

IN THE MATTER OF

MICHIGAN ASSOCIATION OF OSTEOPATHIC PHYSICIANS &
SURGEONS, INC.CONSENT ORDER, ETC., IN REGARD TO ALLEGED VIOLATION OF SEC. 5 OF
THE FEDERAL TRADE COMMISSION ACT

Docket C-3112. Complaint, July 26, 1983—Decision, July 26, 1983

This consent order requires a Michigan professional association, among other things, to cease inhibiting competition by restricting or advising member physicians against the truthful advertising of fees and services, and by declaring such activities unethical. The association must timely repeal any provision of its Code of Ethics and policy statements which are inconsistent with the prohibitions contained in the order, and publish revised versions of these documents. However, the order does not prohibit the association from enforcing reasonable guidelines governing advertising or solicitation which it reasonably believes to be false or deceptive. The order further requires the association to mail to all present and future members a letter notifying them of the consent agreement and its provisions, and send to each of its component and affiliate societies a copy of the order.

Appearances

For the Commission: *Cynthia E. Smith* and *Eric L. Prahl*.

For the respondent: *Robert L. Weyhing, III, Clark, Klein & Beaumont*, Detroit, Mich.

COMPLAINT

Pursuant to the provisions of the Federal Trade Commission Act, *as amended* (15 U.S.C. 41 *et seq.*), and by virtue of the authority vested in it by said Act, the Federal Trade Commission, having reason to believe that the named respondent has violated the provisions of Section 5 of the Federal Trade Commission Act and that a proceeding by it in respect thereof would be in the public interest, hereby issues this Complaint, stating its charges as follows:

PARAGRAPH 1. Respondent Michigan Association of Osteopathic Physicians & Surgeons, Inc. ("MAOP&S") is a corporation formed pursuant to the laws of the State of Michigan, with its mailing address at 33100 Freedom Road, Farmington, Michigan.

PAR. 2. Respondent is a professional association formed to represent the interests of osteopathic physicians and surgeons who practice in Michigan. Respondent has approximately two thousand, one hundred

