

CFM Updates Medical Advertising Rules

On September 12, 2023, the Federal Council of Medicine (“CFM”) published CFM Resolution No. 2,336, which sets out new rules on medical advertising.

According to the new text, doctors are now allowed to promote their work, disclose the prices of their consultations, and run promotional campaigns. Additionally, they can organize educational courses and working groups. One of the most significant changes is the permission to use patients’ images, provided they are not identifiable, and subject to certain requirements, such as presenting the factors that may influence outcomes and describing potential complications. However, any manipulation or enhancement of images is strictly prohibited.

Additionally, the Resolution continues to prohibit advertising or publicity that promises guaranteed results, the promotion of methods not recognized by the CFM, and unfair competition practices.

The Resolution will come into force 180 days after its publication, so as of March 11, 2024, doctors who violate the provisions of the Resolution will be subject to liability by the relevant Regional Medical Council.

Campos Thomaz & Meirelles is available to assist our clients with any type of digital marketing, including regulatory issues involving healthcare matters.

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