

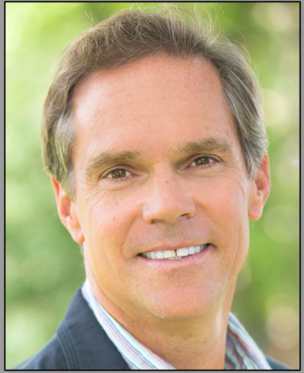


# NAATP NATIONAL 2022

# NAATP Ethics Program

## Where We Were and Where We Are Now

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**Bob Ferguson**  
Jaywalker Lodge & Alpha 180  
Founder  
NAATP Board Chair



**Heidi Trow**  
Webconsuls  
Owner & Managing Partner



**Scott Munson**  
Sundown M Ranch  
Executive Director  
NAATP Ethics Committee Chair



**Laysan Unger**  
LegitScript  
Associate General Counsel



**Peter Thomas**  
NAATP  
Director of Quality Assurance

# NAATP Ethics Program

## Where We Were and Where We Are Now



Laysan Unger  
LegitScript  
Associate General Counsel

# Updates to LegitScript Certification Standards

- Addressed applicant pain points
- Clarified and streamlined the process
- Modified some requirements





# Facilities Certified by LegitScript

**3,600**

Addiction treatment  
facilities currently  
certified

**115**

Individual  
practitioners  
currently certified

**~200**

Nonprofits and gov't  
organizations  
currently certified

# Reported Websites & Facilities

- In 2021, we looked into 67 reports that came directly from the public.
- So far in 2022, we have looked into 21 reports.



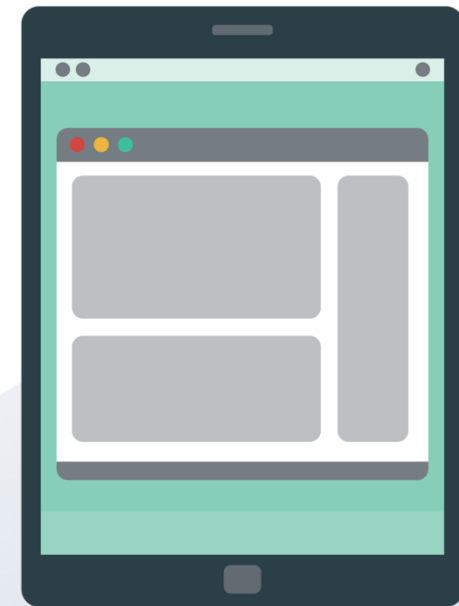
# Problematic Ads

**71%**

The percent reduction in websites running problematic ads since the program's inception.

**96.3%**

The percent reduction in **lead generators** and **fake centers** on Google since the program's inception.



# Online Advertising

By taking out bad actors, digital advertisers are getting more value.

- The cost of advertising dropped by an average of 30% between 2017 and 2021.
  - Based on CPC of top addiction treatment keywords
- Ads are more relevant and targeted.
- People in need more easily finding the help they need.





# NAATP Ethics Program

## Where We Were and Where We Are Now



Scott Munson  
Sundown M Ranch  
Executive Director  
NAATP Ethics Committee Chair

# NAATP Code of Ethics

- Section I: Treatment
- Section II: Management
- Section III: Facilities
- Section IV: Marketing
  - A. Financial Rewards for Patient Referrals
  - B. Deceptive Advertising or Marketing Practices

Adopted: January 2012

Amended: December 2017 as Version 2.0

Amended: February 2019 as Version 2.5

Amended: March 2021 as Version 2.55

Reviewed: March 2022

<https://www.naatp.org/programs/ethics/code-ethics>

# Directory Websites

- NAATP Code of Ethics Section IV-B-7
  - “NAATP Members may not own, operate or otherwise control directory type websites.”

