

2025  
Healthcare  
Industry

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Marketing  
Compliance  
Guide

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Threats, trends and solutions



# Contents



Executive Summary	03
6 Critical Healthcare Marketing Compliance Trends & Threats	05
Problems Facing Compliance Teams	07
How Healthcare Achieve Marketing Compliance	09
Expected Results from AI-Assisted Content Reviews	11
Sources	12

# Executive Summary



***In a field where trust is everything, shortcuts in Healthcare marketing compliance are not an option.***

Yet increasing content volume with shorter turn-around times along with evolving government regulations are making compliance harder to achieve. Legacy systems and manual methods of review make it a struggle to simultaneously keep pace and stay within the law.

The heavy workload stems from a combination of market and regulatory forces beyond the control of Compliance and Legal teams. In 2025 expect to see even more growth in digital ad spend with EMARKETER forecasting a 7.1% rise. Adding to this 63% of marketers plan to increase generative to scale content<sup>1</sup>. While this is great for content production efficiency - what does this mean for those charged with reviewing and approving content?

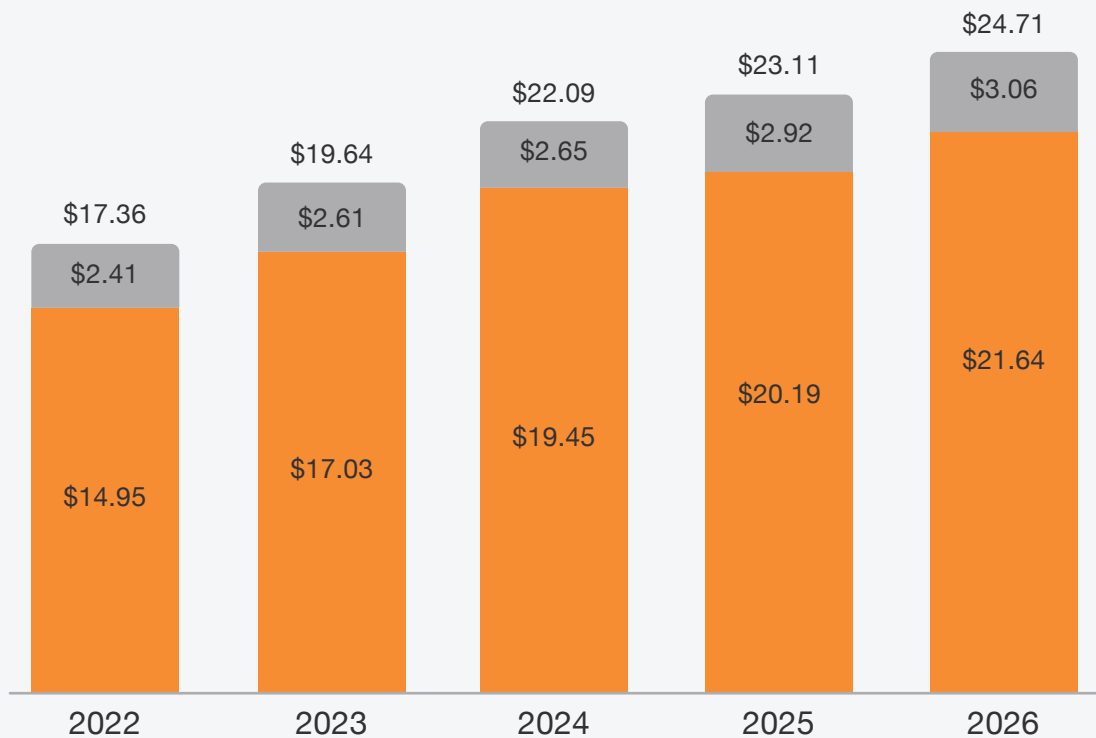
Despite being one of the most heavily regulated yet active sectors, there are efficient methods to deploy and monitor approved content without the need for additional staffing. In fact, many repetitive tasks can be eliminated proving it is possible to do more with less.





