Managing Social Media Challenges in Healthcare

2018

Objectives

After listening to this presentation, you should be able to:

- Review how social media platforms are used in healthcare

- Discuss how inappropriate use of social media can lead to liability exposure

- Identify proactive strategies to mitigate the risks and enhance the benefits of social media use

- Consider responses to inappropriate use of social media in healthcare

Prevalence of social media use

% of U.S. adults who use at least one social media site

Range of technologies and applications

Twitter

Websites
Blogs
RSS feeds

AN "APP" FOR THIS   AN "APP" FOR THAT

Facebook
Instagram
YouTube
SnapChat

Skype
FaceTime

Social media platform popularity

% of U.S. adults who use . . .

Facebook · LinkedIn · Twitter · Pinterest · Instagram

Chart showing percentage of U.S. adults who use each platform from JAN 2013 to JAN 2016. Facebook rises from about 54% to 70%. Pinterest, Instagram, LinkedIn, and Twitter cluster between about 10% and 32%, with Instagram reaching about 32%, Pinterest about 27%, LinkedIn about 23%, and Twitter about 21% by JAN 2016.

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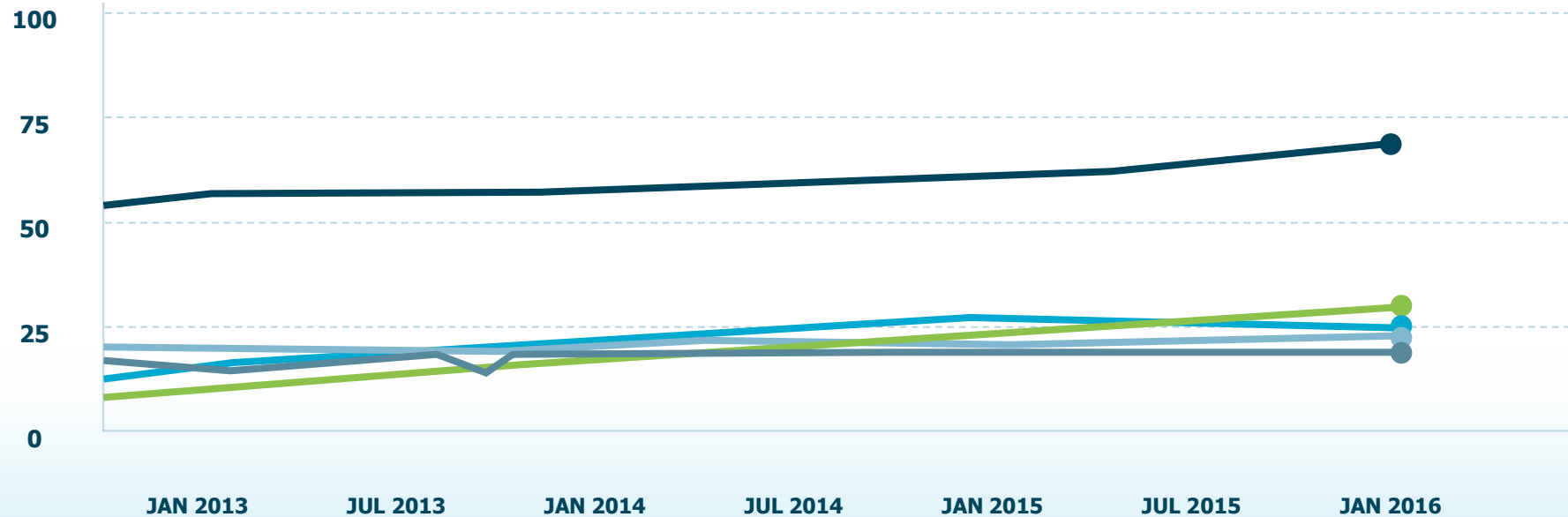
Social media platform popularity: Facebook

% of U.S. adults who use Facebook

All online adults	79%
Men	75
Women	83
18-29	88
30-49	84
50-64	72
65+	62
High school degree or less	77
Some college	82
College+	79
Less than $30k/year	84
$30k — $49,999	80
$50k — $74,999	75
$75,000+	77
Urban	81
Suburban	77
Rural	81

79% of online adults (68% of all Americans) use Facebook.

Note: Race/ethnicity not shown due to sample size. Survey completed March 7—April 4, 2016.

Consumers increasingly rely on social media

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

- **74%** of internet users engage on social media. **80%** of those internet users are specifically looking for health information, and nearly half are searching for information about a specific doctor or health professional.

- **27%** of patients comment or post status updates based on health-related experiences.

- **43%** of baby boomers are starting to leverage social media for healthcare-related information.

- 18 to 24 year olds are more than **2x** as likely than 45 to 54 year olds to use social media for health-related discussions.

- **30%** of adults are likely to share information about their health on social media sites with other patients, **47%** with doctors, **43%** with hospitals, **38%** with a health insurance company and **32%** with a drug company.

