

## Social Media: A Blessing or a Curse for Providers?

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Twitter, Facebook, LinkedIn, YouTube...use of social media is growing by leaps and bounds. You can't go a day without hearing about social media, whether it's on the television or in a magazine or you are actively using social media. Health-related social media is no different, and for many providers, the potential value of getting their information online is enormous. Before bravely exploring the social media frontier, what do you need to know? After all, it's a jungle out there!

### Employment Issues

Social media challenges both employers and employees. Even if an employer prohibits social media, either in part or whole, at work, employees still frequently post comments, stories, and images that pertain to work or their employer in their off-hours. An inappropriate post can create problems (legal or otherwise) for both employers and affected employees. Inappropriate posts (or pictures) may be publicly searchable, leading to embarrassing incidents. Given the risks, as well as the potential benefit of positive stories shared about a company, employers should develop policies on social media use, appoint appropriate "watchdogs," and monitor compliance with the policy.

### Privacy

Health care providers know all about privacy and security in light of HIPAA and HITECH. With social media, new threats arise, including claims for invasion of privacy based on posted stories and images. Common sense cannot be left at the door with social media! Think before you post. What may be amusing to a small number of "friends" may not be acceptable to the general public. Educate (and guide) social media users as part of your social media policy. A useful suggestion is to ask employees, "Would you want your posted information to appear on the front page of the New York Times?" If not, then don't post it, chances are the information is inappropriate (at least to someone).

### Patients and Family Members

Recommendations from patients and their families are critical to the success of a provider. Happy patients mean happy family members. In the context of social media, positive posts and images may make all the difference in selection of a health care provider. Social media can highlight the compassion and positive interventions of hospice in a family's life (or the absence of these things). Hospice providers may consider using a "fan" page, a blog, or other social media group to gather positive stories. Statistics show that a third of Internet users are over age 45, and the fastest growing group of social media users is age 54 or older.



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### Regulatory Issues

All health care providers are heavily regulated in how they conduct their business, advertise for their services, and provide care. Federal and state agencies, such as the Federal Trade Commission and state attorneys general, analyze statements made in marketing and communications about provider services to protect the public. Other agencies—like the Centers for Medicare & Medicaid Services and the Office of Inspector General—review payment arrangements for services under fraud and abuse laws and regulations. Payment terms, incentives, and advertisements for services can appear in social media. Such information must be reviewed prior to posting for regulatory compliance.

You need to discuss social media so that you can set clear policies, expectations, and boundaries with your staff and patients. To further this discussion, work with legal counsel (and other appropriate consultants) to maximize the benefits of social media while minimizing any potential liabilities. Don't be scared of social media. Look for opportunities to enhance your business with positive social media use.



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