

Ethics in Social Media

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Disclosures

None

Show of Hand Questions

- How many in the audience have a presence on social media?
- How many know how to change their privacy settings on social media, such as Facebook?
- How many have their own website?
- How many advertise their practice?
- How many have received reviews online?
 - How about negative reviews?

Ethical Principles

- Autonomy – Respect for self-determination; acknowledging that patients are free to make their own decisions
- Beneficence – Promoting the interests of others
- Non-maleficence – Avoiding harm
- Justice – Fair distribution of benefits and burdens

Confidentiality vs. Privacy

- Confidentiality is an ethical principle whereas privacy is rooted in common law; Confidentiality refers to the information whereas privacy is a right held by the person
- Confidentiality is essential for the doctor-patient relationship to work in that it allows a patient to trust their psychiatrist and therefore feel comfortable divulging information
- Privacy also applies to the physician
 - Examples: FB security, employer access, monitoring of content for professionalism

The Old and the New

Table 1: Privacy in traditional and new media scenarios

	<i>Example old media</i>	<i>Example new media</i>	<i>Information</i>	<i>Ethical issues</i>
Private–private	Private letter	Email to specific address	Restricted	Clear obligation to respect privacy
		Post on a closed therapeutic group page	Restricted	Clear obligation to respect privacy
Private–public	A note left on a message board at a conference	Facebook page with low security settings	Generally available	Obligation to generally respect privacy despite the information's availability
Public–public	Scientific paper Book Newspaper article	Scientific paper Health information website	Deliberately widely available	No obligation upon the reader to refrain from access

Permanence and Accessibility

- With grand rounds, once the lecture is finished, as is the record with online posting, it is around forever
- With grand rounds, there is more security in who has access to the lecture. With online posting, there is more access and less control over that access

Professionalism

American Board of Internal Medicine Definition: “Professionalism requires the physician to serve the interests of the patient about his or her self-interest. It aspires to altruism, accountability, excellence, duty honor, integrity, and respect for others.”

Informed Consent

- An extension of the principle of autonomy
- Voluntariness
- Understanding of the risks and benefits and alternatives involved

What About Online Reviews?

- Medicine, including mental health, is becoming more consumer driven
- Reviews are frequently sought by those making decisions about services
- People trust reviews much more so than advertising
- With MH, due to stigma, researching online for reviews may be more comfortable than asking friends/family for recs

Online Physician/Psychiatrist Review Sites

- Healthgrades
- Vitals
- Zocdoc
- WebMD
- RateMDs
- Yelp
- Google+
- Angie's List

1/3 of patients in 2015 left physician reviews (compared to 1/4 in 2012)

Benefits of Online Reviews

- Increases patient autonomy
- May provide useful feedback to providers

BUT...

Negative Consequences of Online Reviews

- Fear of a Negative Review may lead to worse care
- Fear of a Negative Review may lead to clinicians refusing difficult cases
- Posting online vs. Discussing issues in therapy
- Patients are not always aware of how much privacy they may be giving up by posting
- Inaccuracy is a risk as websites do not require proof of being a patient/client
- Financial consequences of negative reviews

Can I Respond Directly to Reviews?

- Confidentiality may be violated by any response as it acknowledges a doctor-patient relationship in public
- Consideration of contacting patient directly outside of the online sphere [unlikely to be effective]
- Consider contacting your health care system (if not in private practice)

If Responding Directly Online:

- Keep any online response general and nonspecific

“Dr. Smith’s clinic aims to provide patients with the best possible care in a respectful environment. Please check our website for more information.”

- Keep the response short and polite
- Show commitment to improve
- Invite off-line contact
- Carefully consider apology

How Else Can I Respond?

- One proposed solution is asking colleagues or mentors to post positive reviews to “drown out” a negative one
 - Caveat: If patients see reviews, they might take it as a sign that posting is a good idea
- Consider contacting the review site directly to ask for removal
 - Reviews may be removed if: Vulgar/obscene, not written by patient directly, contain threatening language, contain your private info (ie. Home address)
 - Some websites allow removal of certain number of reviews or particularly MH ones
- Consider contacting your malpractice carrier
- Double-edged sword of pursuing anti-defamation actions

Proactively Educate Patients

- Inform that you are unable to respond to any review, positive or negative
- Encourage patients, as difficult as it may be, address any questions, concerns or complaints about services directly so these can be addressed
- Discourage readers from posting reviews, but if they feel that they must, to do so using every precaution to protect their identities

Can I Use Testimonials on my Website?

- Inherent power differential can lead to the patient feeling obligated to write a testimonial >> Undue influence
- Issues of confidentiality
- Current patients versus past patients
- Importance of informed consent, even for anonymous testimonials

Is It Okay to Advertise My Practice?

- Ensuring fidelity and truthfulness
- Avoiding any promise or implications of a promise
- A process of Attraction rather than Promotion

Can I Write A Blog?

- Purpose: To advocate for patients with mental health issues; To provide education; To provide a forum for networking
- Respecting confidentiality
- Respectful tone
- Examining intent (ie. Understanding, empathy, etc.)
- Ensuring content would not harm a patient, even indirectly
- Disclosure of conflicts

2008 study of 271 medical blogs written by health professionals: individual patients were described in 42% of blogs; of these, 17% included sufficient information for patients to identify their providers or themselves

My Blog

Medical Disclaimer:

The contents of the Mind Body Pregnancy site, including text, graphics, images, and other material contained are for informational purposes only. The content is not intended to be a substitute for professional medical advice, diagnosis, or treatment. Always seek the advice of your physician or other qualified health provider with any questions you may have regarding a medical condition. If you think you may have a medical emergency, call your doctor or 911 immediately.

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Mind Body Pregnancy
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Private Practice About Join

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- Anna Glezer, MD

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Dr. Glezer

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Can I Use Social Media for Consultation?

- Examples:
 - Facebook Groups
 - Doximity
 - Forums
 - Sermo
- De-identification (removing/changing demographic details, avoiding rare medical problems, not including specific times/locations)
- Issue of Informed Consent

AMA Journal of Ethics Guidelines:

- If a psychiatrist would not say it in person, do not say it online
- Intent – if it only benefits the psychiatrist/author, reconsider publishing it
- Maintain professional integrity as you are representing the profession and affiliated institutions
- Consider your content - You are responsible for your patient's well-being even when they are not physically in your presence.

Future (Current!) Directions

- The need to include teaching/education on managing online social media to today's students/trainees.
- Studies demonstrate frequent misuse

Recommendations:

1. Know your online presence!
2. Google yourself
3. See if you have online reviews
4. Monitor content