## US Healthcare and Pharma Digital Ad Spending

2022-2026 (billions)



Source: EMARKETER

Pharma digital ad spending Healthcare digital ad spending

*Note: Includes advertising that appears on desktop and laptop computers as well as mobile phones, tablets, and other internet-connected devices, and includes all the various formats of advertising on those platforms; numbers may not add up to total due to rounding.*

In this guide, you will find an overview of:

- Upcoming marketing compliance trends and threats
- Results from our recent research that gets to the heart of the issues faced by marketing compliance teams
- The practical solutions teams are using to help fast track the launch and management of legally approved assets
- Results from teams who have made the transformation

*Disclaimer: This document is not intended as a substitute for legal advice. This report has been prepared using both public and private data by IntelligenceBank, a provider of software that helps companies stay on brand and adhere to regulatory compliance. Companies should seek professional legal and regulatory advice when establishing internal compliance protocols.*



# 6 Critical Healthcare Marketing Compliance Trends & Threats



## ***The stakes for marketing compliance in Healthcare have never been higher.***

As the industry evolves with advancements in content production, audience targeting and changing patient behavior, compliance professionals need to simultaneously navigate a myriad of regulations and ethical considerations. With regulators ramping up scrutiny on advertising practices, the pressure to provide accurate, transparent, legally approved information across all touchpoints in 2025 will be unprecedented.

These six critical trends and threats explain why:

1

### **Increased digital ad spend increases demand for live asset compliance review.**

Benefits like extensive reach and precise targeting capabilities makes digital media a continually growing trend. The broad and rapid adoption of online bookings, telehealth and eScripts over the pandemic has made patients more comfortable with digital communication. And let's face it, who hasn't turned to the internet to research health conditions?

The continual rise in digital campaigns places pressure on teams to expedite compliance reviews, as they typically involve a greater volume of assets with shorter lead times.

2

### **Using generative AI to scale content production will become mainstream - and will totally overload Compliance teams.**

Gartner estimates that by 2025, 30% of outbound marketing messages will be created by generative AI.<sup>2</sup> This ability to scale brings obvious ROI but it also increases compliance risks. AI can produce large volumes of content quickly, but without proper oversight, unintentional breaches may occur. This challenge is heightened by expanding regulatory mandates, geographic variations, increased content volumes, and tight deadlines, making thorough reviews more difficult to maintain.



3

**Regulators come down hard on misleading healthcare advertising, costing them dearly.**

In February 2024, the Federal Trade Commission (FTC) ordered refunds of over \$1.1 million to consumers misled by LasikPlus's deceptive advertising practices. LasikPlus falsely promoted corrective eye surgery for as low as \$250. In reality, only 6.5% of those who inquired were eligible for such rates, with most facing prices between \$1,800 and \$2,295. As part of a settlement, LasikPlus agreed to pay \$1.25 million and is required to provide clearer advertising disclosures.<sup>3</sup>

4

**Regulators have greater capacity to track wrongdoing via AI monitoring creating the need for greater vigilance in reviews.**

Rather than relying on consumer complaints, regulators commenced using proactive ad monitoring systems in 2023. For example, The Advertising Standards Authority in the UK (ASA) is leveraging AI technology to enhance its regulatory capabilities. In 2023, the ASA amended or withdrew a staggering 27,000+ ads; 92% of which were identified using AI. In 2024 the ASA more than tripled its target by processing up to 10 million ads.<sup>4</sup>

5

**The US pushes for more transparency on social media, adding to Compliance workload.**

Senators Durbin and Braun are proposing legislation to enhance the Federal Drug Administration's (FDA) oversight of online drug ads, focusing on influencer promotions and telehealth companies. They aim to update outdated FDA guidelines to address misleading content, especially targeting children, and require influencers to disclose financial ties to drug manufacturers. This initiative responds to concerns about the increasing reliance on social media for medical advice.<sup>5</sup>

