

 GOVERNMENT OF DUBAI	Policy	 سلطة مدينة دبي الطبية Dubai Healthcare City Authority القطاع التنظيمي - Regulatory
	<u>Advertisement Policy and Procedure</u>	
Document #: PP/AD/001/01		Review Date: 12. December 2019
Issue Date: 13 December 2016		Related Forms: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

1 **PURPOSE:**

The purpose of this document is 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.

2 **APPLICABILITY:**

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

3 **DEFINITIONS / ABBREVIATIONS:**

- 3.1 **Advertising** 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.
- 3.2 **DHCC:** Dubai Healthcare City
- 3.3 **DHCR:** Dubai Healthcare City - Regulatory
- 3.4 **Licensed operator** means DHCC Clinical Operators, DHCC Non Clinical Operators and DHCC Licensed Healthcare Professionals
- 3.5 **MOHAP:** Ministry of Health and Prevention

4 **RESPONSIBILITY:**

- 4.1 The Licensing Department is responsible for reviewing and monitoring all advertisements produced by or related to DHCC Licensed operators.
- 4.2 Approval of the proposed advertisement by the Licensing Department does not constitute the endorsement by DHCC or DHCR or the Licensing Department of any Operators, Professionals, Products, or Services appearing in any advertisement.
- 4.3 The right to decline or cancel any advertisement at any time is at the discretion of the Licensing Department.

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- 4.4** Operators must obtain DHCR approval for all their medical advertisements using the policy, guidelines and forms contained herein.
- 4.5** Operators must obtain MOHAP approval for their medical advertisements that will be displayed outside their facility.

5 POLICY

- 5.1** All advertisements must comply with UAE federal laws and MOHAP requirements.
- 5.2** DHCR review all DHCC operator submissions of advertisements and all relevant supporting information documents against the criteria in this policy and give approval where relevant.
- 5.3** The criteria used by DHCR includes but is not limited to the following:
- 5.3.1** Correct and true information as determined and verified by DHCR personnel using valid evidence bases;
 - 5.3.2** The product or service is in line with the operator license and scope of service;
 - 5.3.3** The operator has the relevant staffing and skill mix to deliver the service or use the product;
 - 5.3.4** Application contains DHCC location;
 - 5.3.5** Written in simple, easy to understand language without complex medical terms, unexplained abbreviations and acronyms;
- 5.4** Advertisements used without appropriate approvals will be considered as non-compliant with DHCR/MOHAP rules and regulation and are subject to violation.
- 5.5** Advertisements modified after the initial approval without obtaining further approval for changes will be considered as non-compliant with DHCR/MOHAP rules and regulation and are subject to violation.

6 PROCEDURE:

- 6.1** The Operator must submit an “Advertising Review Request Form” form (Appendix 2) to the Licensing Department, DHCR for any advertising at least 14 working days prior to advertising date. The Advertisement Review Request form must be accompanied by:
- i. Fee (As per current DHCR services price list);
 - ii. Exact copy of advertisement or media presentation;
 - iii. Legal translation of advertisement (if in a language other than English or Arabic);
 - iv. Copy of Commercial License (if applicable);
 - v. Copy of Clinical Operating Permit (if applicable).
- 6.2** Medical advertising requests will be processed within DHCR with the initial response to the applicant within ten working days.

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- 6.3 DHCR will review the advertisement to determine if the advertising information is true and correct in accordance with the operator's license and permits.
- 6.4 DHCR will send a written letter of approval, declined or request for modification to the licensed operator.
- 6.5 In the event a modification is required, the licensed operator must re-submit the advertisement to DHCR for final approval. A maximum of two modification occurrences will be allowed.
- 6.6 Modifications should be submitted by licensed operator within one month of feedback from DHCR. Failure to comply or submit modifications within one month will result in rejection of the application.
- 6.7 For all approved advertisements, DHCR will issue an "Approval Number" which must appear on the advertisement.
- 6.8 Approval Numbers have a validity period of six months from the date of approval provided there is no change made to the advertisement content either by text or photo or video.
- 6.9 A new Advertising Review Request must be submitted 14 working days prior to expiry of current approval number.
- 6.10 If the licensed operator intends to make changes to the approved advertisement prior to expiry date, a new Advertising Review Request must be submitted 14 working days prior to advertising date with the changes in the advertisement material highlighted.
- 6.11 Licensed operator must obtain MOHAP approval for their printed and electronic advertising following DHCR approval. This requirement is exempted only if it is a printed advertisement placed within the premises of the DHCC facility.

