

Twenty-Ninth National HIPAA Summit

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HIPAA & Social Media: What You Need to Know!

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From the Privacy Office....



Reference: Daniel J. Solove www.teachprivacy.com

Social Media Platforms

- Facebook
- Twitter
- Instagram
- Snapchat
- Skype
- Pinterest
- You Tube
- LinkedIn
- Telegram
- Yelp
- More...



UH Social Media Page

⚙️ ? Jefferson, Cathy A. ▾

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MENU



UH COMMUNITY

Digital Workplace

SEARCH 🔍

Social Media

UH Community >> Marketing & Communications >> **Social Media Home Page**

Archive System Communications

Contract Request

Intranet Help

M&C Team Members

MC Team Site (restricted)

Social Media Home Page

MyUH Mobile Application

Submit content

- » Digital Workplace content guidelines
- » Digital Workplace News
- » Digital Workplace UH Event
- » For UHhospitals.org
- » For UH Window - CMC monitors & kiosks

UH Brand Center

UH-Cleveland Browns

WHY SOCIAL MEDIA?

Social media allows us to quickly and cost-effectively connect and interact with patients and fans of University Hospitals. We have a presence on Facebook, Twitter, Instagram and YouTube, and the communications team is here to help ensure that we share high quality, appropriate and engaging content to extend our UH brand online and drive additional traffic to UHhospitals.org.

We want to use social media to share patient stories, clinical innovations and UH research to continue to connect with our community.

We need your help in identifying these good news opportunities, so if you have something to share, check out these resources:

- [HIPAA Media Release form](#): make sure you get permission before using someone's image
- [Social Media Policy](#): UH's official policy on the requirements and guidelines for participating in social media outlets
- [Social Media Submission Guidelines](#): explains what kind of content (file type and size) works best for social media
- [Social Media Submission Form](#): information you enter on this form will help speed the process along

WHAT KIND OF CONTENT WOULD WE SHARE ON SOCIAL MEDIA?

Ask yourself these five questions: Is it...

- **Interesting** – What's in it for me (the consumer)?
- **Timely** – Is it relevant now?
- **Helpful** – Is this too self-serving or promotional?
- **Shareable** – Would I pass this on to my friends/family?
- **Visual** – Is there a compelling (HIPAA-compliant) image?

If you have a patient story, clinical innovation story or UH research story you would like to submit, we would love to hear it! Share your ideas using the [Social Media Submission Form](#).

JOIN US ON SOCIAL MEDIA

University Hospitals



Facebook:

[UniversityHospitals](#)



Twitter:

[@UHHospitals](#)



YouTube:

[UniversityHospitals](#)

UH Rainbow Babies & Children's



Facebook:

[UHRainbowBabies](#)



Twitter:

[@UHRainbowBabies](#)



Instagram:

[@UHRainbow](#)

QUESTIONS ON SOCIAL MEDIA?

