

Online Review Laws for Health Professionals

Australian Consumer Law (ACCC Guidance) Summary

Under the **Australian Consumer Law (ACL)** contained in the Competition and Consumer Act 2010 (Cth), health care providers must not engage in misleading or deceptive conduct.

When it comes to reviews, this means you must not filter which patients can leave a public review, suppress or delay negative reviews, selectively invite only satisfied patients, or present ratings that do not reflect genuine patient experience.

The Legal Foundation: Section 18 (misleading conduct), Section 29 (false representations), Section 34 (misleading representations about services). *Your Google rating is legally treated like advertising.*

1. **Reviews must be genuine:** No fake reviews, no staff/family reviews without disclosure, no editing patient wording.
2. **No review-gating:** Cannot filter patients before giving them a review link based on satisfaction.
3. **No selective invitations:** Cannot only invite "happy" patients to leave reviews.
4. **No suppressing negatives:** Cannot hide, delay, or selectively moderate negative feedback.
5. **Incentives must not distort:** Any incentive must apply regardless of rating and be disclosed.

What This Means for Health Professionals

YOU CAN:

- ✓ Send the same Google review link to every patient
- ✓ Invite patients to provide feedback
- ✓ Run patient satisfaction surveys
- ✓ Provide a complaints pathway
- ✓ Respond professionally to negative reviews

YOU CANNOT:

- ✗ Decide who gets a Google review link
- ✗ Require positive response before showing review platforms
- ✗ Divert unhappy patients away from public review sites
- ✗ Inflate ratings through filtering
- ✗ Present ratings that don't reflect real patient experience

1. Reviews Must Be Genuine

You must not: Write reviews for your own practice, ask staff/family to post without disclosure, edit patient wording, or publish fabricated testimonials.

ACCC guidance makes clear that fake or manipulated reviews breach consumer law.

2. Review-Gating is Illegal

This is where many clinics unintentionally breach the law.

ILLEGAL EXAMPLE (VERY COMMON)

SMS: "Were you happy?" → Patient rates → 5 stars goes to Google, 1-3 stars goes to private feedback form.

You are controlling which patients can publicly review your service. This creates a rating that appears more favourable than the real patient experience.

3. No Selective Invitations

Illegal conduct includes:

- Reception only sending review links to patients who said "that was great"
- Emailing review links only to long-term patients
- Sending review requests only after positive survey responses

Even without fake reviews, this may breach the law because it distorts the overall public impression.

4. Cannot Suppress Negative Reviews

You must not: Delay publishing negative feedback, hide negative reviews, display only positive testimonials, or selectively moderate feedback.

If the public sees only favourable feedback, the rating becomes misleading.

5. Incentives Must Not Distort Reviews

ILLEGAL

"Leave us a 5-star review and receive a discount."

POTENTIALLY LEGAL

"Leave a review (any rating) to enter a draw." (Must apply regardless of rating and be disclosed.)

Real Cases Relevant to Healthcare

ACCC v HealthEngine Pty Ltd

Federal Court found that editing and selectively publishing patient reviews misled consumers. Patients may choose practitioners based on online reviews, making accuracy especially important in healthcare.

Penalty: \$2.9 million

ACCC v Meriton Serviced Apartments Pty Ltd

Federal Court found that preventing certain guests from receiving TripAdvisor review invitations was misleading. Manipulating review access itself can breach consumer law—even if no fake reviews are written.

Penalty: \$3 million

THE ONE-SENTENCE RULE

If your system changes which patients are able to publicly review your service, it likely breaches Australian Consumer Law.

(This guide provides general information only and is not legal advice. Refer to ACCC guidance for full regulatory detail.)