7 REFERENCES AND RELATED DOCUMENTS:

- 7.1 Advertisement Guidelines - See Appendix 1
- 7.2 Flowchart – See Appendix 3

8 RELATED FORMS:

- 8.1 Advertisement Review Request – See Appendix 2

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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. The Licensed operator maintains a complete, accurate and reproducible version of the audio and visual contents of the advertising material for a period of three (3) years; and
 - c. Licensed operator covers all costs involved in the procedure.
4. The advertisement shall be in both Arabic or English language. If another language is required, the legal translation of that document must be submitted with the "Advertising Review Request Form".
5. Any medical equipment and other devices advertised shall hold an international approval by an authorized and recognized agency from the country of origin and also registration with MOHAP. The medical device documentation shall include operating procedures and instructions related to and needed to be aware of by users; these devices shall be subject to evaluation, assessment and approval by DHCR.
6. Any medical product/device/equipment advertised should have MOHAP registration.
7. Advertising materials must be accurate, balanced and scientifically accurate.
8. 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.
9. Advertisement may include reference to sponsorship of any government agency, hospital or other facility.
10. Advertisement for medical products must not contain or include reference to free samples.
11. Advertisement should truthfully state the nature, quality and properties of the medical product/treatment.
12. All claims made in the advertisement must be sustained with robust and recent scientific evidence such as published journal articles.
13. Advertisement should not directly or indirectly encourage unnecessary or excessive use of the medical product/treatment.
14. Advertisement should not contain any offer of money refunds.

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15. Advertisement should not suggest trial use of medical products/treatment.
16. Advertisement should not give the impression that a normal lifestyle requires the use of particular medical product/treatment.
17. Advertisement 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.
18. Advertisement 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.
19. Advertisement for weight management services/treatment, meaning weight loss, measurement reduction, and weight control, must have a balance between the claim and references to healthy energy-controlled diet and physical activity.

PROHIBITED ADVERTISEMENT

Advertisement that:

1. Does not have appropriate approvals.
2. False, deceptive, or misleading;
3. Has the effect of intimidating or exerting undue pressure;
4. Guarantees a cure;
5. Makes 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 negative 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, (i.e. The Unique, The One and Only, The Best, Guaranteed to Cure, etc.) of products and services;
8. Is comparative;
9. Contains confidential patient information;
10. Contains patient photographs/video, unless written consent by the patient or patient's guardian has been obtained and there is evidence that the content relates directly to the advertised product;
11. Arouses unwarranted and unrealistic expectations of the service/product;
12. Leads to consumers self-diagnosing or inappropriately treating diseases;
13. Misleads directly or by implication or through emphasis, comparisons, contrast or omissions;
14. Contains language which could bring about fear or distress;
15. Encourages inappropriate consumption;
16. Contains any claim or statement of effectiveness in all cases of a condition;
17. Contains any claim or statement that product is safe and has no side effect;
18. Is directed at minors (under 18years).
19. Has Product/service/treatment names:
 - a. with sexual implications
 - b. that are exaggerated or misleading
 - c. relating to any vital body organ, their functions or disease conditions.

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d. that specify a substance not found in the product

20. Has terms and claims such as (all terms but not limited to):

- a. Superlatives; e.g. The only, Expert, Most, Latest, etc.
- b. Exaggerated claims; e.g.
 - Clinically proven (unless substantiated)
 - Clinical trials (unless substantiated)
 - Complete cure
 - Cures when other treatments fail
 - Guaranteed
 - Improve sex life
 - Increase/Improve memory/performance
 - Instant cure
 - Other drugs/products/treatments cannot compare with it
 - Perpetual youth

21. Has any representation regarding the treatment, cure or prevention of the following conditions is prohibited (all conditions but not limited to):

- Neoplasia
- HIV, AIDS and/or HCV
- Mental illness

ADVERTISEMENT MODIFICATION

- Licensed operators must submit revised advertisement with advised modifications within 30 days of communication from DHCR. Failure to do so will result in rejection of the advertisement and the licensed operator will have to re-initiate the approval process with payment of advertisement review fee and submission again.
- DHCR may grant extended grace period for submitting revised advertisement subject to justification from Licensed operator.

ADVERTISEMENT APPROVAL VALIDITY

- Advertisements should display the DHCR Approval number.
- DHCR approval for the advertisement will be valid for six (6) months (provided that no changes are made to the approved version of the advertisement)
- Licensed operator should notify DHCR of intended changes to the advertisement. DHCR will decide if a new review and approval process is required based on the nature of changes licensed operator wants to make in the advertisement.
- If DHCR decides a new review and approval process is required, licensed operator shall pay the Advertisement Review fee and submit the modified advertisements with the Advertisement Review Request form and relevant documents for a new Approval number.

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Appendix 2:

Advertisement Review Request Form

Facility Information- Kindly print or type clearly and provide all requested information.

Name of Facility	
Services on Clinical Operating Permit	
Clinical Operating Permit Expiry Date	

Advertisement Material Information - Kindly choose one of the below:

<input type="checkbox"/> Brochure	<input type="checkbox"/> Press Release
<input type="checkbox"/> Flier/Poster	<input type="checkbox"/> SMS
<input type="checkbox"/> Radio	<input type="checkbox"/> Social Media. Please specify
<input type="checkbox"/> Television	<input type="checkbox"/> Website Content. Please specify URL
<input type="checkbox"/> Printed Outdoor Mobile Advertisement	<input type="checkbox"/> Other. Please specify

Kindly answer all of the following questions.