<https://www.naatp.org/programs/ethics/code-ethics>

# NAATP Ethics Complaint Process

- **If you have a complaint about a NAATP treatment center member, please follow these steps:**
- **Contact the treatment center.** Most treatment facilities have an internal complaint process. Contact information may be found in the [NAATP Membership Directory](#).
- **Contact the accrediting body.** This is typically [CARF \(Commission on Accreditation of Rehabilitation Facilities\)](#) or [The Joint Commission](#). Accrediting bodies require that treatment centers deliver care pursuant to specific quality and safety standards.
- **Contact the [State Licensing Agency](#) or [State Counselor Licensure Board](#).** Addiction treatment should only be delivered if the agency is licensed to deliver a specific service. Treatment centers and their professional employees are usually licensed by the state in which the center does business. Contact the state licensing agency to file a complaint or to speak with someone about your concerns.
- **File a complaint** by contacting the [State Better Business Bureau](#). The Treatment Center must be registered with the BBB in order to file a formal complaint.
- **File a complaint with the [Federal Trade Commission](#).** If your complaint is related to marketing misrepresentations, such as false statements, or other deceptive marketing practices, you can file a [Consumer Complaint](#) with the FTC. The Opioid Addiction Recovery Fraud Prevention Act of 2018 ([HR-6](#)), authorizes the Commission to seek civil penalties for unfair or deceptive acts or practices with respect to any substance use disorder treatment service or substance use disorder treatment product.
- **File a complaint with [LegitScript](#).** If the organization is Certified by LegitScript, and your complaint is potentially violative of the [LegitScript Certification Standards](#).
- **File a complaint** with NAATP by using the online form linked at the bottom of the page

<https://www.naatp.org/programs/ethics/ethics-complaint-process>



# NAATP Ethics Program

## Where We Were and Where We Are Now



Peter Thomas  
NAATP  
Director of Quality Assurance

# NAATP's Role

- Enforce NAATP Code Among Members
  - Monitor Compliance
  - Review Complaints
- Monitor Marketing Practices
- Maintain Active Relationships with Oversight Organizations
  - Google
  - LegitScript
  - Federal Trade Commission
  - Attorneys General
- Direct Members and Public to Complaint Resources
- Coordinate Advocacy Efforts

# NAATP's Role

- NAATP only has authority for issues related to current members
  - If a member is engaged in practices that violate our code, [File a Complaint](#)
- If a non-member is engaged in deceptive practices, you can:
  - File a [complaint with Google](#) (use ellipses on ad)
  - File a [complaint with LegitScript](#)
  - File a [complaint with FTC](#)
  - Contact state regulatory and law enforcement agencies
  - Contact NAATP for information and resources

# Common Misconceptions

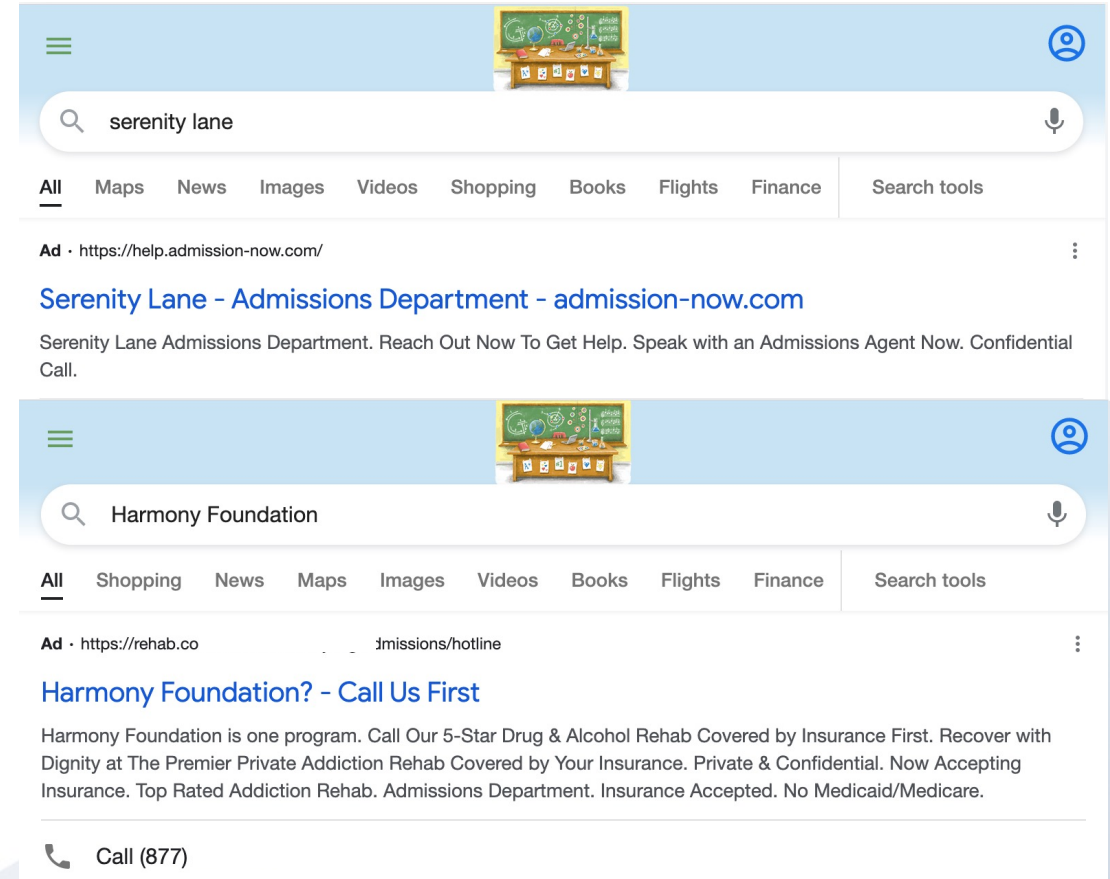
- NAATP Membership is Required for LegitScript Certification
  - There is no reciprocal requirement between LegitScript and NAATP
- LegitScript Certification is Required for NAATP Membership
  - NAATP will verify claims made regarding certification but does not require it
- NAATP Disallows Bidding on Competitor Brands
  - More on this



