

Health Professionals and the Risks of Social Networking Sites

by Michele Satterlund

For Brenda Smith, Facebook started off as a great way to keep in touch with family and friends. She found long-lost school mates and friends she hadn't connected with in years. She enjoyed sharing photos of her three kids, and she happily downloaded photos of her summer vacation the moment they were taken. She especially liked reading her friends' posts and began regularly posting about the activities of her own daily life. Her posts often included information about her practice as a health professional, as well as the occasional humorous story about a patient. It was all just innocent fun.

On one particularly long work day, Brenda posted about the difficulties of working with little sleep, "Hard day today. Only had four hours of sleep. Guess I should get to bed earlier." That same day, a close friend happened to tag photos of Brenda taken at a corporate reception held the night before. While the photos were tasteful, some of the photos pictured Brenda with a cocktail. Several friends wrote funny comments under the photos, including one friend who teasingly told Brenda "it was time she give up booze."

Just before bed, Brenda made one last post to her Facebook page. "Glad this day is over. Difficult patients. Forgot to notify the radiologist that the patient had a pacemaker and we sent the guy in for an MRI. Oops. Luckily we got him out in time." As you might imagine, it wasn't too long before that patient found a lawyer—a lawyer who happily researched Facebook and found Brenda's admission about the pacemaker, her comment about being overly tired, as well as the photographs of Brenda drinking. It's safe to assume that these photographs and admissions played an important role in helping the lawyer's case against Brenda.

While Brenda Smith is a fictitious person, her Facebook comments and photographs reflect actual comments posted to various social networking sites by licensed health care professionals. These comments are risky, not only because they can possibly be used in malpractice actions, but because they may violate HIPAA confidentiality requirements, as well as the confidentiality requirements mandated by a practitioner's employment agreement.

To protect against the possible risks of social networking sites, health practitioners may want to consider closing their social networking sites altogether. If the practitioner feels the site is important for personal or professional reasons,

sensible steps should be taken to ensure that confidential or unflattering information is not divulged. While not exhaustive, the following are steps every practitioner can take immediately to minimize social networking risks:

- **Privacy Settings:** Set all sites as private or Friends only. It may take a few extra steps to configure the site's privacy settings, but this one step will go a long way towards protecting your information. Additionally, make sure you trust your "friends" and only accept friend requests from people you know well.
- **Untagging:** Untag photos of yourself from other friends' sites and ask your friends to kindly remove the photos.
- **Hot Button Issues:** Stay away from hot button issues—religion, politics, etc. and keep your thoughts to yourself. Your employer may not want to know that your personal opinion on a particular issue is contrary to the opinion of the employer.
- **Periodically Google Yourself:** Don't wait until you're in the midst of a job search or malpractice complaint to monitor your online reputation.
- **Online is Forever:** Once you post something on a social media site, it is there forever. You can try to erase it but it can be found.
- **Confidential Topics.** Do not discuss patients. Do not discuss your employer. Do not discuss your work day. Do not discuss how much you hate your job. Stay away from all topics related to your practice. Period.
- **The Ultimate Question.** If you choose to open a Facebook, Twitter or any other social networking site, always ask yourself if your employer, future employer, patients, coworkers or family members saw your site, would you have anything to hide? ♦

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