carrying out any treatment.

b) Social Media - social media describes the online and mobile tools that are used to share opinions, information, experiences, images, and video or audio clips, and includes websites and applications used for social networking. Common sources of social media include but are not limited to Facebook, Twitter, YouTube, Instagram, WeChat, TikTok, and any other permissible platforms including discussion forums and message boards.

A practitioner should be aware of his obligations under the Dental Act 2018 and its regulations in using social media. Other regulations to be complied with include guidelines set by MDC or MDTB and other legislations, such as the Private Healthcare Facilities and Services Act 1998.

- c) Mass Emailing** - Mass emailing is only permitted when it is sent to *bona fide* patients of the practice under one or more of the following circumstances:
- i. Commencement of a branch practice
 - ii. Taking over or merging with another practice
 - iii. Entering or dissolving a partnership with another practitioner
 - iv. Relocation of practice to new premises; and
 - v. Closure of practice.
- d) Mobile Apps** – A mobile app is a programme designed to run on smartphones, tablet computers and other mobile devices. Clinical mobile apps used to manage patients' records can be used as long as it complies with the Dental Act 2018 and its regulations. Other regulations to be complied with include guidelines set by MDC and other legislations, such as the Private Healthcare Facilities and Services Act 1998.
- e) Push technology** - Push technology such as but not limited to SMS, MMS, WhatsApp, Facebook Messenger, WeChat and Line shall only be used as an avenue for public information with prior consent from the recipients.

3.2.10 Vehicles

The vehicle for this purpose shall be limited to company registered vehicle for the facility only. The content must comply with this guideline i.e.

- i. The name of the clinic should be the same as stated in *Borang C* and *Borang G – Perakuan Pendaftaran Klinik Pergigian Swasta*
- ii. The primary language shall be *Bahasa Malaysia*. Additional translations in other languages are permitted and shall not be larger than the primary language.
- iii. Any additional contact information is permitted, such as clinic address, telephone number, email address, website, social media messaging apps, QR Code etc.
- iv. Logos are allowed.

The content must also comply with the relevant authorities, such as the Road Transport Department regulations.

3.3 Announcements

An announcement -

- a) shall be allowed on the commencement of the primary practice, the opening of a branch practise or the change of address of a practice
- b) may contain photographs and logos; and
- c) of oral health campaigns may include the names, addresses and contact numbers of the clinics involved and the logos of the organising associations or service organisations.

3.4 Dental Product Endorsement

Practitioners are allowed to sell or recommend oral healthcare-related products if they are the best way to meet a patient's needs within their premises. However, they should not induce patients towards a specific product, nor should the activities lead to a conflict of interest in the management of patients.

If a practitioner recommends any products, he must ensure that he only provides factual information about the products, which can be verified by evidence and should not express or imply his view is shared by the whole profession.

3.5 Health Screening Camps

Groups or organisations may organise and offer free dental check-ups for the public. The names of the clinics, telephone numbers and addresses of practices of the practitioners conducting these free check-ups may be published by the Malaysian Dental Association or other organisations. Any inquiries for additional information by members of the public should be handled by the groups or organisations concerned.

3.6 Third-Party Involvement

- i. A practitioner may enter into an agreement with individuals or organisations to inform the public of their services, provided that the agreement does not permit or compel unethical conduct. In undertaking such contracts, the practitioner is required to deal fairly with the public and his fellow practitioners.
- ii. Practitioners are advised to be discerning when dealing with third parties who provide dental care programmes, and they must ensure that:
 - a) there is no canvassing;
 - b) there is no fee-splitting; and
 - c) these programmes are open to participation by all practitioners.
- iii. It is unethical for a practitioner to contract his services under conditions that make it difficult to render services to his patients in a timely and reasonable manner.

GUIDELINES ON USE OF LOGO

The Malaysian Dental Council and the Malaysian Dental Therapists Board permits the use of logos solely for informational purposes. Each practitioner is personally responsible for the logos and liabilities attached therein.

- a) A logo is a non-heraldic badge used for the identification of a dental practice.
- b) A logo must reflect the good image of the profession.

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1.	Dr. Ng Woan Tyng	Chairman
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