

Kansas Administrative Regulations

Board of Examiners in Optometry

Article 11.—Advertising

65-11-2. Fraudulent advertisement.

Advertisements which will be deemed to be fraudulent shall include, but are not limited to, those which:

- (a) use language that is likely to be misunderstood;
- (b) contain qualifying statements in small type which are likely to be overlooked by the casual reader;
- (c) exaggerate the quality of goods or services;
- (d) contain any promise of improved condition;
- (e) contain any information which would misrepresent the scope of the licensee's license or indicate that the licensee is able to render services the licensee is not qualified or licensed to do;
- (f) do not contain a full breakdown and itemization of professional services versus ophthalmic goods when advertising the cost and availability of optometric goods and services;
- (g) indicate or imply that the licensee is engaged in or maintains an office for the practice of optometry as part of, or in association with, the business or operation of an unlicensed person or entity, except as authorized by the Kansas professional corporation act or through the lawful functioning of a professional partnership or association with other health care providers;
- (h) contain a licensee's name that is not accompanied by the designation O.D., Optometrist or Doctor of Optometry; and
- (i) contain statements or claims of superiority over other licensees or other health care professionals.

(Authorized by K.S.A. 74-1504(a)(6); implementing K.S.A. 1991 Supp. 65-1517; effective May 18, 1992.)

***** Authenticated Kansas Administrative Regulation *****