“Social media” is simply a broad umbrella term that covers a wide range of electronic communication tools, such as email, social networking websites, blogs, video sharing and conferencing tools, mobile applications, and more.

The growth and usage of social media continue to influence not only the American public, but the world at large. Estimates suggest that nearly 1 in 4 people use social networks. With the rapid expansion of these technologies, one can assume that in 2014 and beyond, social media will become even more prevalent.

In the past, healthcare was relatively slow to implement social media tools, primarily because of concerns regarding the potential risks of violating patient privacy. However, over the past few years, an increase in implementation has occurred — mainly due to consumer demand.

A 2013 article from Healthcare IT News says “It’s no secret that a growing percentage of today’s patients are increasingly using digital tools as part of their overall health maintenance. In fact, a recent Pew Research Center study said that 1 in 3 American adults have used the web to figure out a medical issue. In another survey . . . 41% of people said social media would affect their choice of healthcare provider.”

With this growing emphasis on electronic communication and the importance that patients place on it, healthcare providers might be eager to implement these technologies in their organizations and practices. However, leveraging social media for professional purposes can be a slippery slope, and its usage in healthcare presents various challenges.

---

The Big Picture

Social media has experienced an explosion in popular culture. Did you know that:

- Facebook has more than 1 billion active monthly users and 665 million daily users?
- Twitter has approximately 500 million tweets per day?
- YouTube has more than 1 billion unique monthly visitors. More than 6 billion hours of video are watched each month, and about 100 hours of video are uploaded every minute?
- LinkedIn has 250 million members in over 200 countries and territories around the globe.

Sources:

https://www.facebook.com/facebook
https://about.twitter.com/company
http://www.youtube.com/yt/press/
http://www.linkedin.com/about-us
This article discusses common risk concerns associated with using social media for healthcare communication and delivery, and it offers risk-reduction strategies that healthcare providers and their staffs can implement.

**What Are the Potential Benefits of Social Media?**

The use of social media can bring significant communication and educational benefits to both healthcare providers and consumers.

A 2010 Google study indicated that 86 percent of American physicians use the Internet to gather health and medical information. Many providers use social media to stay up to date with new information that may affect their practices and patient care. Further, social media is used as an online marketing tool to increase provider visibility and reputation, as well as enhance professional networking.

For consumers, social media can assist with searching for a new healthcare provider, keeping up with healthcare issues and concerns, finding support groups, researching alternative medications and side effects, and more.

**What Types of Social Media Tools Are Available?**

A myriad of social media applications and tools are available. Some common ones that are used for both personal and professional purposes include:

- **Email.** Email is a very commonly used and recognized form of social media, and it has become an increasingly viable communication option for healthcare providers and patients. Patients may use emails to ask questions, request medication refills, report symptoms, schedule appointments, and more.

- **Facebook.** With more than 1 billion active users per month, Facebook allows users to share information, pictures, and videos; follow individuals, organizations, and groups; converse via electronic messaging; and more. The site allows for both personal and professional pages.

- **LinkedIn.** LinkedIn focuses on professional relationships and includes job-related information, access to recruiters, professional networking opportunities, and career-related articles and topics.

- **Twitter.** Twitter is a microblogging site that promotes real-time sharing of information and up-to-the minute news from individuals or organizations.

- **Skype and FaceTime.** Skype and FaceTime are both video-chatting technologies that allow users to interact in real-time over an Internet connection.

- **YouTube.** YouTube is a video-sharing site that allows user to upload, view, and share videos on a wide range of topics for both entertainment and educational purposes.
• **Patient portals.** Patient portals, which are a relatively new technology, allow patients to access their health records and communicate with their healthcare providers through a secure online website.

Deciding which applications and tools will be most helpful will largely depend on the context and needs of your practice. However, when determining how to use these technologies to communicate with patients, carefully consider the goal of the communication, the target audience, and what types of information you plan to promote (e.g., advertisements, health education, etc.).

**What Are the Risks of, and Strategies for, Using Social Media?**

Undoubtedly, social media offers various functions that may potentially enhance the dissemination of healthcare information and communication between patients and providers.

But what about the risks? Like any type of technology, social media can create safety and liability issues if it is not used responsibly. Additionally, because the social media landscape is rapidly changing, standards and best practices are not always well-defined.

To address these challenges, healthcare providers should be aware of the potential risks associated with electronic communication, develop detailed social media policies, and implement risk strategies to safeguard their patients and practices.

**Maintain Privacy and Security**

One of the most significant concerns related to social media is the requirement to maintain strict confidentiality and safeguard patients’ protected health information (PHI). This obligation is addressed in federal law and governed by the U.S. Department of Health and Human Services (HHS) under the Health Insurance Portability and Accountability Act of 1996 (HIPAA). Individual states also may have laws related to privacy and security of PHI, which might be more stringent than federal laws.