# NAATP Code and Google Ads:

- Code section IV-A-4
  - “...ads may not include language in the heading or ad text that includes the name of another treatment center. Ads may not reference locations where services are not provided, or services for which the provider is not licensed, or are not actually offered by the provider.”

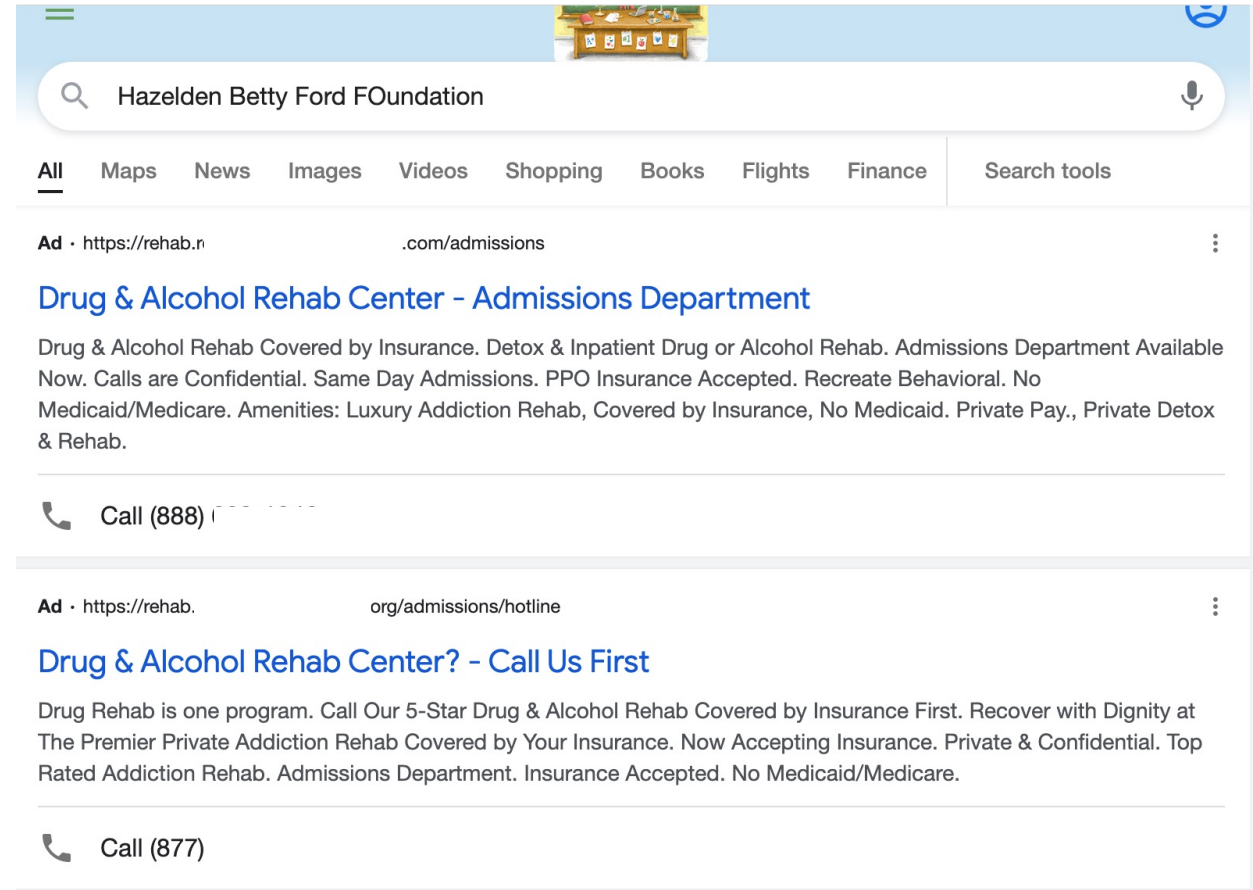
<https://www.naatp.org/programs/ethics/code-ethics>



