UPMC
LIFECHANGINGMEDICINE

Social Media
Institutional Perspectives

Rita M Patel MD
Professor & Vice-Chair, Education
Department of Anesthesiology
Associate Dean for Graduate Medical Education
University of Pittsburgh School of Medicine
ACGME/NRMP Designated Institutional Official

- Describe the development of GME Social Media Guidelines at a large Academic Institution

- Discuss how the Human Resource Department may impact upon the development of social media policies or guidelines

- Provide examples of social media education for residents & fellows

UPMC

About 10 years ago
As Program Director
Call from Division Chief

"Rita, one of our residents was arrested by University police last night. They called the Pittsburgh Police. He was observed visiting unauthorized websites on the computers in the PBL classroom at the med school…"

It's 'too late' to assure security of patient data

Saturday, April 14, 2007
By Steve Twedt, Pittsburgh Post-Gazette

A Web site containing Social Security numbers and other personal information for nearly 80 UPMC patients was still accessible on the Internet yesterday -- and computer security experts say the patients can never be entirely assured the content will be gone.*

"It is too late. Once something is on the public Web, the only fundamentally safe security assumption you can make is that it is in the public domain forever," said Art Manion, a computer security expert at CERT, part of Carnegie Mellon University's Software Engineering Institute.
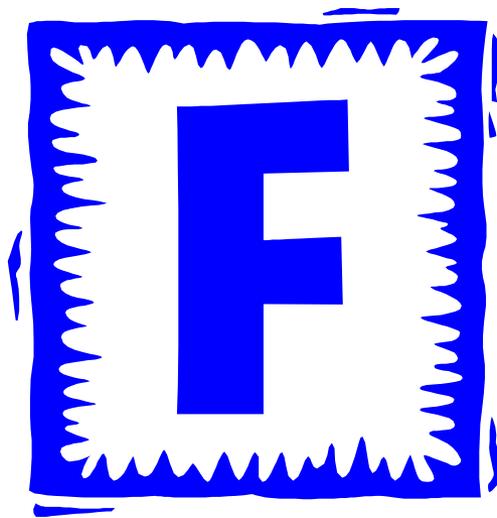
Super Bowl XLIII 2009
Steelers 27 Cardinals 23

As DIO
Call from Senior Vice-President

"Rita, a resident posted on YouTube a video of Physicians & Nurses celebrating Super Bowl win in a hospital area…"

October 2010 – Facebook Posting
Director of Nursing calls
Vice-President for Medical Affairs
Who calls the Residency Program Director
Who calls me, as DIO

- Hi, George! Remember that hot nurse, Nancy, in ICU? Well, today she was wearing white pants and you could see through them to her sparkly underwear!!! I told her that I like them!

UPMC 2010 GME Programs and Trainees

	Programs	Residents/Fellows
ACGME ACCREDITED 37R + 73F	110	1358
SIEP	49	64
AOA	11	19
UNIV OF PITT 6 Dental and 2 Pharmacy	8	55
PODIATRY	1	17
TOTAL	179	1513

"It is too late. Once something is on the public Web, the only fundamentally safe security assumption you can make is that it is in the public domain forever,"

said Art Manion, a computer security expert at CERT, part of Carnegie Mellon University's Software Engineering Institute.

Posting of Unprofessional Content by Medical Students– JAMA 2009 – ShockMD.com – Quote

- 60% of US Med Schools - anonymous electronic survey to assess online posting of unprofessional content
  - 60% of these (47/78) reported incidents of students posting unprofessional online content

- What was it?
  - Provocative photos, "friending" pts on facebook (Sexual-Relational Content)
  - Profanity or bad language re faculty or courses (Neg comments about MS)

- Videos depicting intoxication
(Intoxication or Substance Abuse)
- Blog posts with enough detail to ID pts
(Pt Privacy @ risk)

Program Director Development Committee of the GMEC - develop materials to assist PDs and provide residents with guidance re: use of electronic media

