

Administrative Manual

	Policy Name	Social Media
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	Responsible for Content	HIPAA Policy Committee Public Affairs & Marketing Legal

I. Description

To address the use of social media, including but not limited to communications over the internet, on personal websites or web pages, and in online communities, by employees, faculty members, residents, students, volunteers, and contractors of the UNC Health Care System (“UNC HCS”) that identify or relate to any aspect of UNC HCS.

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II. Rationale

The purpose of this policy is to ensure that the use of Social Media by employees, faculty members, residents, students, volunteers, and contractors of UNC HCS (referred to as “UNC HCS Representatives”), whether done on or off duty, that is directly or indirectly related to UNC HCS or that identifies the user as related to UNC HCS, is:

1. Consistent with UNC HCS policies and applicable federal and state laws, including laws regarding protected health information (“PHI”), personal identifying information (“PII”), privacy, confidentiality, and intellectual property;
2. Not reflected as representative of or endorsed by UNC HCS, unless the user has received prior authorization from the appropriate UNC HCS department or patient to post or make specific comments; and
3. Ethically appropriate and factually accurate, demonstrating good judgment and professionalism.

The main principle applicable to UNC HCS Representatives’ use of Social Media is that the same basic policies apply in these spaces as in other types of conduct. This policy is meant to help UNC HCS Representatives understand how UNC HCS policies apply to these newer technologies for communication, so they can communicate with confidence using Social Media. (Suggested “best practice guidelines” are included as Exhibit B.)

III. Policy

A. The Use of Social Media

1. What is Social Media?

As used in this policy, the term “Social Media” includes any of a variety of different forms of electronic media, including but is not limited to collaborative projects (e.g., Wikipedia), blogs and microblogs (e.g., Twitter), content communities (e.g., YouTube), social networking sites (e.g., Facebook), virtual game worlds (e.g., World of Warcraft), and virtual social worlds (e.g., Second Life). Technologies include, but are not limited to, wikis, blogs, picture-sharing and video-sharing, vlogs, wall postings, e-mail, instant messaging, and music-sharing – whether used during work or personal time, on personal computers and devices, or on UNC HCS-owned computers and devices.

Because Social Media and other forms of electronic communications are rapidly evolving and changing, the examples contained in this policy are meant to be illustrative, but by no means represent the entire field of Social Media. As technology changes and newer forms of communication develop, this policy shall apply to the various forms of electronic communication that are available.

2. UNC HCS Use of Social Media

UNC HCS recognizes that appropriate use of Social Media can have beneficial effects both within UNC HCS and among the general public. Accordingly, departments and employees within UNC HCS, with the guidance and assistance of UNC HCS’s Public Affairs and Marketing Department, are encouraged to use the various forms of UNC HCS-sponsored Social Media as tools to communicate internally within UNC HCS and externally with other providers, patients, and the general public. Such use of UNC HCS-sponsored Social Media should be preapproved by the appropriate individual or department with authority. For use of UNC HCS-sponsored Social Media, see “UNC Health Care Social Media Terms of Use,” available at <http://news.unchealthHCSare.org/unc-health-care-social-media-terms-of-use>, and related guidelines, attached to this policy as Exhibit A. If there are questions contact Public Affairs & Marketing (PA&M) at paffairs@unch.unc.edu.

These restrictions do not apply to the use of e-mail communications for treatment or business purposes that are consistent with applicable UNC HCS policies (see, e.g., Electronic Mail, ADMIN #0065).

B. Guidelines & Procedures

1. Applicable Policies

Communications using Social Media that are directly or indirectly related to UNC HCS should be consistent with the mission, values, policies, and procedures of UNC HCS, and with all applicable laws and regulations. Applicable policies include:

- Privacy and Confidentiality of Protected Health Information (Admin #0139)
- Use and Disclosure of PHI Based on Patient Authorization (Admin #0015)
- Information Security (Admin #0082)
- Minimum Necessary Standard for Accessing, Disclosing, and Requesting PHI (Admin #0101)
- Release of Patient Information to the News Media (Admin #0148)
- Verbal Release of PHI (Admin #0156)
- Release of PHI from the Patient’s Medical Record (MIM Policy)
- Electronic Mail (Admin #0065)
- Code of Conduct (Admin #0204)