# NAATP Code and Google Ads:

- Code section IV-B-1
  - ... NAATP Members must clearly brand all advertising. All advertisements and promotional materials must prominently display the treatment center name and brand. Advertisements placed through third parties such as addiction related websites must be marked as such.

<https://www.naatp.org/programs/ethics/code-ethics>



The screenshot shows a Google search for "Hazelden Betty Ford Foundation". The search results include two advertisements for "Drug & Alcohol Rehab Center".

**Ad 1:** <https://rehab.r.com/admissions>  
**Drug & Alcohol Rehab Center - Admissions Department**  
Drug & Alcohol Rehab Covered by Insurance. Detox & Inpatient Drug or Alcohol Rehab. Admissions Department Available Now. Calls are Confidential. Same Day Admissions. PPO Insurance Accepted. Recreate Behavioral. No Medicaid/Medicare. Amenities: Luxury Addiction Rehab, Covered by Insurance, No Medicaid. Private Pay., Private Detox & Rehab.  
Call (888) 1-888-8888

**Ad 2:** <https://rehab.org/admissions/hotline>  
**Drug & Alcohol Rehab Center? - Call Us First**  
Drug Rehab is one program. Call Our 5-Star Drug & Alcohol Rehab Covered by Insurance First. Recover with Dignity at The Premier Private Addiction Rehab Covered by Your Insurance. Now Accepting Insurance. Private & Confidential. Top Rated Addiction Rehab. Admissions Department. Insurance Accepted. No Medicaid/Medicare.  
Call (877) 1-877-8777

# NAATP Code and Google Ads:

Why We Didn't go further

**UNITED STATES OF AMERICA  
BEFORE THE FEDERAL TRADE COMMISSION**

**COMMISSIONERS:**     **Joseph J. Simons, Chairman**  
                              **Noah Joshua Phillips**  
                              **Rohit Chopra**  
                              **Rebecca Kelly Slaughter**  
                              **Christine S. Wilson**

**In the Matter of**

**1-800 Contacts, Inc.,  
a corporation,**

**Respondent**

**DOCKET NO. 9372**

**FINAL ORDER**

**IT IS FURTHER ORDERED** that Respondent, directly or indirectly, or through any corporate or other device, in connection with the advertising, marketing, sale, or distribution of contact lenses in or affecting commerce, as “commerce” is defined in Section 4 of the Federal Trade Commission Act, 15 U.S.C. § 44, shall cease and desist from:

- A.     Entering Into any combination, conspiracy, or agreement with a Seller to prohibit, restrict, regulate, or otherwise place a limitation on the ability of a Seller to participate in a Search Advertising auction, or to provide instructions to a Search Engine regarding the nature and extent of a Seller’s participation, including but not limited to, prohibiting or restricting the use of a Keyword or requiring the use of a Negative Keyword.