6

**Compliance errors severely undermine marketing budgets and brand reputation.**

In September 2024, Allergan, makers of drug Ubrelvy, was pulled up by the FDA who claimed the company misled audiences about the drug's effectiveness. Specifically, the FDA highlighted that a TV ad, featuring Serena Williams, implied that Ubrelvy could quickly eliminate migraine pain after just one dose—an assertion not fully supported by clinical data. The letter pointed out that only 19% to 22% of patients achieved pain freedom within two hours, suggesting that the ad misrepresented the drug's efficacy. The ad was taken off air.<sup>6</sup>



# Problems Facing Compliance Teams

IntelligenceBank conducted extensive research into the compliance issues facing organizations, how they are using AI to solve them, and the results they are seeing.

Survey participants had diverse responsibilities such as legal and marketing compliance, creative team leads, risk analysts, technology integration specialists and project managers.

## The 10 Most Common Compliance Problems

***Respondents sought to solve a range of problems, primarily revolving around inefficiencies in managing marketing compliance via manual processes, and the complexity of regulatory requirements.***

1

### Manual Processes

Many respondents relied on manual review processes through email and spreadsheets, which were time-consuming and prone to errors. For instance, one organization reviewed 22,000 pieces of material annually through a manual process tracked in Excel.

2

### Cumbersome Systems

Solutions such as SharePoint and Lotus Notes were cumbersome and did not work effectively for managing compliance, leading to frustrations among users

“

IntelligenceBank has been essential to providing a central location for up-to-date assets and materials where we can share instantly across our system in a rapidly changing environment.

– Andrew McLeroy | Creative Director  
Baptist Health

”

**3**

### Repeated Mistakes

Reviewers frequently encountered the same mistakes in documents or on websites, wasting time on repeated checks instead of addressing more critical compliance issues.

**4**

### Multiple Reviews

Back-and-forth between legal compliance, marketing, brand compliance creates significant delays.

**5**

### Inconsistent Rule Application

Challenges in applying consistent compliance rules across content types contributed to failures. In addition, legal interpretations fluctuated depending on who was asked. Marketers needed one answer they could run with.

**6**

### Delayed Approvals

Manual approval processes suffered from delays due to regulatory complexities, causing frustration among marketing teams.

**7**

### Lack of Automation

The absence of any automated compliance checks made it challenging to maintain efficiency and accuracy in document reviews.

**8**

### Ineffective Tracking

Tracking compliance through manual means often resulted in a lack of audit trails, making it difficult to ensure accountability and transparency.

**9**

### Heavy Workload on Compliance Teams

Experienced compliance professionals were overburdened with routine checks, limiting their ability to focus on more strategic aspects of compliance. Take for example a large bank, which typically produces between 20,000 and 100,000 assets a quarter. To manually review that is quite a feat - not to mention tedious and expensive. To quote a large New York based fund manager,

**“I can’t continue to manage my risk by growing my head count.”**

**10**

### Integration Issues

Manual systems lacked necessary integrations, making it difficult to streamline workflows and enhance efficiency.





# How Healthcare Achieves Marketing Compliance



In response to the rise in content volume and AI-assisted regulatory activity, a growing number of teams are automating compliance reviews to save time and reduce risk. Increasing reliance on technology to expedite content reviews also decreases the need to scale compliance programs with headcount.

## 9 Real Life Use Cases for Automated Compliance Reviews

***While the notion of using AI to manage compliance is easy to grasp, how does that play out in the practical application? Here are several examples from respondents who have successfully integrated AI-driven compliance solutions into their workflows.***



IntelligenceBank provides a practical approach to modern marketing. Our all-in-one marketing platform has changed the way we work and has improved our marketing efficiency in implementing our overall marketing strategy while achieving consistent brand experience for our business.

– Jonathan Goh | Automation and Audience Lead  
Medibank



1

### Ad Compliance Assistance

Automated compliance reviews help ensure that advertising content adhere to legal standards and regulations. By integrating AI-driven checks, organizations can catch misleading claims or omissions in their ads before they go live, reducing the risk of regulatory penalties and maintaining consumer trust.