Benefits of social media use in healthcare

Quick dissemination of information about services and products

Contemporary marketing methodology for efficient and cost-effective advertising

Mechanism for reaching a broad population

Development of personal support and information-sharing groups

Risks of social media use in healthcare

- Lack of staff training

- Violations of HIPAA and breach of confidentiality

- Inaccurate and outdated website information

- Failure to comply with Federal Trade Commission (FTC) regulations related to advertising

- Lack of adequate policies and procedures related to social media use

- Failure to assign a website administrator

▶ Social media nightmares

ABC NEWS

U.S. International Politics Lifestyle Entertainment Virtual Reality …

Nurse Firing Highlights Hazards of Social Media in Hospitals

By LIZ NEPORENT · Jul 8, 2014, 5:26 AM ET

[f Share with Facebook] [Share with Twitter]

One of the most dramatic scenes so far from the second season of ABC's New York Med had nothing to do with gunshot wounds or heart transplants. It came when emergency room nurse Katie Duke was fired for posting a photo to Instagram.

The photo captured a messy but empty trauma room that had been used to treat a man hit by a New York City subway train. Duke posted the photo with the caption "#Man vs 6 train."

Later that day, she was fired from her job at New York Presbyterian Hospital, she said.

"I got a call at the end of my shift telling me I was being let go after seven years in the ER," Duke told ABC News.

Duke claims she was told by her supervisor that she had not breached hospital policy or violated the Health Insurance Portability and Accountability Act, a law known as HIPAA that protects patient privacy.


February 24, 2016

Nursing home sued after employee posts nude photos of resident

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A lawsuit has been filed against a South Dakota nursing home where an employee posted nude photos of a resident on social media. This marks the first time a facility has been sued in such a case, in addition to repercussions for the employee.

Callie Jones, an employee at Golden Living Center in Pierre, SD, was charged in June 2015 with a misdemeanor after she took photos of a nude resident and published them on social media. Jones pleaded guilty and was sentenced to three days in jail. The resident who was photographed died in August 2015.
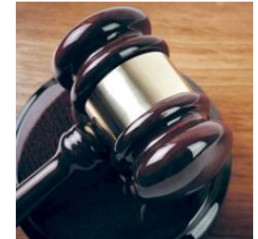
The lawsuit marks a first in cases of SNF employees abusing social media

Social media nightmares

Chicago Doctor Accused of Posting Photos of Intoxicated Patient

By ALANA ABRAMSON · Aug. 20, 2013

A former Northwestern University student claims that after she was admitted to an Illinois hospital for extreme intoxication, a doctor there took photos of her and posted them to social media sites with commentary about her condition.

Elena Chernyakova filed suit in the Cook County Circuit Court against Dr. Vinaya Puppala, the Feinberg School of Medicine and the Northwestern Memorial Hospital on Aug. 15, claiming invasion of privacy and infliction of emotional distress. Puppala is a fellow in the Multidisciplinary Pain Medicine Fellowship at Feinberg, which works in conjunction with Northwestern Memorial Hospital, according to court documents.

Chernyakova has the "potential to someday work for Fortune 500 companies, which may now not occur because of said photographs," according to the complaint. Court documents show that she is seeking compensation of over $1.5 million.

The incident allegedly took place this past June, when Chernyakova was transported to the emergency room at Northwestern Memorial Hospital for overconsumption of alcohol, according to the complaint. She was allegedly unconscious for eight hours.

NEWS STORY

Employee's Web Post Triggers Inquiry

12/30/2011

By Susan Abram, THE DAILY NEWS OF LOS ANGELES

THE DAILY NEWS OF LOS ANGELES

HIPAA: Providence Holy Cross will probe claim as hospitals eye policy shift.

Providence Holy Cross Medical Center officials are investigating an employee who allegedly posted a patient's medical information on his Facebook page, apparently to make fun of the woman and her medical condition.

According to a printout of the Facebook page obtained by the Daily News, the employee displayed a photo of a medical record listing the woman's name and the date she was admitted, and posted the comment: "Funny but this patient came in to cure her VD and get birth control."

Providence officials said the employee was provided by a staffing agency. "We are investigating this report and if necessary will work with the staffing agency to ensure the individual is not allowed to work in the future in any Providence facility," hospital officials said in a statement. "We also will work with the agency to continue to provide training for contractors to comply with our patient privacy policies and our core values."

Social media nightmares

Elder care workers mock patient, post video on Snapchat

BY: Rachel Bianco
POSTED: 7:41 AM, Oct 16, 2015
UPDATED: 1:06 PM, Oct 17, 2015

BREAKING NEWS
SHERIFF'S DEPARTMENT INVESTIGATING NURSING HOME
EMPLOYEES ACCUSED OF POSTING PHOTOS OF PATIENT ONLINE

Social media presence: proactive risk interventions

- Limited number of website administrators

- Scheduled site review and monitoring

- Routinely update content

- Training (e.g., HIPAA, social media policies)

- FTC considerations

  - Information truthful and nondeceptive?

  - Evidence to back up claims?

  - Fair, nonbiased content?

Learn more about truth in advertising
www.ftc.gov/news-events/media-resources/truth-advertising

Restrictions and appropriate internet use

Does your organization's network prohibit access to inappropriate websites?