2

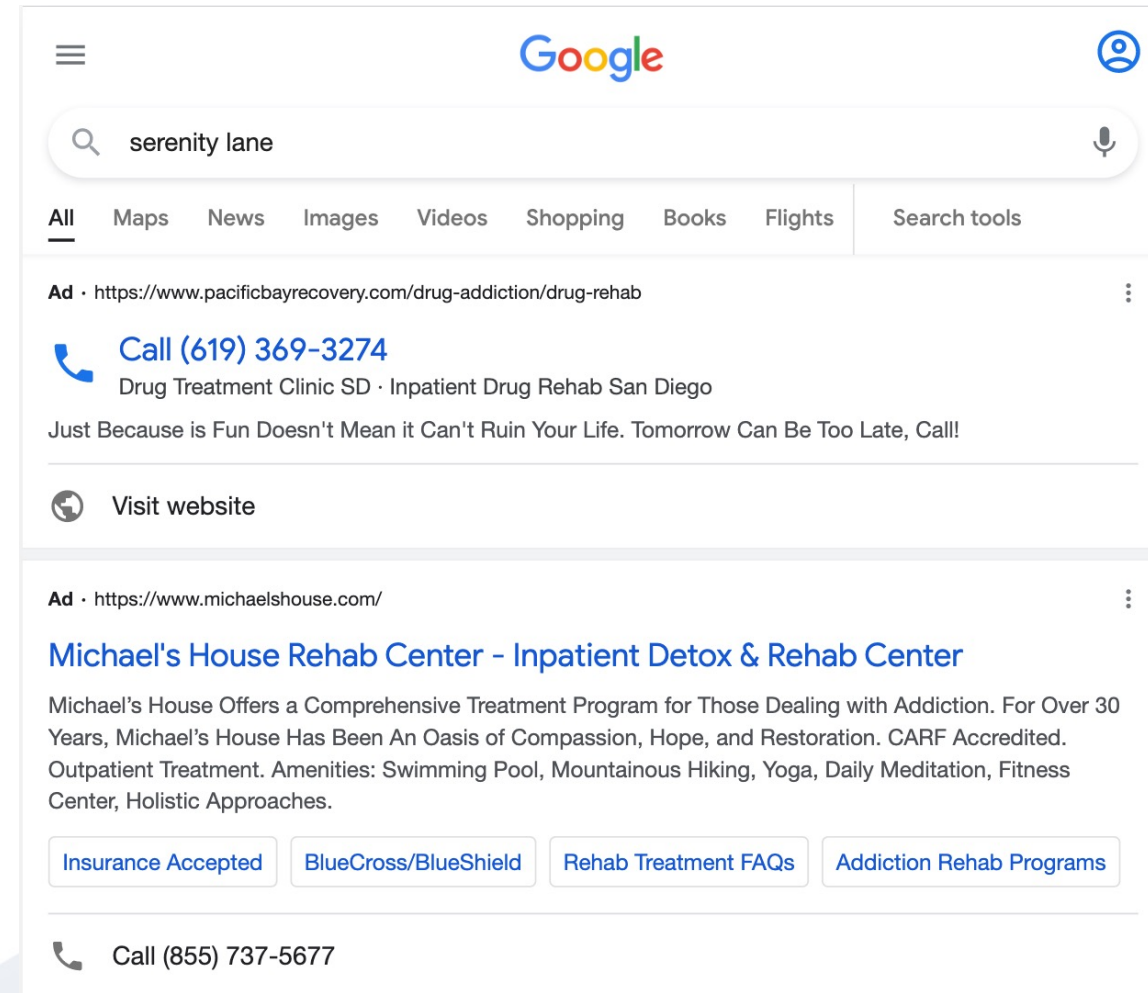
- This order has since been [overturned by the Second Circuit Court of Appeals](#)

<https://www.ftc.gov/legal-library/browse/cases-proceedings/141-0200-1-800-contacts-inc-matter>

# NAATP Code and Google Ads:

Why We Didn't go further

- Ads against competitors can be done transparently
  - Clear facility branding
  - No false or misleading claims
  - No use of other brand names
- Complexity of Broad Match
  - We can't always tell when ads are intentional
  - Need to work with Google to prevent malicious ads by non-certified entities