Email us at UHSocialMedia@uhhospitals.org

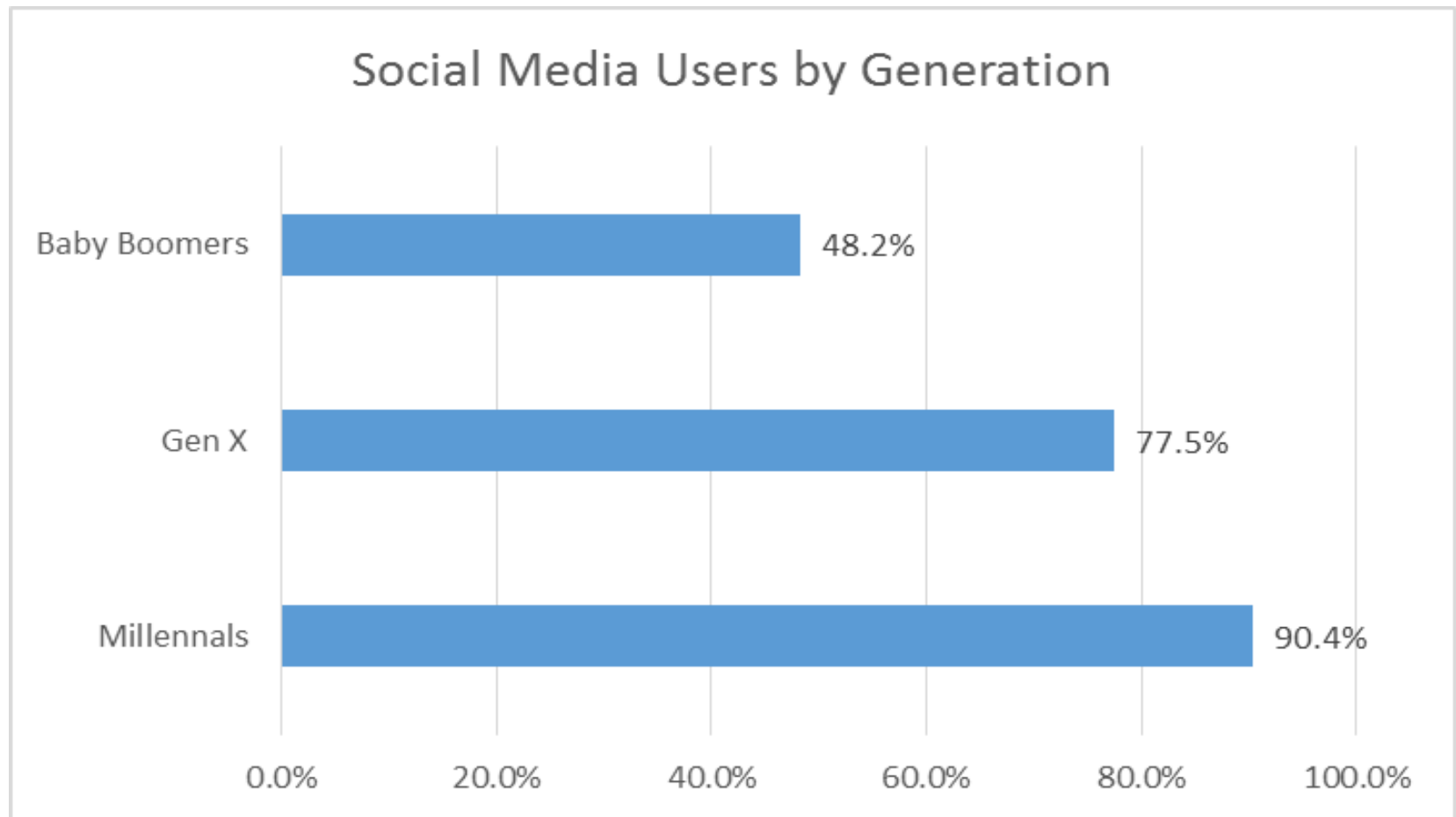
Social Media Statistics

- As of April 2019 there were 3.5 billion social media users worldwide, which is about 45% of the population
- 68% of Americans use Facebook
- 500 million daily active Stories on Instagram
- Americans spend 3 hours per day on social networks and messaging



Source: Social Media Statistics

Social Media Users By Generation



Common Social Media Violations

- Posting of images and videos of patients without written consent
- Posting of gossip about patients (even if a name is not disclosed)
- Sharing of photographs or images taken inside a healthcare facility in which patients or PHI are visible
- Sharing of photos, videos, or text on social media platforms within a private group

Social Media Risks

- The use of social media raises risk management issues
- Education is the key to mitigate risks
- The next few slides will show examples of social media HIPAA violations.



