



For you, your career, and your life

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Resident Assistance Program Newsletter

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When Social Media and Professionalism Collide

A well-known ball player, whom your sister has had a crush on for years, has been brought into the emergency room with a severe knee injury. He's a public figure, often surrounded by paparazzi, so what would it hurt to take a quick picture with your smart phone and send it to her so she can share it with her friends and fellow fans?

Or perhaps you are participating in a breakthrough life-saving surgical procedure – one that's never been done anywhere in the Southeast before. The next day you post some of the exciting details on your Facebook page, including some information about the patient's background since you think it's a critical aspect of the case. You didn't mention the patient's name, so there shouldn't be a problem with



"A professional is a person who can do his best at a time when he doesn't particularly feel like it."

-Alistair Cooke

sharing the information, right?

Sharing patient information online is both a patient privacy and a professionalism issue, says Wayne J. Miller, founding shareholder of the Compliance Law Group, a Southern California law firm focused on health care regulatory compliance for clients nationwide. "Beyond the legal issues, it is disrespectful to patients and it is unprofessional."

In cases like these, your professionalism should always overrule your desire to share. If you don't have the patient's specific authorization to share a photo or case details with the world, don't.

Exercising Good Judgment

Lack of judgment is not limited to teens sending embarrassing text messages and photos. Misuse of social media extends to high-profile individuals who manage to embarrass themselves and the organizations they represent, damage their reputations, and even sink their careers. As we wonder "what were they thinking?" we should also

During your residency you will encounter situations that tax your knowledge, your ethics, your professionalism and your ability to make the right choice under the most stressful conditions. When you're wrestling with some tough decisions, on-the-job stress or just need to talk to someone who understands, RAP is here to help. We are your confidential resource, free for the asking. We can also help you develop personal skills to complement your medical knowledge. Our caring professionals are just a phone call away.

Contact RAP: 813-870-3344.

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consider whether our own communications show good judgment. It's best to consider all forms of electronic communication, regardless of how private they are meant to be, as public. Our posts, tweets, photos and blogs and even emails can be shared by others and can live forever "in the wild."

Within the Privacy Act of HIPAA are overriding rules for all electronic health care transactions. Far less complex is the American Medical Association's recently-issued policy on social media. The AMA's [*Professionalism in the Use of Social Media*](#) sets clear guidelines for all health care professionals. Among the considerations for social media use is that "physicians must recognize that actions online and content posted may negatively affect their reputations among patients and colleagues, may have consequences for their medical careers (particularly for

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Money Matters

Enhanced Disability Policy for Residents Now Available

As you prepare for the next step in your medical career, disability insurance may not be on the top of your list. Yet, if you are finishing your training this summer, you are eligible to enroll now in a special disability insurance plan. The GME individual disability income insurance (IDI) guaranteed standard issue (GSI) plan from Standard Insurance Company is offered exclusively to you by Muniz & Associates because of your affiliation with USF COM. While the *Money Matters* column does not typically discuss product offers, this plan is such an excellent value that we did not want you to miss out.

This plan is only available to you beginning April 1st and up until you graduate.

The Standard's GME IDI GSI plan includes quality individual disability income insurance coverage issued regardless of health, age or gender, so you can obtain coverage for which you might not otherwise qualify. This coverage includes protection in your own medical specialty (own-occupation) to age 67. The Standard is one of the top disability insurance carriers in the nation. This special offer includes premiums that are discounted at rates you cannot obtain on your own. Another significant advantage is that these premiums will never increase.

The plan accommodates future benefit increases as your income grows, and the premium discounts remain in place for any increases.

Your coverage is fully portable under this plan. You can take it with you wherever you practice.

To learn more, contact Muniz & Associates at 813-258-0033.

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Professionalism and Social Media *continued*

physicians-in-training and medical students), and can undermine public trust in the medical profession.”

Your professionalism is at stake when you share patient information inappropriately, cautions facial plastic surgeon Houtan Chaboki, M.D., at Department of Surgery at George Washington Medical Faculty Associates. “In addition to violating HIPAA, you’ve lost the professional trust that the patient and society has from the physician.”

In addition to damaging reputations and the public’s trust, irresponsible use of social media could cost you plenty. The [HITECH Act](#) (Health Information Technology for Economic and Clinical Health) Act contained in the American Recovery and Reinvestment Act of 2009 strengthened HIPAA enforcement by allowing a higher per-incident fine. And, as reported in the July 2010 issue of RAP, malpractice insurance typically doesn’t include liabilities relating to social media, so doctors using it may require additional coverage.

When *can* you share?

Patient procedures and medical history information can be shared for collaborative and informative reasons, if certain permissions are obtained. With a specifically worded permission/authorization form, generally provided and/or approved by a physician’s attorney or medical center’s legal department, information can be posted on professional social media sites. Even if you have been careful to use “de-identified” information, video or photos, you should always check the social media rules at your facility. Remember too, that release forms do not cover your personal accounts.

As you consider sharing information, photos or video of a sports star, breakthrough surgery or amazing patient story, think twice about the potential consequences.

If you have concerns related to your own or others’ posting of patient information, you may request a confidential RAP consultation by phone.

Overheard in the Cafeteria?

The dangers of sharing patient information extend to every conversation you have, in every public place. Because you can’t be sure of who might be listening, don’t discuss case details outside of the medical setting. That’s a good rule to follow whether you are having a face-to-face discussion in the hospital cafeteria or talking on your cell phone while you’re in line at the bank. The person next to you could be a patient’s spouse, boss or hairstylist. With a few overheard details, they may be able to put two and two together.

Such details can be perceived as gossip, which is extremely unprofessional and potentially devastating to the confidential relationship between doctor and patient. One valuable filter for screening the information you divulge is often attributed to Socrates: Before you speak, think: *Is it necessary? Is it true? Is it kind? Will it hurt anyone?* The answers will guide you toward the right choice.