Because the boundaries between appropriate vs. inappropriate and personal vs. professional use of social media can easily blur, managing privacy risks can be challenging. For example, numerous instances have occurred in which healthcare workers have posted pictures of, or details about, their patients on their professional or personal social media pages without the patients’ consent. Regardless of whether these actions were intentional or inadvertent, they violated confidentiality and the patients’ privacy rights.

“Social media may make privacy violations more concerning than they might otherwise be because they distribute information instantaneously to a wide audience and because, unlike verbal conversations, use of social media creates a permanent electronic record that is likely discoverable in litigation.”

---

5814 Reed Road, Fort Wayne, IN 46835 | www.medpro.com | 800-463-3776 | 800-334-0588 (NJ/NY)
Hospitals | Facilities | Doctors | Other Healthcare Providers
A number of risk strategies can help practices address privacy concerns related to social media. For example:

- Do no post or publish any content on social media sites that contains patient details or identifying information (including photographs and testimonials), without the patient’s permission and written consent. The consent should explicitly state how the information will be used.
- Consider prohibiting the photographic use of cell phones and other mobile technologies as part of office policy.
- Have someone who is familiar with HIPAA and state privacy regulations review social media content to ensure information does not violate patient confidentiality.
- Train staff on HIPAA and state privacy laws, and educate them about the consequences of violating these regulations.
- Ask staff members to sign confidentiality agreements, and maintain a signed copy of the agreement in each employee’s personnel file.
- Be aware that responding to a patient post or review on a social media site might violate privacy laws.
- Understand the technical limitations and terms and conditions of any social media sites that you plan to use. For example, information sent via messaging functions is likely not encrypted, and the site may maintain the right to access any personal information.

Addressing privacy concerns in your practice’s social media policies and implementing strategic safeguards can help protect patients and reduce liability exposure.

**Establish Appropriate Boundaries**

Social media can create a new dynamic in, and pose new challenges related to, the provider–patient relationship. In April 2013, the American College of Physicians (ACP) and the Federation of State Medical Boards (FSMB) released a position paper titled *Online Medical Professionalism: Patient and Public Relationships: Policy Statement*, which explained that “Use of online media can bring significant educational benefits to patients and physicians, but may also pose ethical challenges.”

In speaking with *HealthLeaders Media*, Dr. Humayun Chaudhry, FSMB President and CEO, warned that “Anything physicians post on sites can be forwarded, taken out of context, and accessed and retrieved in perpetuity. That’s a fact that many physicians don’t always think about when they engage in social media.”

Because social media is used for both personal and professional purposes, the boundaries between the two can sometimes become difficult to distinguish. However, healthcare providers can generally make two assumptions: (1) any of their staff members or patients could be using some type of social media, and (2) anyone could...
potentially read what they and/or their staff members post, as well as what anyone else
writes about their practice or organization on social media sites.\textsuperscript{8}

Because of these concerns about personal and professional boundaries, the ACP-FSMB
paper advises providers to keep their personal and professional social media activities
separate and to “comport themselves professionally in both.”\textsuperscript{9}

For example, healthcare providers should not “friend” patients on Facebook or mix
social relationships with their professional relationships. Instead, they should apply the
same ethical principles that govern their traditional patient encounters to their online
interactions with patients, including privacy and confidentiality standards.

Further, providers should be aware of the implications of offering online information
that might be construed as medical or dental advice. Doing so could inadvertently
trigger a duty to care, and it may also pose patient safety concerns. Because of this,
electronic media should include standard disclaimers and disclosure language that
explain the nature of the communication (e.g., for informational purposes only) and
cautions users against interpreting the materials as medical or dental advice.

**Develop Social Media Policies**

The development and implementation of social media policies and guidelines is essential
to managing risks associated with these technologies. Include staff in the initial
planning and drafting of policies, and ask them to help identify and assess potential
issues. Key areas to consider when developing your practice’s social media policies
include:

- The practice’s goals and target audience for social media communication;
- Acceptable and unacceptable use of social media, with explicit examples;
- Who is authorized to develop and post social media content on behalf of the
  practice;
- The review and approval process for social media content;
- Standard disclaimer and disclosure language;
- The patient consent process;
- Terms of use for users on your sites; and
- The process for reporting inappropriate use of social media.

When developing these policies, keep in mind that social media is dynamic and
constantly changing. To address this, create policies that are flexible and adaptable to
new or changing social media technologies. Doing so will help avoid the need for
constant updating.\textsuperscript{10}
Email Policies

In addition to having policies for social media websites (such as Facebook and Twitter), practices also should have written guidelines for the use of email and other types of electronic messaging.

The American Medical Association (AMA) realized years ago that email would be a valuable communication tool in healthcare. As such, they developed guidelines for the ethical use of email between doctors and patients. Although the guidelines noted many beneficial aspects of email communication, they also outline four key precautions to help manage risks.