Facebook Breach – Northwest Indiana

- A patient care technician posted PHI of a former high school friend
- The technician released the friend's full name, date of birth and that they had a sexually transmitted disease (HPV)
- After the friend informed a nursing supervisor of the post, she received a letter from the hospital. While it didn't give specifics, it stated that the hospital took action based on their policies and procedures

Twitter Breach – Northwestern Medical Group

- The medical group failed to inform a patient about the privacy breach of her medical records
- The patient learned of the breach herself when she saw her records on Twitter
- The employee behind this social media/HIPAA violation was the girlfriend of the patient's ex-boyfriend
- The employee accessed the patient's medical records, charts, and files without authorization and posted the information on Twitter
- The hospital fired the employee for violating HIPAA

Instagram Breach – South Carolina Hospice

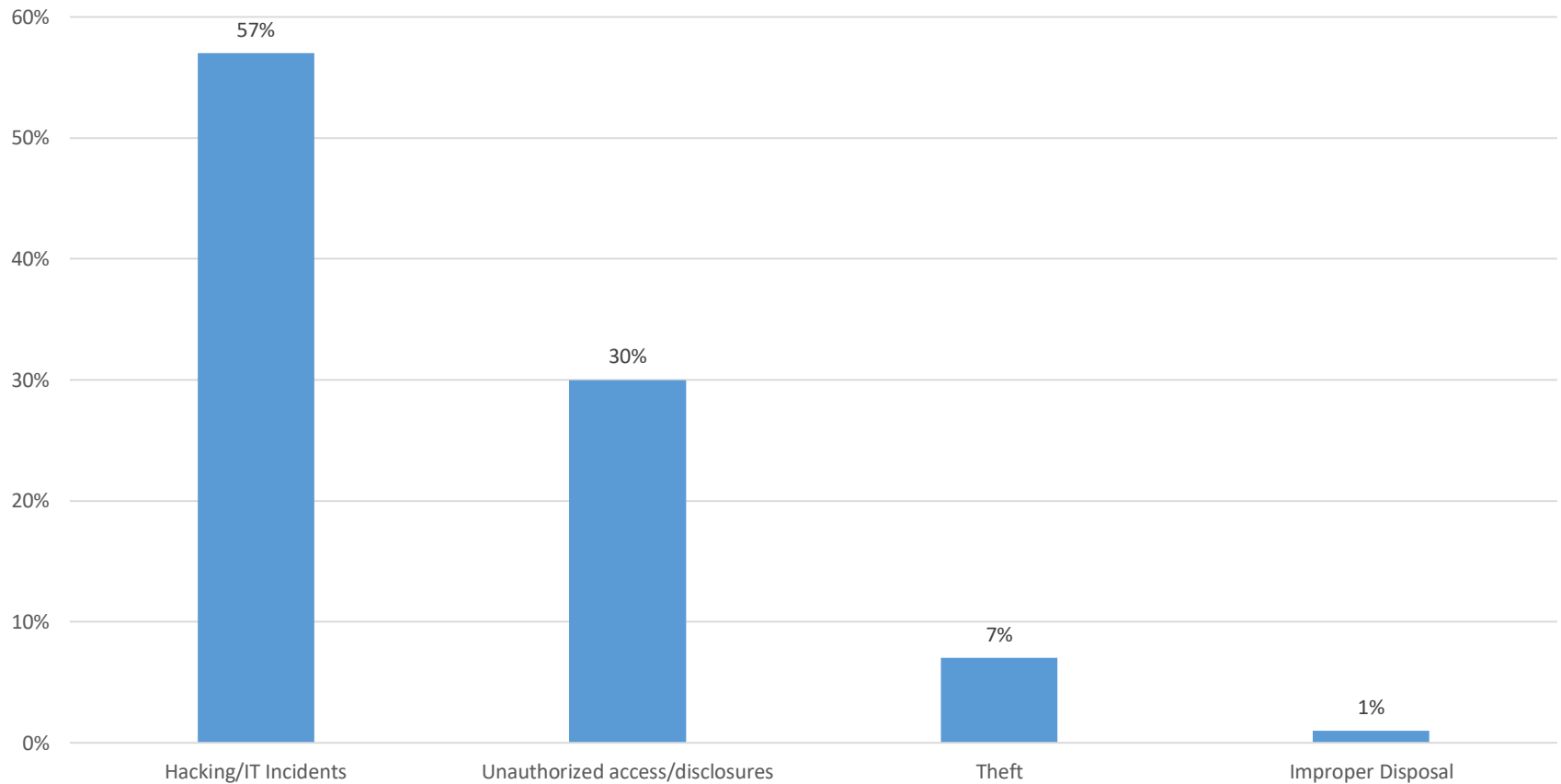
- A reality star worked as a hospice nurse and home health aid
- The reality star sent a video to a fan through an Instagram direct message that included one of her patients
- The fan reported the video to the South Carolina Board of Nursing for violating HIPAA
- The reality star/hospice nurse knows this would violate HIPAA but posted pictures anyway