GMEC – Program Director Development Committee

- **Responsibility-Assist PDs in compliance with institutional policies & procedures**
  - **development of materials, dissemination of information & education of program directors**
- PDs: OB-GYN; Internal Medicine-Pediatrics; Critical Care Medicine; Radiology; Pathology; Child Neurology; Transitional Year

UPMC

GMEC – Program Director Development Committee

Review websites, literature, policies on topic being addressed

Final product is policy + educational materials
 Evaluation (Annual Program Evaluation Template)
 Recruitment (Post-Match Questionnaire)
 Supervision (Program Checklist for Compliance)

With Social Media – materials in advance of policy

UPMC

Guide to Electronic Communication

- **June & July 2011**

- **"You need to know this to thrive"**

  Links to existing Policies

- **UPMC Policy on Social Networking-HSHR0748**

- **UPMC ME Guidelines on Professional Conduct in the Teacher-Learner Relationship**

- **UPMC ME Harassment-Free Workplace Policy**

UPMC

Sample Violations

- **Status update on Facebook "Nurse Jackie looked HOT today"**

- **Resident blog post: photo of a baby just discharged with best wishes to the family and thanks to the care team**

- **YouTube video of residents' pub crawl: "Magee Ob/Gyn Residents gone wild!"**

UPMC

Sample Violations

- **Residents answers this email with medical advice:**

  - **"Dear Doc—my fibromyalgia pain is really flaring up. What should I do?"**

- **Resident takes a minute on the ward to check Facebook on her smartphone. Attending walks up behind her, quickly forming an opinion of her work ethic.**

UPMC

Top 10 list (in no particular order)

1. Never friend patient or family
2. Never give medical advice*
3. Never take a photo with your equipment
4. Never post a photo with any part of a patient
5. Never use the UPMC/University name

UPMC

Top 10 list

6. Never post a clinical story

7. Never post anything you would not want your grandmother to see

8. Always be collegial

9. Do not spend precious training time social networking

10. Do not post photos of pts from overseas*

UPMC

UPMC Policy – HSHR0748

UPMC
POLICY AND PROCEDURE MANUAL

POLICY: HS-HR0748 *
INDEX TITLE: Human Resources

SUBJECT: Social Networking
DATE: January 31, 2011

I.<u>POLICY</u>

Knowledge sharing through Social Networking is recognized as critical for some areas of UPMC. While this practice is supported, this policy educates staff on acceptable practices as all staff must protect patient and proprietary information.

UPMC has a Social Networking policy that governs the actions of individuals employed by or associated with UPMC and its domestic affiliates. The Policy's written guidelines, which are based on UPMC's mission, vision, values, and ethics, outline how people must conduct themselves when engaging in Social Networking activities while a Representative and/or Staff Member of UPMC. UPMC Staff Members must follow the UPMC Code of Conduct and all policies.

For purposes of this policy <u>Social Networking is defined to include, but is not be limited to, online communities of people and/or online sites and tools that allow for the exchange of knowledge and ideas such as, Facebook, MySpace, LinkedIn, blogs, peer-to-peer networks, Twitter, etc.</u>

Infonet > **Our Organization** > **Systemwide Services** >
Communications and Marketing > **Public Relations** >
Internal Communications > **Social Networking**

Social Networking

Facebook. Twitter. Blogs. Social networking sites like these have become an integral part of everyday life, both for our employees and for millions of people around the world.

With the right content and know-how, these applications also can be powerful networking and business tools. They also add entertainment and enrichment to our lives

We believe it is important for UPMC and its representatives to share information and ideas through social networking and online communities. We want to encourage staff to have fun with social media while remaining professional as a UPMC employee. As an employee, you can be the face of UPMC in the online world.

This site is dedicated to helping you navigate the waters of social networking. Remember, in online social networks, the lines between public and private, as well as personal and professional, can be blurred. The best advice is to use good judgment and common sense when participating, as well as following UPMC's Code of Conduct and other applicable policies.

