Social media is expanding instantaneously and so are the number of nurses using it as a means of communication. Nurses use social media professionally as well as personally. The dilemma is that some nurses fail to realize that whether it is used professionally or personally, social media use must be integrated to alleviate any potential problems. In the past, technology was not as commonplace as it is today, so social media was never a point of confusion. Inappropriate use of social media can lead to dismissal from certain jobs and nursing programs, requiring specific levels of security when dealing with patient confidentiality. When nurses consider using social media, they should consider confidentiality, privacy, and the possible consequences arising from its use.

Confidentiality is a crucial part of nursing. The Health Insurance Portability and Accountability Act (HIPAA) is a prime example of legislation passed to ensure patients’ health information is protected. Confidentiality is a promise that limits access or places restrictions on certain types of information. Confidentiality should be provided continually, since healthcare documents cannot be deleted. It is easy to breach confidentiality on social media. Any pictures taken in healthcare facilities could lead to a potential HIPPA violation. For example, if a nurse takes a picture of herself and there are documents with patient information in the background, that nurse has breached confidentiality. Patient information is only to be shared by those who have a need to know. If someone was to look at a picture and see protected information, it has now been shared without the patient’s consent or with someone who does not have a need to know. Another scenario of a breach of confidentiality is posting on a patient’s Facebook page offering prayers for a specific illness that you only know about because that person is a patient. You may not realize it, but in essence you’ve just released information that was obtained in a healthcare setting and should not to be shared without patient consent. (Continued on page 44)
Our patients depend on us to ensure medical information obtained about them remains in confidence. The nurse-patient relationship should not be taken lightly. Nurses have access to confidential information and if the patient feels a leak of their information causes undue stress, they may not be as likely to continue to patronize your healthcare setting or they could file a complaint with regulatory agencies (Foerstel, 1999).

Privacy is another aspect of nursing that is integral to a professional healthcare environment. Sometimes privacy and confidentiality are used interchangeably, but in reality they are different. Confidentiality laws protect data from being transmitted without a patient’s consent and privacy laws basically protect access to information from any outside entity. The nurse-patient relationship is based on trust. Patient privacy should be provided throughout their stay in the healthcare setting (Prinz, 2011). For example, if a nurse takes a picture with a patient and posts it to Instagram, this puts your patient and the nurse at risk. Sometimes you even have to think about the mental state or capacity of the patient, even if they have given you consent to transmit information over social media. Another example of a privacy breach is tagging a friend in a Facebook post if they are at your facility but in the capacity of a patient. Any time a nurse is in the capacity of her or his job, it does not matter if it is family or a friend, that patient’s privacy must be maintained (Foerstel, 1999). The patient expects to be treated with respect and it is quite disrespectful to invade your patient’s privacy. Although many times a privacy breach is unintentional, it is still illegal and can cause legal issues. Once privacy has been breached, it’s almost impossible to secure the patient’s privacy again.

Many employers have been taking a firm stand against nurses making unsuitable comments about their employers, coworkers, or patients. One example of this is Katie Duke, a former nurse at New York Presbyterian, who was fired after posting a picture of a messy but empty trauma room that had been used to treat a man hit by a New York City subway train with the caption “#Man vs 6 train”. Although Dukes claims the picture was taken by a doctor from the same hospital, she was the only one fired for the breach (Neporent, 2014).

Another example of nurses being held accountable for actions displayed on social media is the case of Amanda Francis. Francis wrote on Facebook “Soooooo sleepy here in the ICU. Will someone please code and give me something exciting to do? #ishatbad?”. This inappropriate post implies a patient would need to die to give her some work to do (Reed, 2015).

You must be very careful when in the position of having access to information that is private and confidential. Consequences can vary when it comes to being disciplined for breaches in security. Almost always, healthcare workers have signed a privacy agreement that demands that the patient’s health information and right to privacy be respected. Some facilities have stricter policies and stiffer penalties than others. It is usually dependent on the type of the facility and the levels of security required to maintain confidentiality and privacy. The reason for the breach of security can also dictate the penalty when being reprimanded. A breach due to willful neglect would probably bring a stiffer penalty than a breach caused by reasonable cause or just a lack of knowledge. Some facilities may fire the nurse on the spot and have his/her license revoked; while others may suspend the nurse without pay or even assess a fine which can go into the thousands of dollars. The ability of getting a job at another facility is then compromised and puts your livelihood as a nurse in jeopardy.

The work history and criminal background of a potential employee in the healthcare industry is carefully reviewed by potential employers. Therefore, you have to be careful about legal actions that may arise from such a social media breach. The patient also has a right to bring civil claims against the nurse if it is found that the breach was caused from willful neglect. Even retaliation from the patient must be considered if the information breached has caused great strife or embarrassment for that person.

First and foremost, many problems may be avoided when using social media as a nurse. It is important to know how to avoid problems while using social media as a nurse. Clearly, the first thing you should when working at a healthcare facility is familiarize yourself with the laws, rules, and regulations concerning confidentiality and privacy. Carefully read through any information that you have signed upon your employment at the facility about these issues. It will usually identify the parameters that you must work within when dealing with the patient information. It will also help to read the HIPAA laws that direct the legislation for patient confidentiality and privacy. The nurse must know these laws so he or she does not cross these boundaries. A nurse should also avoid taking pictures of and with patients. This can be hard for some people, especially if the patient is a
friend or family member. Refraining from posting or sharing personal information of a patient is also a way to avoid problems while using social media. Lastly, report any breach in privacy or confidentiality to your administrators so that it may be handled immediately.

Social media has a big effect in the healthcare setting. More and more we are finding that privacy and confidentiality breaches are becoming increasingly prevalent in the healthcare setting due to social media. A nurse should think before acting and that’s with any task. Whether it’s social media or giving medicine, our patient expects us to be knowledgeable, professional and trustworthy. Is one picture or post on social media worth risking your professional integrity?

For more information on social media guidelines: www.ncsbn.org/347.htm and www.nursingworld.org/ FunctionalMenuCategories/AboutANA/Social-Media/ Social-Networking-Principles-Toolkit

References


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