Office for Civil Rights (OCR) Settlement

- OCR Settles with Dental Provider for Potential HIPAA Violation on Yelp
- Elite Dental Associates must pay \$10,000 to settle the complaint
- A patient alleged Elite Dental Associates disclosed details of their health condition on a Yelp review without their permission
 - Dental practice disclosed PHI of several patients when responding to a review on Yelp review page
 - A patient complained that the dental practice disclosed the patient's name and details of conditions on Yelp
 - OCR investigation revealed
 - Dental practice did not have any policies or procedures regarding disclosures of PHI
 - Lack of a Social Media Policy
 - Non-compliant Notice of Privacy Practices (minimum content required in its NOPP)

2019 Breaches by the Numbers

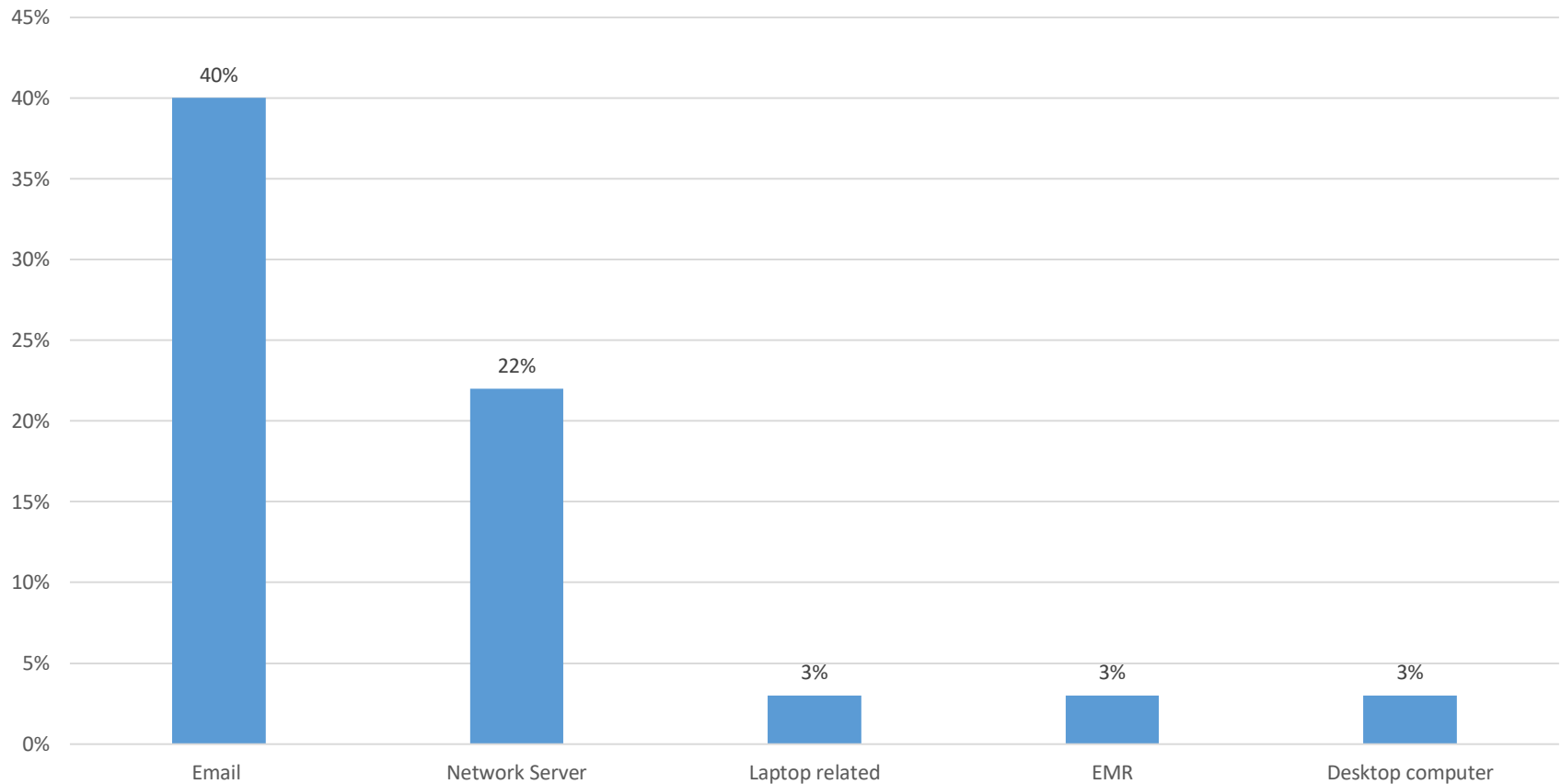
Breaches By Type



Source: HIPAA & Health Information Technology

2019 Breaches by the Numbers

Breaches by Location



Source: HIPAA & Health Information Technology

Hey, Alexa are you HIPAA Compliant?

<https://www.bing.com/videos/search?q=amazon+workers+are+listening+to+what+you+tell+alexa&&view=detail&mid=C153E38156267682F9C5C153E38156267682F9C5&&FORM=VDRVRV>



Amazon In the News

Federal Lawsuit Charges Amazon's Alexa Violates Children's Privacy

By Jim Sams | June 17, 2019



Apple In the News

News /

Apple Is Being Sued for Letting Siri Record Users without Their Consent

By [Jesse Hollington](#) 

Published: Aug 8th, 2019



HIPAA Breaches on Social Media

Social Media's Role in Privacy Breaches

Educate Your Medical Employees on Social Media HIPAA Violations