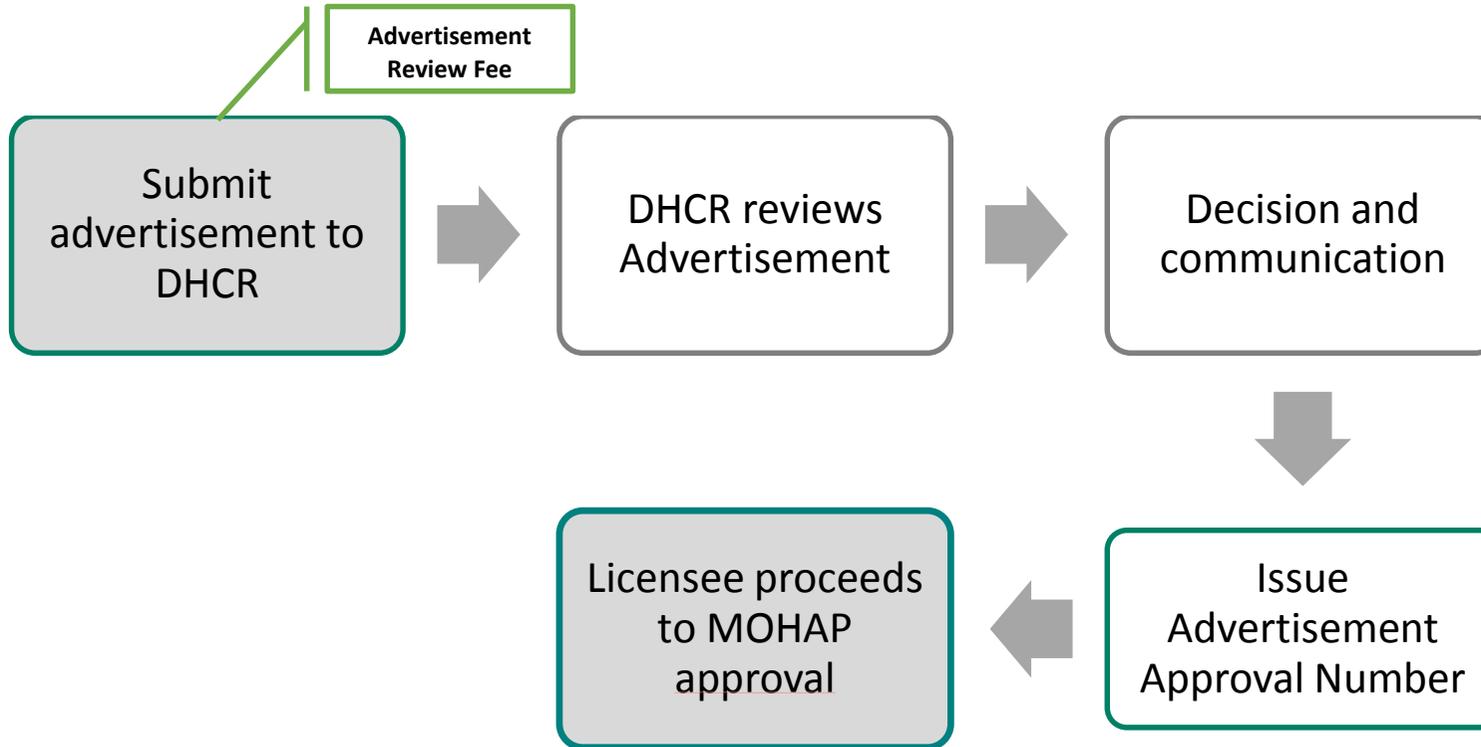
Is the name of the facility on the advertisement consistent with its clinical operating permit?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Are the services being advertised consistent with the facility's clinical operating permit?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Are all the pictures and text (if any) contained within the advertisement appropriate and respectful of UAE culture?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Are the licenses of all healthcare professionals featured in the advertisement valid?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Are all healthcare professionals featured in the advertisement licensed to practice at the advertising facility?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Are all the titles used by healthcare professionals in the advertisement as per DHCA records?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is the facility's clinical operating permit valid?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is the medical information content of the advertisement evidence-based?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Are you aware that MOHAP Approval is to be obtained after DHCR approval?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Are you aware that MOHAP Approval will incur a fee?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is the advertisement being submitted in its final form and as it will appear in the media?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Are you aware that DHCR advertisement review process takes up to 10 working days?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Are you aware that unauthorized changes to the advertisement, should it be approved by DHCR, will be subject to disciplinary action?	<input type="checkbox"/> Yes <input type="checkbox"/> No

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Appendix 3:
Advertisement Review & Approval Process Flow Chart



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