

**SENATE . . . . . No. 1113**

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The Commonwealth of Massachusetts

PRESENTED BY:

*Thomas P. Kennedy*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to truth in advertising.

PETITION OF:

NAME:

*Thomas P. Kennedy*

DISTRICT/ADDRESS:

**SENATE . . . . . No. 1113**

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By Mr. Kennedy, petition (accompanied by bill, Senate, No. 1113) of Kennedy for legislation relative to truth in advertising [Joint Committee on Public Health].

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 827 OF 2009-2010.]

The Commonwealth of Massachusetts

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**In the Year Two Thousand Eleven**  
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An Act relative to truth in advertising.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. Notwithstanding any general or special law to the contrary it shall be  
2 unlawful for any person who is not a medical doctor, doctor of osteopathic medicine, doctor of  
3 dental surgery, or doctor of dental medicine to make any statement, or engage in any act, that  
4 deceives or misleads the public or a prospective or current patient that such person is a medical  
5 doctor, doctor of osteopathic medicine, doctor of dental surgery or doctor of dental medicine or  
6 has the same or equivalent education skills or training. Such deceptive or misleading statements  
7 or acts shall include advertising in any medium, making false statement regarding the education,  
8 skills, training or licensure of such person or in any other way describing such person’s  
9 profession, skills, training experience, education or licensure in a fashion that causes the public, a  
10 potential patient or current patient to believe that such person is a medical doctor, doctor of  
11 osteopathic medicine, doctor of dental surgery or doctor of dental medicine.

12           SECTION 2. The attorney general shall develop fines and penalties for violation of  
13 section 1 of this act.