



## San Antonio Uniformed Services Health Education Consortium San Antonio, Texas

### Use of Internet and Social Networking Sites Policy

**I. Purpose:** Social and business networking web sites (e.g. My Space, LinkedIn, Facebook, Twitter, Flickr, You Tube, others) are increasingly used for communication. The purpose of this policy is two-fold: (1) to provide guidance to residents regarding appropriate use of social networking sites and (2) to emphasize the appropriate use of official and educational images within Department of Defense (DoD), service, and hospital guidelines.

**II. Standards:** Use of DoD information systems require users to conform to standards regarding the protection of personal and health information. Sample warnings are copied below. These standards form the basis for guidelines to be followed when using social networking sites.

#### Privacy Act Warning

(Applies to any system accessed by connection which contains individual data subject to protection by the Privacy Act of 1974) Personally Identifiable Information contained in this system is subject to the 5 U.S.C. 552a, as amended, the Privacy Act of 1974 and DoD 5400.11-R "Department of Defense Privacy Program." Personally Identifiable Information contained in this system may be used only by authorized persons in the conduct of official business. Any individual responsible for unauthorized disclosure or misuse of personal information may be subject to a fine of up to \$5,000. Executive Order 9397 authorizes solicitation and use of social security numbers (SSN's) as a numerical identifier for federal personnel that are identified in most federal record systems.

#### HIPAA Warning

(Applies to any system accessed by connection which contains data related to the health of an individual) Protected Health Information in this system is subject to Public Law 104-191, the Health Insurance Portability and Accountability Act of 1996 and the Final Privacy Rule and Final Security Rule codified in 45 C.F.R. § 160 and 164, DoD 6025.18-R, "DoD Health Information Privacy Regulation" and DoD 8580.02-R, "DoD Health Information Security Regulation." Information in this system may only be used and/or disclosed in strict conformance with these authorities.

#### III. References:

Pertinent local references for this policy are: a) at 59th Medical Wing (59MDW), Medical Wing Instruction 44-169 (24 Feb 2010) Consent for Medical Audio Visual Documentation, and b) at BAMC, BAMC Memorandum No. 25-80 (15 Sep 2006) Electronic Recordings of Patients for Purposes other than Diagnosis or Treatment.

#### **IV. Guiding Principles:**

A. Internet use must not interfere with the timely completion of educational and clinical duties. Personal blogging or posting of updates should rarely be done during work hours or with institutional computers.

B. All material published on the web should be considered public and permanent.

C. Residents should expect no privacy when using institutional computers.

D. The individual is responsible for the content of his/her own blogs/posts, including any legal liability incurred (HIPAA or other).

E. Residents must avoid discussing any sensitive, proprietary, confidential, private health information or financial information about the institution (including but not limited to SAUSHEC, BAMC, 59MDW, and the affiliated health systems) on public internet sites. Any material posted by a resident that identifies an institution in which the resident is working should have prior written authorization by the public affairs office of that institution.

F. The tone and content of all electronic conversations should remain professional and respectful.

G. Residents must refrain from posting any material that is obscene, defamatory, profane, libelous, threatening, harassing, abusive, hateful or embarrassing to another person or any other entity.

H. Privacy and confidentiality between physician and patient is of the utmost importance. All health care providers have an obligation to maintain the privacy of patient health information as outlined by the Health Insurance Portability and Accountability Act (HIPAA).

I. To maintain appropriate professional boundaries, residents should not “friend” patients on any social networking site or check on patient profiles.

J. Images containing protected health information can be used for patient identification, diagnosis, monitoring or treatment. Images or recordings intended for use in medical education (either within or outside the institution) must first have informed consent from the patient or guardian (see MDWI 44-169, Paragraph 1.2). Once an image is void of identifiable features, it is no longer a HIPAA concern (BAMC Memo 25-80, Para 1).

K. Professional images of patients are important for medical care and should be protected. Inappropriate use of medical images by physicians is judged unprofessional

behavior; it may compromise a physician's ability to practice medicine effectively, become licensed, and participate in positions of trust and responsibility in the community.

#### **V. Patient Information:**

Patient images may be use for official and educational purposes if obtained following applicable DoD, service, and hospital guidelines. Identifiable protected health information (PHI) should never be published on the internet. This applies even if no one other than the patient is able to identify him/herself from the posted information. Residents must adhere to all HIPAA principles.

#### **VI. Communication Regarding Institution**

Unauthorized use of institutional (including but not limited to SAUSHEC, BAMC, 59th MDW, and affiliated health systems) information or logos is prohibited. No phone numbers, e-mail addresses, or web addresses may be posted to a website without permission from an authorized institutional individual.

#### **VII. Offering Medical Advice**

It is never appropriate to provide medical advice on a social networking site.

#### **VIII. Privacy Settings**

Residents are encouraged to set privacy at the highest level on all social networking sites.

#### **IX. Conclusions**

In light of rapid change, it is envisioned that this policy may require frequent revisions. Failure to follow these guiding principles may be considered a breach of professionalism, resulting in any and all consequences deemed appropriate by the individual's program, the Graduate Medical Education Committee and medical center commanders. Flagrant cases of unprofessional behavior may result in termination from residency and punishment under the Uniformed Code of Military Justice.