2

### Creative Content Review Automation

Organizations utilize AI compliance scanning to automate the review of various content types, including Word docs, PDFs, audio files, video files, web pages and presentations. Much of the content in these documents comprises briefs and artwork.

**3**

### Compliance Rule Customization

Companies tailor compliance rules within the IntelligenceBank platform, allowing for specific industry regulations to be met and can be adjusted for sensitivity to certain areas of focus.

**4**

### Audit Trail Management

The platform provides an audit trail that enhances transparency and accountability in compliance approvals. There is no need to rely on third-party services or record keeping in spreadsheets and emails.

**5**

### Suggestions for Improving High-Risk Content

The software's ability to use gen AI to identify high-risk phrases and suggest alternatives helps compliance teams prioritize their review efforts on the most critical content.

**6**

### Streamlined Approval Processes

Integration with creative approval systems facilitates faster and more efficient processing of marketing materials, reducing bottlenecks in the compliance workflow.

**7**

### Continuous Learning and Adaptation

Users reported AI compliance monitoring is improving over time, learning how to apply rules more effectively in different contexts, which enhances the overall compliance framework.

**8**

### Support for Regulatory Changes

The platform's ability to adapt to changing regulations allows businesses to stay compliant without significant overhauls in their processes.

**9**

### High Engagement Across Departments

Without a centralized platform, it can be difficult to get compliance teams on the same page. With the introduction of a centralized platform like IntelligenceBank, many users interact with the platform daily and see it as an indispensable tool deriving value from not just efficient compliance assurance, but also smoother relationships between departments.

“

IntelligenceBank knows compliance. With auditable collaboration and automated processes around briefs, disclaimers and creative templates, our clients report a dramatic drop in compliance missteps.

— Luminis Health

”



# Expected Results from AI-Assisted Content Reviews

While Return on Investment (ROI) will differ greatly according to the volume of activity and complexity of an organization's content production, there are some benchmarks that can help you determine potential ROI.

IntelligenceBank used anonymous amalgamated data from its client pool to measure the potential Full Time Employment (FTE) savings. The findings showed

the average number of comments on a marketing asset, such as a promotional email, downloadable guide or display ads ran at 10 per asset. The average time saved resolving each comment via AI reviews ran at 15 minutes per comment.

Therefore, if you produce even as little as five assets per week, your organization can save ~2,600, or ~1.3 FTE in review time.





# Sources



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Gartner Survey Finds 63% of Marketing Leaders Plan to Invest in Generative AI in the Next 24 Months, [Gartner.com](https://www.gartner.com), August 23, 2023<sup>1</sup>

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AI in Marketing: The Future of Smart Marketing, [gartner.com](https://www.gartner.com), Accessed November 28, 2024<sup>2</sup>

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FTC to refund \$1.25 million to those tricked by LASIK surgery chain. Here's how to file a claim [cbsnews.com](https://www.cbsnews.com), February 20, 2024<sup>3</sup>

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ASA's new AI system flagged 25,000 'irresponsible' ads in 2023, [marketingbeat.com](https://www.marketingbeat.com), April 10, 2024<sup>4</sup>

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Senators target online drug ad influencers in draft legislation, proposing new powers for FDA, [Fiercepharma.com](https://www.fiercepharma.com), September 13, 2024<sup>5</sup>

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FDA slams AbbVie for misleading claims in Serena Williams ad for migraine drug Ubrelvy, [Fiercepharma.com](https://www.fiercepharma.com), September 12, 2024<sup>6</sup>

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# About IntelligenceBank



An intelligent content operations platform that helps marketing and compliance teams accelerate the creation, management and distribution of approved content.

Unlike other solutions, IntelligenceBank is a complete end-to-end platform, delivering a single place for quick collaboration among marketing, brand, communications and compliance teams.

The platform leverages AI and automation to ensure legal and brand compliance during content production and after content has gone live.

Learn more at [IntelligenceBank.com](https://IntelligenceBank.com)



[intelligencebank.com](https://intelligencebank.com)