- Email should not be used to establish a doctor–patient relationship; rather, it should be used to supplement traditional patient encounters.
- The same ethical responsibilities that apply to in-person patient encounters also apply to email communication.
- Doctors should properly notify patients of the limitations of email communication, such as delays in response and potential security issues.
- Doctors should provide proper notification of email’s limitations prior to initiating email correspondence or in the initial email communication.¹¹

The American Dental Association (ADA) reiterated these concerns in a 2007 publication, noting that although email communication in the dental office can be very beneficial, it can also “raise significant considerations.” Like the AMA, the ADA cautions that patients should be notified about, and accept the risks of, communicating via email before such communication is used.¹²

When developing an email consent form, healthcare organizations and practices may want to consider including the following types of information:

- Type of communication permitted (i.e., for what purpose(s) will the practice use email?);
- Criteria for establishing the patient relationship;
- Notice of whether the office email is encrypted;
- A statement notifying patients to contact 911 if they are experiencing an urgent problem;
- The general turnaround time for responding to email; and
- The right of the healthcare provider to refuse to make conclusions or decisions regarding treatment based on information obtained online.

The email consent form should also include (a) a statement that the patient has read and accepted the policy, and (b) a place for the patient’s signature. The practice should maintain the signed release in the patient’s record.
**Control Quality and Monitor Your Online Presence**

Part of maintaining a professional presence online is monitoring the quality of information posted or sent on behalf of your practice. Information should be accurate, current, objective, and nonambiguous. Policies that establish who is responsible for developing content and how content is reviewed and approved will assist with quality control efforts.

Depending on the type of social media being used and/or the control settings, site users might be able to post content or comments to your practice's social media pages. Understanding the types of media your practice is using and how users can potentially interface with it are important aspects of quality control.

As part of social media policies, medical and dental practices should include a mechanism for monitoring their online presence and responding to negative, offensive, or inaccurate information. To ensure consistency with organizational policy, practices might want to consider assigning one person to review external comments, posts, responses, etc. and respond accordingly. Keep in mind that comments and responses from practice staff must comply with privacy standards.

**Educate Staff**

When integrating social media into your practice's communication initiatives, it is important to educate staff about how much and what types of personal and professional social media usage and tools are acceptable in the practice.

A recent survey found that 75 percent of employees were accessing their personal social media sites from their mobile devices at least once a day and 60 percent were accessing these sites multiple times throughout the day.13

A significant challenge in the office practice setting is instilling common sense and discretion regarding the use of social media for both personal and professional purposes. Practice policy should define appropriate use of the Internet and mobile devices (such as tablets and cell phones). For example, the policy might require that employees turn off their personal phones during office hours and retrieve and respond to their messages during breaks or at lunch time.

Education about the practice's social media policies, as well as discussions about the potential risks and liability issues associated with social media, should be included as part of orientation training and ongoing staff education. Staff members also should be aware of the disciplinary actions for violating the social media policy.

**Conclusion**

In the years ahead, as the role of social media continues to evolve, it will be essential for medical and dental practices to ensure a safe and effective environment for patients, staff, and providers to communicate electronically.
Given the number of options available for electronic communication and networking, careful consideration must be given to choosing the appropriate format that meets the needs of your practice and patient population.

Further, maintaining privacy and confidentiality, establishing appropriate boundaries, developing written policies, monitoring online presence, and educating staff should always remain in the forefront of utilizing social media in healthcare.
## Social Media Checklist

Whether your practice is already using social media or planning to implement a social media strategy, this checklist can help you focus on some key risk management considerations. For more detailed information or specific concerns related to social media, contact your MedPro Group patient safety and risk consultant.

<table>
<thead>
<tr>
<th>Question</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Has your practice considered its social media strategy, including the goal of the communication, the target audience, and what types of information will be promoted?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Does your practice have an approved policy or set of policies on the use of social media, including email? If not, is one in development?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>If your practice does have a social media policy, do staff and healthcare providers understand the policy?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Does your social media policy specifically state who is authorized to develop content, and does it outline a detailed plan for content review and approval?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Does your practice provide training on social media policies as part of new employee orientation and ongoing staff education?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Have staff members received HIPAA training, and are they aware of their obligation to maintain patient privacy? Have they signed confidentiality agreements?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Does your practice’s social media policy include disciplinary actions for policy violations? Are consequences consistent with existing patient privacy and confidentiality policies?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Are staff members aware of how to report inappropriate use of social media?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Does your practice have a mechanism to monitor social networking sites for negative comments (including comments about adverse events) by consumers, patients, and employees? If so, does your policy include how to respond to such comments?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do existing information technology (IT) security policies and procedures take into account social media?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Does your practice include standard disclaimers and disclosure statements with each electronic interaction?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Has your practice incorporated the use of social media by all levels of staff and providers into your annual risk assessment?</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Endnotes


4 ECRI Institute, Social media in healthcare.

5 Ibid.


9 Farnan, et al., Online medical professionalism.


The information provided in this document should not be construed as medical or legal advice. Because the facts applicable to your situation may vary, or the regulations applicable in your jurisdiction may be different, 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 statutes, contract interpretation, or legal questions.


© MedPro Group. ® All Rights Reserved.