

# **Social Media...Facebook, Twitter & Compliance**

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**Moderator:**

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**Panelists:**

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*The opinions of the speakers do not necessarily reflect the opinions of their employers*



# Outline

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- Introduction to Social Media
- Panelist Discussion
- Questions

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- What are Social Media?
  - What is a Social Networking Site?
  - Top 15 most popular Social Networking Sites (as of December 5, 2011):



# How Social Media Started

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- Friendster introduced in 2002
- LinkedIn launched in 2003
- Facebook available to college students in 2006
  - Estimated 700 million active users
- YouTube created by three former PayPal employees in 2005
- Twitter launched in 2006

# Social Media Defined

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- Internet-based tools used for sharing and discussing information among people
- Activities that integrate technology, social interaction and the construction of words, pictures, videos and audio
- Information depends on the varied perspectives and “building” of shared meaning among communities

Wikipedia

# Social Media Platforms

- Social Networks
- News & Bookmarking
- Blogs
- Microblogging
- Video Sharing
- Photo Sharing
- Message Boards
- Wikis
- Virtual Reality
- Social Gaming



# People Using Social Media

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- Social networks have become more embedded in our everyday lives
  - 66% of active internet users have joined a social network site
  - 71% read blogs
  - 17% are “mobile” with their social media-accessing on the move.
  - 71% have visited a friend’s social network page
  - 76% upload photos

Source: *Power To The People: Wave 4 Social Media Study* by Universal McCann, July 2009

# Social Media & Employee Involvement

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- A 2009 Deloitte study provides evidence of the “disconnect” that a policy can address:
  - **60%** of executives say they have the “right to know” how employees portray themselves and their organizations online
  - Only **15%** of executives say they are addressing those risks
  - Over **70%** of companies do not have programs and policies dedicated to monitoring and mitigating risks related to use of social networks

(continued)

# Social Media & Employee Involvement

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- 2009 Deloitte “disconnect” study (continued)
  - **74%** of employees surveyed say it is “easy” to damage a company’s reputation using social media outlets
  - **53%** of employees surveyed contend that their personal social networking pages are none of an employer’s business
  - In fact, nearly **33%** of employees surveyed say they *never* consider what the boss would think before posting materials online

# Social Media & Recruitment

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- **16%** of workers have used social networking sites as part of their job search
- **45%** of employers reported in a June 2009 CareerBuilder survey that they use social networking sites to screen potential employees
- Of those who conduct online searches/background checks of job candidates, **29%** use Facebook, **26%** use LinkedIn and **21%** use MySpace. **11%** search blogs while **7%** follow candidates on Twitter.

# Social Media – Why Do We Care?

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- Have to stay on top of this
- Even if you do not use social media services, your employees, customers and competitors are
- Social media is about sharing your life – it is tough to distinguish between the personal and professional pieces

# Panelist Discussion-Employee Use

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- What, if any, social media are employees permitted to utilize?
  - What are the pros of employee social media use?
  - What are the cons of employee social media use?
  - What do you recommend?

# Panelist Discussion-Employee Use

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- What employee training, if any, on social media is conducted?
  - What do you recommend?

# Panelist Discussion-Employee Use

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- What policies are in place that address social media?
  - How should an organization develop an appropriate policy?
  - Any lessons learned from your policy development process?
  - What do you recommend?

# Panelist Discussion-Employee Use

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- What technological restrictions are in place regarding social media?
  - What do you recommend?

# Panelist Discussion-Employee Misuse

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- What lessons has your organization learned regarding social media incidents?
  - Any recommendations on investigating social media misuse?
  - Local law enforcement involvement?
  - Licensing authority responses?

# Panelist Discussion-Employee Misuse

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- What are some examples of how social media can compromise privacy/security?
  - What technology solutions are available to control social media?
  - Costs associated with technology controls?

# Panelist Discussion-Department of Health Services October 24, 2011 memo

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- Guidance on the impact of using social networking and social media as a communications tool
- Internet communications may result in a breach of patient/resident privacy:
  - medical appointments
  - medication changes
  - changes in medical status

# Panelist Discussion-Department of Health Services October 24, 2011 memo

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- “Covered entity” must ensure that the information disclosed is de-identified under HIPAA
  - not just omitting the person’s name
  - look at uniqueness of information
  - if there is a reasonable basis to believe that the person could still be identified, it is not de-identified
  - use or disclosure could constitute a violation
  - if subsequent post by staff re-identifies, information is no longer de-identified

# Panelist Discussion-Department of Health Services October 24, 2011 memo

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- Consider developing a business associate agreement with the social media site if uploading protected health information to that site:
  - HIPAA → mandatory that covered entities and their business associates protect PHI
  - PHI that is stored, processed, and exchanged between each other

# Panelist Discussion-Department of Health Services October 24, 2011 memo

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- Conduct risk assessment
  - Can entity and staff social networking practices potentially violate patient/resident privacy rights?

# Social Media Happens

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- At least 540 hospitals in the U.S. utilize social media tools:
  - 247 YouTube channels
  - 316 Facebook pages
  - 419 Twitter accounts
  - 67 Blogs

# Developing A Social Media Policy

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- First, assess your corporate culture
  - what is your company's brand?
  - what is your company's tolerance for dissent?
- Know that one size does not fit all health care institutions

# Developing A Social Media Policy

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- Address your stance on employee use of social media during work time
- Stress the importance of maintaining patient privacy
- Prohibit staff from discussing resident/patient information on blogs, social media, or other internet platforms
- Prohibit employees from speaking anonymously or pseudonymously about your company

# Sharing The Social Media Policy

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- Communicate it to your employees
- Make it accessible for them (on-line)
- Remind your employees about
  - resident rights
  - privacy
  - security

# Social Media – Guide Your Staff

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- Don't discuss patients on social media platforms
- Don't mix personal and professional relationships
- Don't "friend" patients on Facebook
- Assume a posting on-line can be seen by anyone
- Be careful when replying on real-time platforms like Twitter
- Be diligent in checking your social media

# Social Media – Can't Control All

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- Monitor what is said about you in the online community

# Conclusion - Question & Answer

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