Social Media Risk Management
& Best Practices

Today's Panel

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Outline for today

1. Social Media – let's define it

2. Why Use Social Media?

3. Risks Involved

4. Responding to Negative Posts

5. Best Practices

6. Examples

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What is Social Media?

The means of interactions among people in which they create, share, and exchange information and ideas in virtual communities and networks (Source: Wikipedia)

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Social Media & Healthcare

- **53%** of physician practices in the United States have a Facebook page

- **42%** of individuals viewing health information on social media look at health-related consumer reviews.

- **32%** of US users post about their friends and family's health experiences on social media

- **30%** of adults are likely to share information about their health on social media sites with other patients & **47% with doctors**.

What about:

- Patient feedback sites (eg. Healthgrades)

- Your website (blogs, comments)

- Web forums (eg. back pain)

Why on earth?

- Marketing / promotion

- Reputation defense

- To correct erroneous information

- Clinical collaboration with other professionals

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Internal (things you have some control over)

- Marketing/advertising for the group

- Doctors' pages/posts

  - Personal & professional

  - Spouses

- Employees' pages/posts

External (things you have no control over)

- Patients' pages/posts

- Family/friends of patients

- Former employees

- Former spouses of doctors

Social Media Benefits

"I don't know which doctor to choose. One has more friends on Facebook, but the other one just retweeted my message."

What are the risks?

- Regulatory – HIPAA/HITECH, licensure

- Civil – Libel, slander, employment

- Criminal penalties depending on the state

- Reputation harm

- Financial impact

- Significant threat vector

Responding to Negative Posts

- **Safe Responses**

  - Ask them to remove negative posts.

  - Counteract with a generic positive comment.

  - Offer to meet with them to discuss the concerns.

Responding to Negative Posts

- **Unsafe Responses**

  - Have patients sign agreement not to post negative reviews.

  - Provide positive stories about other patients.

  - Respond in detail about their care.

  - Respond to posts asking them to "clarify."

  - Attack the poster.

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Best Practices

- **Set Goals for the Group & Employees**

  - Passive monitoring

  - Look for "mentions"

  - Focus on customer service and brand protection

  - Rapid response essential

  - Active engagement

  - Focus on education, communication

Best Practices

- **Set Clear Policies & Educate**

  - Define appropriate usage

  - Emphasize privacy and confidentiality

  - Remind users to be respectful

  - Define the scope of what can be said

  - Outline consequences for violations

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AMA Guidelines

- Be cognizant of privacy standards

- Safeguard personal information, and monitor for accuracy and appropriateness

- Maintain patient-physician boundaries

- Separate personal and professional content

- Alert colleagues to unprofessional content

- Be aware of consequences on reputation and career

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Best Practices

- **Educate, educate, educate**

    - Workforce training

    - Consistent with your policies

    - Recurrent training

Example 1

- Two nurses in Wisconsin post a photo of a patient's x-ray on Facebook. The police were notified and investigated.

- **Result:** Although no state law was violated, the nurses were fired. The hospital showed well documented HIPAA training and that they acted swiftly by terminating the nurses. No sanctions were issued against the hospital.

Example 2

- A physician in Rhode Island wrote about a patient on Facebook without providing a name or intentional identifier. A third party identified the patient through the description of injuries and physician involved.

- **Result:** The state medical board sanctioned the physician. The physician lost privileges to practice at the hospital in questions

Example 3

- A nurse's aide in Oregon posted photos of two patients.

- **Result:** Terminated by employer.

  - Lost their professional certification.

  - Convicted of criminal invasion of personal privacy and spent 8 days in jail with two years of probation and a ban from working with children or the elderly.

Example 4

- Doctor hired someone to make posts on his behalf on LinkedIn. Posts were occurring while he was in surgery. An unexpected adverse outcome occurred.

- **Result:** The doctor had to prove that someone else was doing the posts for him.

Example 5

- Anesthesiologist made posts of the OR while in surgery. An unexpected adverse outcome occurred.

- **Result:** The surgeon was brought into the case after nursing and techs testified that this anesthesiologist did this often, and the surgeon was aware of it. The surgeon had to explain why he never did anything about it.

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Resources

- Link to download the Social Media Policy

  - http://hipaasecuritysuite.com/t-bones/

- Link to an informative (and horrifying) video on the current state of the safety of your online presence

  - https://www.youtube.com/watch?v=bjYhmX_OUQQ

Thank You!

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