# NAATP Ethics Program

## Where We Were and Where We Are Now



Heidi Trow  
Webconsuls  
Owner & Managing Partner



W E B C O N S U L S

# HISTORICAL ETHICAL ISSUES

- Companies misleading and misrepresenting via Google Ads
- Treatment centers enabling this via willingness to pay for leads
- Flooding the market and oversupply
- Higher Cost Per Click & Competition

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W E B C O N S U L S

## WHAT WAS SOLVED

- Paid ads from faux treatment centers
- Organic positioning of faux centers
- Artificial augmentation of the market rate/  
cost per click for treatment search terms on Google Ads
- Horizontal restraints of trade via collabs between fake entities and willing treatment centers



W E B C O N S U L T S

## WHAT PERSISTS?

- Ads pretending to be existing treatment centers. Some of the brand names being bid on are LegitScript certified and some aren't.
  - Example: “Oasis Pines” is not an addiction treatment term, so anyone can bid on it.
- Ads from treatment centers that are LegitScript certified bidding on competitor names intentionally.
- Treatment centers training admissions to convert these leads (people looking for other centers) in any way possible.



W E B C O N S U L T S

# IMPACT

## On Patients

- Takes advantage of patients when they are at their most vulnerable
- Robs them of quality addiction treatment relevant to their specific needs
- Incites mistrust, trauma, persistence of addiction and behavioral health severity, financial hardship and more

## On Brand Bidders

- Tasks admissions with a moral dilemma; forces them to engage in deceptive practices.
- Costs more and harder to convert vs. spending where their competitive advantage is.
- Influx of patients who may not be the right fit (because initially looking for a specific brand).

## On Brands Bid On

- Increases costs – needing to augment their brand defense campaigns.
- Drives up the cost per click for brand name bids in the industry (100+% increase).
- Creates an environment of resentment & mistrust internally and externally.





W E B C O N S U L S

# GOOGLE: BRAND NAMES ARE SYNONYMS

- Brand names were not synonymous or close matches for other brand names.

Now they are.

- Google has a good idea of what you do, so if someone searches for your company, it might trigger a broad keyword match showing another company's name.
- This happens in all industries.



W E B C O N S U L S

# GOOGLE: BRAND NAMES ARE SYNONYMS

benchmark



Ad · <https://www.getluna.com/> (615) 640-4407

## Now Available in Nashville - Luna Physical Therapy

Injury, surgery, sprain, or strain - Luna physical therapists help you recover faster. On-demand, outpatient appointments in your home or office. Schedule with Luna today!

[Nashville Locations](#) · [Rates & Insurance](#) · [How it Works](#) · [Contact Us](#) · [FAQs](#) · [For Therapists](#)

Ad · <https://s.healthnwell.com/healthcare/services>

## Benchmark PT - Browse Facts and Articles

Find Information on Service Providers, Common Questions and More. Browse Resources & More. Explore Healthy Lifestyle Tips and More. Start a Healthy Journey Today. Find...

[Senior Care Near Me](#) · [Spinal Atrophy Symptoms](#) · [Rheumatoid Arthritis Care](#)

## Related searches

Best physical therapy companies



PT Solutions  
Physical T...



CORA



Pivot  
Physical  
Therapy



ATI Physical  
Therapy



Symmetry  
Physical  
Therapy



Encompass  
Health

turo



Ad · <https://www.gopher.com/>

## Car rental from individuals - Gopher Search Home Web

Visit Gopher And Search For Information Now. Find What You Are Looking For. Quickly Browse Results.

## Related searches

Best for car rental



Hertz



Budget Rent  
a Car



Avis Car  
Rental



Dollar Rent A  
Car



Alamo Rent  
a Car

# NAATP NATIONAL 2022



W E B C O N S U L T S

# HOW ADS SHOW FOR YOUR BRAND NAME

- Dynamic insertion

This is a Google Ads management best practice whereby the query typed in by the user is dynamically inserted into the headline of the ad.

Example: A search for XYZ Treatment produces an ad from QRX Treatment that says “Searching for XYZ Treatment?” This is followed by the static ad text.

- Google using your brand name as a synonym – i.e. XYZ Treatment = close match for QRX Treatment
- Intentional, manual bidding on your brand name



W E B C O N S U L S

# SOLUTIONS

A blanket solution like banning all bids on brand names is challenging and unlikely.

