

5CSR8

**TITLE 5
LEGISLATIVE RULE
WEST VIRGINIA BOARD OF DENTISTRY**

**SERIES 8
DENTAL ADVERTISING**

§5-8-1. General.

- 1.1. Scope. -- This rule regulates the advertising of the practice of dentistry.
- 1.2. Authority. -- W. Va. Code §30-4-6.
- 1.3. Filing Date. -- April 10, 2020
- 1.4. Effective Date. -- June 1, 2020
- 1.5. Sunset Date. -- This rule shall terminate and have no further force or effect on June 1, 2030.

§5-8-2. Definitions.

2.1. As used in this rule, the following words and terms have the following meanings, unless the context clearly indicates otherwise:

2.1.a. “Board” means the West Virginia Board of Dentistry;

2.1.b. “Advertising” means any communication, whether oral or written, between a dentist or other entity acting on behalf of one or more dentists and the public. It includes, but is not limited to: business cards, signs, insignias, letterheads, internet communications, radio, television, newspaper and magazine ads, and display or group ads or listings in telephone directories.

§5-8-3. Dentists may advertise.

3.1. Any advertising engaged in by a duly registered and currently licensed dentist in West Virginia shall be in compliance with the provisions set forth herein and W. Va. Code §30-4-1 et seq.

3.2. A duly registered and currently licensed dentist may not use or participate in the use of any advertising containing a false, fraudulent, misleading, deceptive or unfair statement or claim.

§5-8-4. Announcement of Services.

4.1. Any announcement of services by a general practitioner shall state in a prominent manner that the dental practice is one of general dentistry.

4.2. The announcement of services of the general practice of dentistry shall be clearly legible, with print equal to or larger than the announcement of services, and clearly audible, with speech volume and pace equal to the announcement of services.

4.3. Any announcement or advertisement of sedation services, may only be allowed by a licensed dentist in compliance with the provisions of W. Va. Code §30-4A-1 et seq.

§5-8-5. Compliance.

5.1. Any registered and currently licensed dentist in West Virginia failing to comply with the provisions of this article is subject to disciplinary action as provided in W. Va. Code §30-4-19.