UPMC Medical Education Policies and Procedures

Department: Graduate Medical Education

Title: **Guidelines for the use of internet, social networking, and electronic communication**

Purpose: To provide guidance and clarification about the use of internet, social networking, and electronic communication. These guidelines are meant to be used in conjunction with the UPMC Policy on Social Networking-HSHR0748, the UPMC ME Guidelines on Professional Conduct in the Teacher-Learner Relationship, the UPMC ME Harassment-Free Workplace Policy, and all other relevant policies governing resident and fellow professional behavior.

Scope: All UPMC Medical Education-sponsored Residency and Fellowship programs

When professional courtesy could get physicians in trouble - kevinmd.com

When offering professional courtesy discounts, physicians should make sure that their good deeds also comply with applicable laws.

HIMSS urges Congress: Create a national patient identifier - fiercehealthit.com

HIMSS has asked Congress to support the development of a "nationwide patient identity solution" to promote interoperability and reduce errors related to mismatches between health data and patients. Read more...

amednews: Medical error calls for honest disclosure :: Sept. 12, 2011 ... American Medical News - ama-assn.org

Ethics Forum - A column that answers questions on ethical issues in medical...

ACO Pioneers to launch by year's end? - fiercehealthcare.com

Despite fears about the tight timetable, the Pioneer accountable care organizations (ACOs) could launch by the end of the year, said Centers for Medicare and Medicare Services (CMS) Administrator Read more...

Should Medicare pay for procedures that have no proven benefit? - kevinmd.com

If these interventions offer no benefit, why then does Medicare continue to pay for them?

Linked In – Director of Human Resources

From – Using Social Networking Sites for Hiring May Lead to Discrimination Claims – Protected Groups

- **Age**
- **Citizenship**
- **Disability**
- **Gender Identity or Expression**
- **Genetic Information**
- **Marital Status/parental status**
- **National origin/ancestry**

- **Pregnancy**
- **Race/color**
- **Religion**
- **Sex**
- **Sexual orientation**
- **Veteran's status/ military status**

You might not ask about these, esp sex orientation, religion. But, you might find this out through posting on facebook or other sites.

- **Info might not influence decision**
- **Difficult to prove, esp if that person is not hired**
- **Drinking & ADA**

Society for Human Resource Management 3/19/2010 – Directly quoted

UPMC

# Firing Employees for Facebook Posts Violated NLRA

- Source: 9/8/2011 – Society for Human Resource Management – Directly quoted

- NLRB Judge -employer unlawfully discharged 5 employees after they complained about working conditions, workload & staffing issues

- First social media case that involved a non-unionized workplace

- Ordered them to be reinstated with back pay

- Employers cannot simply require that there be no communication between them via facebook or twitter*

- "Conversations around the water cooler"

- NLRA section 7 rights apply even if workforce is not unionized*

NLRB Actively Engaged in Examining Employee Social Media Use

- 9/16/2011 – Society for Human Resource Management- Directly Quoted

- Concerted activities for the purpose of collective bargaining or other mutual aid or protection

- "protected concerted activity" applies for 2 purposes (1) terms and conditions of employment and (2) can be interpreted as working with, or on behalf of, other employees
  - Does not protect personal gripes
  - Or comments that do not pertain to work conditions

- "Disparaging Remarks" "Inappropriate Discussion" "Use of the Company Logo"

- Should include language of section 7 in any social media policy

Employee Use of Social Media: Laws Fail to Keep Pace with Technology

- 3/16/2011 – Society for Human Resource Management – Directly Quoted

- **Definition of social media***

" **any web-based application that allows people to broadcast information to an entire network"**

