



Social Media: A Physician's Guide to Avoiding Pitfalls

By Karin M. Zaner, JD

IN TODAY'S HEALTHCARE ARENA, physicians must optimize their professional online presence — if you don't, you are missing an invaluable opportunity to educate and inform your patients, connect with colleagues, build your referral network, and stay abreast of current medical information and developments. In June 2011, the American Medical Association issued its Code of Medical Ethics opinions on confidentiality of patient information: Professionalism in the Use of Social Media (available at www.ama-assn.org/ama/pub/physician-resources/medical-ethics/code-medical-ethics/opinion9124.page). Practitioners should be aware of this policy and use the following tips to think ahead and avoid certain pitfalls:

1. Social media creates a public and permanent record. An electronic trail remains and can be disseminated to third parties in an instant. Think ahead before you press "send" or "post."

2. Refrain from posting identifiable patient information online. Names, dates of birth, contact information, photographs, X-rays, and details of patient care that a healthcare provider obtains from a patient should not be disclosed.

3. Make no assumptions of privacy. Note that privacy settings are not absolute. While you may use them to safeguard your own information and content, never use them to protect patient information.

4. Maintain proper boundaries. When interacting with patients, you must maintain appropriate boundaries for the relationship per professional ethical guidelines.

5. Keep business separate from personal. Monitor to make sure interactions with patients remain consistent with business purposes. If specific clinical advice is sought, direct

patients to your professional page where they can access you through normal professional channels.

6. Avoid questionable content. Unprofessional content (whether business or personal) can be viewed by state medical boards, professional societies and healthcare entities as undermining public trust in the medical profession.

7. Address unprofessional content of colleagues. Unprofessional content posted by colleagues, if not removed, may possibly require reporting to these same authorities.

8. Keep online responses general. Keep postings and online responses general and nonspecific to patient. Instead of responding specifically, request patients come in for a clinical appointment or inquire to your office by telephone.

9. Employed physicians, practice discretion. If you are an employed physician, follow any social media policies and get approval from employer for specific posts. Avoid disclosing proprietary and trade secret information.

10. Pay attention to your online presence. Put time and effort toward your online presence and keep resources current and accurate.

Always remember that standards of medical care do not change by virtue of the tools used to interact. Social media tools may have unforeseen consequences. If any certain social media interaction does not sit well with you, "just say no" so you can avoid being an online (i.e., visible and permanent) example of poor judgment.

Karin M. Zaner, JD, is a Director and healthcare attorney in the Dallas office of Kane Russell Coleman & Logan PC. She represents physicians and physician groups in a variety of healthcare matters, including those relating to HIPAA, peer review, credentialing, physician employment/non-competes and practice disputes, as well as Texas Medical Board issues. For more information, please contact Zaner at kzaner@krcl.com or visit www.krcl.com.

Disclaimer: This information is not, nor is it intended to be, legal advice. You should consult an attorney for individual advice regarding your own situation.