By [Joy Hicks](#) | Updated on May 10, 2017



Celebrity HIPAA Violation In the News



How to Avoid HIPAA Violations?

- Develop clear policies covering social media
- Train all staff on acceptable social media use
- Communicate the possible penalties for social media HIPAA violations – termination, loss of license, criminal penalties
- Monitor your organization's social accounts and communications
- Extend Your Existing HIPAA Policies to include Social Media Platforms

How to Avoid HIPAA Violations? (con't)

- Watch Your Images
- Don't Vent Online
- Don't Send Messages With Protected Health Information
- Avoid Sharing Patient Health Information
- According to OCR Director, "social media is not the place for providers to discuss patient's care"

Best Practices

- Review and update your policies on social media annually
- Ensure social media accounts are included in your organization's risk assessments
- Encourage staff to report
- If you don't have written consent to share information about a patient, even if it doesn't mention the patient's name, **don't post it.**



Thank you



Don't
be afraid
to address
the **ELEPHANT**
in the room.

Speak Up!

**BE
THE
ONE...**



WHO MAKES THE DIFFERENCE!



Web Reporting: UHhospitals.org/Ethics ☒ Telephone/Hotline Reporting: 1-800-227-6934

Questions?



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- OCR Fines Dental Practice \$10,000 for Social Media Disclosures, Kagan, October 8, 2019
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Sources (con't)

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