

Managing Social Media Risks in Healthcare

Social media is a ubiquitous influence in nearly all areas of industry, including healthcare. Because of social media's popularity and proliferation, many healthcare organizations have embraced these technologies for marketing, advertising, and patient education and engagement. Leveraging social media for these purposes can be beneficial, but it also presents various challenges and risks.

Using this checklist may help healthcare organizations focus on important risk management considerations, whether they are already using social media or planning to implement a new policy.

	Yes	No
Has your organization considered its social media strategy, including the goal of the communication (e.g., education, advertising, etc.), the target audience, and the types of information it will promote?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization have an approved policy or set of policies regarding the use of electronic communication, including social media and email?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization include clinical and nonclinical staff members in the initial planning and drafting of social media policies to help identify and assess potential issues?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization provide training on social media policies, including discussions about the potential risks and liability issues associated with social media?	<input type="checkbox"/>	<input type="checkbox"/>
Does training on social media policies occur during new employee orientation and as part of ongoing staff education?	<input type="checkbox"/>	<input type="checkbox"/>
Do your organization's social media policies specify who is authorized to develop or curate content to post on social media?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization have a detailed plan for content review and approval prior to posting on social media sites?	<input type="checkbox"/>	<input type="checkbox"/>

	Yes	No
Do content developers and reviewers ensure that any content that is posted on any social media sites does not contain identifying information (including photographs and testimonials) without patients' permission and written consent?	<input type="checkbox"/>	<input type="checkbox"/>
When requesting patients' permission and written consent to post identifiable information on social media sites, does your organization explicitly describe it plans to use the information?	<input type="checkbox"/>	<input type="checkbox"/>
Has your organization appointed someone who is familiar with HIPAA and state privacy regulations to review social media content to ensure it does not violate patient privacy and confidentiality?	<input type="checkbox"/>	<input type="checkbox"/>
Have providers and staff members been trained on what types of information and personal identifiers are considered protected health information under HIPAA and state privacy laws, and are they educated about the consequences of violating these laws?	<input type="checkbox"/>	<input type="checkbox"/>
Are real-life examples to illustrate intentional and inadvertent privacy breaches included in the training for providers and staff members?	<input type="checkbox"/>	<input type="checkbox"/>
Do providers and staff members sign confidentiality agreements acknowledging their duty to maintain patient privacy?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization keep signed copies of confidentiality agreements in each employee's personnel file?	<input type="checkbox"/>	<input type="checkbox"/>
Do your organization's social media policies include disciplinary actions for policy violations, and are these actions consistent with other patient privacy and confidentiality policies?	<input type="checkbox"/>	<input type="checkbox"/>
Are providers and staff trained on the appropriate method for reporting inappropriate use of social media?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization include standard disclaimers and disclosure statements with each electronic interaction?	<input type="checkbox"/>	<input type="checkbox"/>
Has your organization outlined the appropriate steps for monitoring online presence and managing negative online reviews or comments from consumers, patients, and employees?	<input type="checkbox"/>	<input type="checkbox"/>

	Yes	No
Are providers and staff members aware that responding to a patient post or review on a social media site might violate privacy laws and result in disciplinary actions?	<input type="checkbox"/>	<input type="checkbox"/>
Do providers and staff members understand the technical limitations and terms and conditions of any social media sites that they plan to use? For example, information sent via messaging functions is likely not encrypted, and the site might maintain the right to access any personal information.	<input type="checkbox"/>	<input type="checkbox"/>
Do your organization’s existing information technology security policies and procedures cover social media use?	<input type="checkbox"/>	<input type="checkbox"/>
Does your organization have policies that are flexible and adaptable to new or changing social media technologies to avoid the need for constant updating?	<input type="checkbox"/>	<input type="checkbox"/>
Has your organization incorporated social media activities into risk assessment and quality improvement initiatives?	<input type="checkbox"/>	<input type="checkbox"/>

Resource

For more information on this topic, see MedPro’s [Risk Resources: Social Media in Healthcare](#).

This document does not constitute legal or medical advice and should not be construed as rules or establishing a standard of care. Because the facts applicable to your situation may vary, or the laws applicable in your jurisdiction may differ, please contact your attorney or other professional advisors if you have any questions related to your legal or medical obligations or rights, state or federal laws, contract interpretation, or other legal questions.

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