

## **GME POLICY AND GUIDELINES FOR USE OF SOCIAL MEDIA**

### **Purpose:**

To establish a Social Media Policy for the Residents and Fellows of SUNY Downstate Health Sciences University (“SUNY-DHSU”). The ease with which we can now record, store and transmit information in electronic format brings new responsibilities to those working in healthcare with respect to privacy of patient information and ensuring public trust in our hospitals, physicians and staff. New advances in technology bring significant educational benefits to trainees, as well as improve communication between health care providers. Residents and Fellows must also recognize the public nature of these forums and their potential for lapses of professional behavior. Given the growing role technology continues to play in healthcare, the GME Office has adopted the following policy and guidelines to ensure appropriate personal and professional use of Social Media, protection of patient privacy rights, protection of the SUNY-DHSU, and compliance with city, state, and federal laws.

### **Scope:**

This policy applies to all Residents and Fellows at SUNY-DHSU and all SUNY-DHSU’s affiliated sites. Residents and Fellows should follow these guidelines whether participating in Social Media personally or professionally, and regardless of whether they are using personal or employer-issued electronic devices.

### **Definition:**

**Social Media** is a broad term covering web-based, mobile, or other technologies for social networking and for sharing content and information. Popular Social Media sites, which are subject to frequent change, include Facebook, Twitter, Instagram, YouTube, LinkedIn, CaringBridge, as well as blogs and instant messaging services.

### **Policy:**

Residents and Fellows are responsible for their conduct when using Social Media. Residents and Fellows should not post content that is threatening, obscene, a violation of copyright (or other intellectual property rights or privacy laws), or otherwise injurious or illegal. As members of the SUNY-DHSU community, Residents and Fellows can be viewed as representatives of SUNY-DHSU, even when using their personal social media accounts. If Residents and Fellows use their SUNY-DHSU title to identify their role when using social media, they must make clear that their comments are their own, and are not those of SUNY-DHSU; any representation that a Resident’s or Fellow’s personal opinions are endorsed by SUNY-DHSU or any of its organizations is strictly prohibited. When in doubt regarding postings, Residents and Fellows should consult with their Program Director, Department Chair or the GME Office.

There are notable risks associated with use of electronic networking, the internet and other media. These include but are not limited to:

1. **Patient privacy:** Privacy and confidentiality between the physician and patient are of 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). Material that identifies patients -- or could be used to identify patients -- without their consent and is intentionally or unintentionally placed in the public domain constitutes a breach of standards of professionalism and confidentiality. Under no circumstances should photographs of patients, or photographs depicting body parts of patients, be displayed online. It is never appropriate to ‘friend’ patients or look at their

private profile on a social networking site. Users of social networking sites should consider setting privacy to the highest level, and periodically review them to ensure they are maintained.

2. **Professional image/persona:** Postings within Social Media sites are subject to the same professionalism standards as any other personal interactions. Physicians' professional images are important and should be protected. Portrayal of unprofessional behavior may impair a physician's ability to effectively practice medicine, become licensed and participate in positions of trust and responsibility in the community. All material published on the web, including on personal accounts, should be considered public and permanent, and therefore, such material is highly subject to public scrutiny. Residents and Fellows are encouraged to be proactive and to routinely perform searches for their individual names online and identify any material posted without their consent. All Social Media posts should respect the intellectual property rights of others, including copyrights and trademarks.

3. **E-mail communication:** The tone and content of all electronic conversations should remain professional. The use of a privacy disclaimer on all professional emails is advised. Privacy disclaimers should include a notice of confidentiality, and advise recipients of appropriate handling of misdirected email. SUNY-DHSU's email system automatically includes such a notification for email sent outside the institution.

4. **Academic Integrity:** Breach of academic trust by sharing examination questions by mobile devices or other means is an ethical violation in addition to a breach of copyright law. Engaging in such behaviors constitutes misconduct and can result in disciplinary action.

#### **Penalties for inappropriate use of the Internet and other electronic media**

Residents and Fellows who, in the sole judgment of the GME Office, violate these guidelines may be subject to disciplinary action. Disclosure of patient information that violates HIPAA may also result in civil and/or criminal penalties. The penalties for inappropriate use of the Internet and other electronic media that rise to the level of a violation of this policy include: discipline for breach of hospital or institutional policy, remediation, counseling, dismissal, or failure to promote. It should be noted that many inappropriate posts may not rise to the level of a violation of this policy but could result in damage to personal reputation or the reputation of others.

#### **Enforcement**

All professionals have a collective professional duty to assure appropriate behavior, particularly in matters of patient privacy and confidentiality. A person who has reason to believe that another person has contravened these guidelines should approach his/her immediate supervisor and/or Program Director for advice, or can contact the Office of Graduate Medical Education.

Approved by GMEC: September 21, 2022