Does your organization have a policy that specifies appropriate and inappropriate internet use?

Does your organization's policy permit internet use during nonworking hours (e.g., lunch and breaks) on facility-owned devices?
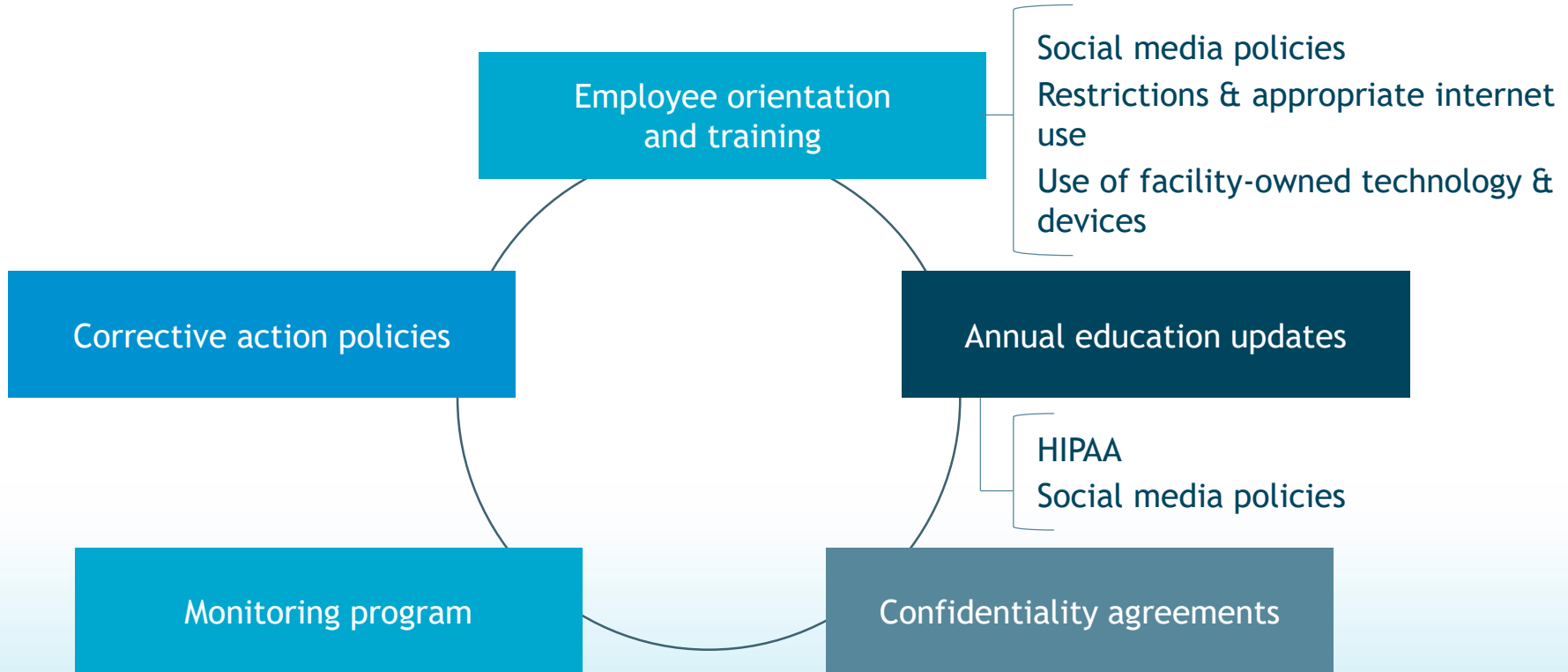
Does your organization's policy identify prohibited sites or uses (shopping sites, dating sites, etc.)?

Does your organization consistently enforce its policy with all staff?

Risk strategies for staff education and training

Employee orientation and training

- Social media policies
- Restrictions & appropriate internet use
- Use of facility-owned technology & devices

Corrective action policies

Annual education updates

- HIPAA
- Social media policies

Monitoring program

Confidentiality agreements

Social media policy considerations

- Balancing employees' rights under Section 7 of the National Labor Relations Act and an employer's rights and duties to protect patients' protected health information (PHI) and confidential business information

- Monitoring for potential abuses

- Addressing employee harassment or discrimination through social media

- Using appropriate disclaimers

Learn more about employee rights
www.nlrb.gov/resources/national-labor-relations-act

Managing online reviews – options to consider

- Do nothing.

- Remove or ask the webmaster to remove the post.

- Do NOT engage in an online debate!

- Respond with script language to indicate you are committed to providing excellent patient care and encourage anyone with concerns to contact your office directly.

Summary

- Develop social media policies for staff that include disciplinary guidelines and corrective actions.

- Develop staff policies that delineate the appropriate use of personal devices, facility-owned technology, and the internet during working hours.

- Conduct annual staff training and education (e.g., HIPAA training and review of social media policies).

- Designate a limited number of social media administrators.

- Regularly monitor your online presence (e.g., website, social media accounts, etc.).

- Develop a framework for managing negative reviews.