Here are alternative solutions –

- Investigate
- File a Trademark Complaint
- Set Rules Internally
- Set Rules at the Industry Level



W E B C O N S U L S

# INVESTIGATE

If you see an ad using your brand name, right click on it and click save link as...

- Example 1: The URL shows the keyword often (but not always).

keyword=substance%20abuse%20detox%20centers

- Example 2: In this case, they were bidding on Cumberland Heights.

utm\_medium=cpc&utm\_source=google&utm\_campaign=TNALCDETAIcReh71320  
&utm\_content=TNALCDETAIcReh71320&utm\_term=cumberland%20heights

It will look something like this if they are manually, directly bidding on your name.

campaign=15328387323&adgid=131290481458&kwd=YOUR%20TREATMENT%20  
%CENTER%20NAME&mt=e&s&dev=c&dm=&nw=g



W E B C O N S U L S

# FILE A TRADEMARK COMPLAINT

- Make sure [your name is trademarked](#).
- File a trademark complaint via [this link](#).
- Report a trademark violation to Google [here](#)





W E B C O N S U L S

# FILE AN AD COMPLAINT

- Follow the steps outlined by NAATP [here](#)
- Report a deceptive ad or listing to Google [here](#)
- Report a deceptive ad or listing to LegitScript [here](#)
- Report a deceptive ad or listing to the FTC [here](#)

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W E B C O N S U L T S

# SET RULES

## Individually

- Determine your code of conduct for digital marketing. Communicate these to your agency/employees, have them agree on practices they cannot engage in.
- Have digital team add competitor names that pop up in the search terms report to their negative keyword lists.
- Quarterly: add NAATP member's names and close matches to your negative keyword lists in Google Ads.
- Train admissions on how to ethically handle leads looking for another center.

## Industry-Wide

- Agree on a code of conduct for bidding on each other's brand names, regardless if the names are trademarked.
- Provide a resource for centers to give to their digital marketing teams. This should outline ethics and how to avoid showing up for treatment center names (to the extent that it is possible) in Google Ads.
- Keep communicating the issues and submitting violative websites to Google, FTC and LegitScript en masse to impact the prominence of this.

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W E B C O N S U L S

# OATHS, ETHICS & LAW

## Hippocratic Oath (Ορκος)

This oath, written by Hippocrates, is still held sacred by physicians.

*Primum non nocere*: first, do no harm.

## NAATP Ethics

NAATP Members may not use misleading language in advertising. Search engine ads may not include language in the heading or ad text that includes the name of another treatment center. Ads may not reference locations where services are not provided, or services for which the provider is not licensed, or are not actually offered by the provider.

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W E B C O N S U L S

# OATHS, ETHICS & LAW (Cont.)

## **From Google**

We don't allow ads or destinations that deceive users by excluding relevant product information or providing misleading information about products, services, or businesses. Examples of misrepresentation: making offers that aren't actually available; making misleading or unrealistic claims; "phishing" or falsely purporting to be a reputable company in order to get users to part with valuable personal or financial information.

## **Opioid Addiction Recovery Fraud Prevention Act of 2018**

### **(a) Unlawful activity**

It is unlawful to engage in an unfair or deceptive act or practice with respect to any substance use disorder treatment service or substance use disorder treatment product.



NATIONAL ASSOCIATION<sup>®</sup>  
OF  
ADDICTION TREATMENT PROVIDERS

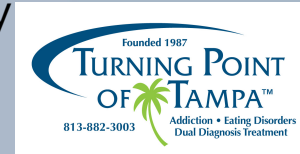
VOICE.  
VISION.  
LEADERSHIP.

# Thank you for attending

## Next Sessions:

### Leadership Luncheon

Sponsored By



12:15 - 1:45

*Bayview Room  
32nd Floor  
RSVP required*

### Workshop 2A:

Achieving Value-Based Care through Equitable  
Reimbursement

2:00 - 3:15

*Seaport Ballroom  
FG*

### Workshop 2B:

Advances in Virtual Care for Substance Use  
Disorders

2:00 - 3:15

*Seaport Ballroom  
H*