- **User-defined: Facebook**

- **Open: You Tube**

UPMC
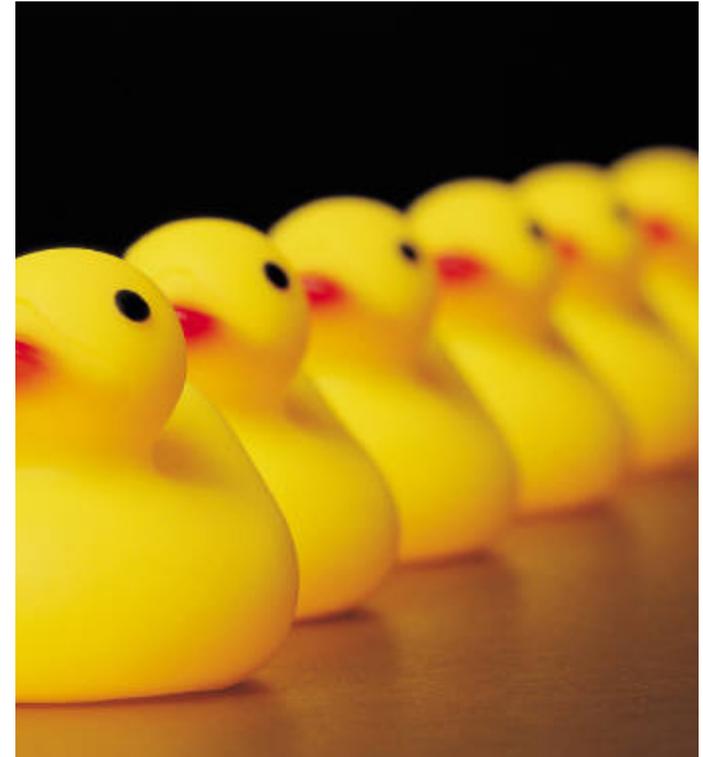
Not legal advice – a few considerations

- <u>Stored Communications Act</u> – protects privacy of electronic communications while they are being transmitted. Google search is not protected, because it is public

- <u>Fair Credit Reporting Act</u> – use of third party for background checks, requires consent from applicant

- <u>Genetic Information Non-Discrimination Act</u> – prohibits any questions that get at genetic information

- <u>Common Law Privacy Principles</u> – "intrusion upon seclusion"

UPMC

- Communication among PBL members or tutorial groups

- YouTube video clips of physical exam & Dx procedures

- Use visual models on YouTube for explanation of complex science concepts

- Watching Surgery on YouTube to prepare for OR the next day

UPMC

Residents use of Social Media

- Podcasts of live lectures for access off campus, at the gym or during travel

- Specialty Orientation by following on facebook prof orgs, ie. ACSurg, AAPeds, ACPhysicians

- Residents interested in **physician-only online social networks** sermo, medscape connect, tiromed, and doctorshangout.com

- Using facebook to exchange experiences about residency*

UPMC

Dr. Shock's Blog - Comments

- "Exactly why I shut my facebook down. It wasn't worth it in the long run to have my private life in the public space once I get out of school and enter the profession in full. Too hard to monitor what pictures are taken of you, who tags you, what type of comments your friends leave and the access people have".

- "I try to hold down personal information on facebook . Facebook is indeed something between friends but you're usually not sure whose listening in.

- "Trying to teach about "digital footprint" to medical students which is a good first step to help professional conduct"

www.sanfranonline.com/internet-mktg/career/cert-mst_social media

- **Position Yourself for a Variety of Rewarding Roles**

- Social Media Marketing Manager

- Social Media Manager

- Social Media Director

- Social Media Analyst

- Social Media Developer

Accessed 10/21/2011

- *NEW* **Advanced Social Media Marketing Certificate**

- Complete this video-based online social media marketing program in just 8 weeks or less! Then start reaping the rewards of your career-building certificate from the University of San Francisco, ranked a best university by *U.S. News & World Report*.

References

- "Online Posting of Unprofessional Conduct by Medical Students," abstract, Chretien KC *JAMA 2009: 302(12) 1309-1315*

- "The Intersection of Online Social Networking with Medical Professionalism," abstract, Lindsay Thompson MD et al *Journal of Gen Int Med* July 2008:23(7) 954-957

- "Practicing Medicine in the Age of Facebook," Sachin H Jain MD. NEJM 2009:361:649-651

- "Physicians on twitter." Chretien et. al *JAMA* 2011:305 (6) 566-568

- www.shockmd.com - accessed on 10/27/2011

- Society for Human Resource Management via personal communication Director of Human Resources, UPMC

UPMC

Thank You

- Rita M Patel MD
- rpatel@pitt.edu
- patelrm@upmc.edu