**Section 1360.85 Advertising**

a) If an advertisement is communicated to the public over television or radio, it shall be prerecorded and approved for broadcast by the podiatric physician, and a recording of the actual transmission, including videotape, shall be retained for at least 3 years by the podiatric physician.

b) A podiatric physician may incorporate as a professional service corporation in accordance with the Professional Service Corporation Act [805 ILCS 10] under a fictitious or an assumed name; however, all advertisements for podiatric services to be performed by members or employees of the corporation must comply with the following:

1) A podiatric physician licensed and practicing in Illinois shall be designated at each practice location for the corporation and shall assume responsibility for all advertising in Illinois.

2) The name, office address and office phone number of the designated podiatric physician shall appear in all advertising for the corporation.

3) The names of the owners of the corporation, if other than the designated podiatric physicians, shall appear in all advertising for the corporation.

4) A list of all podiatric physicians employed by the corporation who perform podiatric services shall be prominently displayed at the location where they practice.

5) Any advertisement that contains the names of podiatric physicians employed by the corporation shall include at least one of the following terms to describe each podiatric physician's licensure: podiatric physician, doctor of podiatric medicine, podiatrist, foot specialist or chiropodist.

c) A podiatric physician not incorporated in accordance with the Professional Service Corporation Act [805 ILCS 10] shall identify himself/herself by the use of the name in which the license to practice is issued and shall include at least one of the following terms to describe his/her licensure: podiatric physician, doctor of podiatric medicine, podiatrist, foot specialist or chiropodist. This name and designation shall appear in all forms of advertising, in whatever medium conveyed.

d) A podiatric physician may advertise certification by a certifying specialty board approved by the Board or by the Council on Podiatric Medical Education. Approvals granted by the Board shall be subject to review and reconsideration every 2 years. In approving a certifying specialty board, the Board shall determine that the specialty board has met, at a minimum, the following criteria:

1) The certifying specialty board requires passage of an examination appropriately designed to test the applicant's knowledge of the area of specialty in order to obtain certification. The testing standards of the certifying specialty board are established prior to the test and are based on standards of acceptable psychometric validity and reliability;

2) The certifying specialty board requires appropriate educational and experience standards in order to obtain certification and grants or denies certification based on objective performance, skill, knowledge and merit of the candidate; and

3) The certifying specialty board shall be approved by an appropriate national accrediting agency for the certification of professional programs at least 2 years prior to application to the Division.

e) Any specialty advertisement shall include the complete name of the certifying specialty board.

f) In addition to the above requirements, a podiatric physician shall comply with advertising requirements set forth in Section 21 of the Act.

(Source: Amended at 30 Ill. Reg. 4704, effective March 1, 2006)