- Confidentiality of Patient Information (Admin #0026)
- Identity Theft Prevention, Red Flag Program (Admin #0202)
- Identity Theft Protection (Admin #0088)
- Internet Usage and Connectivity (Admin #0085)
- Notice of Privacy Practices (Admin #0117)
- Photographs and Motion Pictures (Admin #0133)
- Conflict of Interest (Admin #0037)
- Corrective Action (HR #1201)
- Unlawful Harassment (HR#0204)

2. Patient Information

Communications using Social Media may not divulge confidential or proprietary information about UNC HCS and may not violate patient privacy and confidentiality policies and laws. Such communications must never contain any information that directly or indirectly identifies a patient. This may include information that does not directly identify a patient, but would permit someone to identify a patient, either through the identification of a disease or health condition; an event precipitating the patient's health condition, such as an accident or other trauma; the patient's or provider's location within UNC HCS; the names and or specialties of the patient's health care team; the patient's language or country of origin; or any other detail that alone or in combination with other facts in the public or private domain might allow a third party to identify the patient.

This prohibition includes patient photos, whether such photo directly or indirectly identifies a patient or only includes non-identifiable patient images, such as wounds, diseases, the results of diagnostic tests, or similar images. Unless in the context of providing treatment or educational use, it is never permissible to photograph or disclose any photograph of a patient or his or her anatomy or test results without a signed release, available from PA&M at paffairs@unch.unc.edu.

These restrictions do not apply to the use of patient information or images for treatment purposes or for internal educational purposes, consistent with HIPAA and authorized by the patient in the General Consent to Treatment and the Consent to Operation/Procedure.

3. Confidential Business Information

Communications using Social Media must not contain confidential or proprietary UNC HCS information, including but not limited to business, personnel, and trade secret information.

4. UNC HCS Logo

UNC HCS Representatives may not use the UNC HCS logo or other UNC HCS trademarked information without prior approval from PA&M. If you have questions contact PA&M at paffairs@unch.unc.edu.

5. Inappropriate Language

Communications using UNC HCS Social Media must not include information that is obscene, defamatory, profane, libelous, threatening, harassing, abusive, hateful, disparaging, or humiliating to fellow employees, business partners, competitors, patients, students, volunteers, or other representatives of UNC HCS. Such communications may violate other UNC HCS policies even when posted or communicated on personal sites.

6. Reporting

Violations or suspected violations of this Policy may be reported to the UNC HCS Privacy Officer at 966-9659 (office number) or 619-8512 (cell).

C. Consequences Related to the Misuse of Social Media

Any UNC HCS Representative who makes any defamatory statement regarding UNC HCS or UNC HCS Representatives, shares confidential patient or business information, or who otherwise violates this policy, will be held personally responsible and will be subject to corrective action consistent with UNC HCS Corrective Action policies.

Nothing in this policy is intended to prohibit or discourage any employee from exercising his or her right to express opinions about matters of public concern.

Individuals who have concerns regarding workplace conduct or inappropriate behavior regarding internet postings or the use of Social Media are encouraged to contact their immediate supervisor or one or more of the following departments: UNC HCS Employee Relations; Legal; Compliance; or the Privacy Office.

D. Questions?

Contact the UNC HCS Privacy Officer at 966-9659 (office number) or lacy_farrell@unchealthcare.org.

Exhibit A

UNC Health Care Social Media Terms of Use

These terms of use outline participation criteria for postings and published commentary on any UNC Health Care-sponsored social media site, including Facebook, Twitter and YouTube.

Our intention for using these social media sites is to create an open dialog with the community about UNC Health Care. We encourage open, honest and authentic conversation. Please use your real name and email address. We moderate all comments received and we reserve the right to immediately remove any content we deem inappropriate. In addition, all posted content becomes the property of UNC Health Care and can be licensed, reproduced, distributed, published, displayed, or edited. Derivative work also can be created from such postings or content as well as used for any purpose in any form and on any media.

Terms and Conditions

By commenting or including content on any UNC Health Care social media site, you agree to the following terms.

I will not:

- Infringe on the rights of any third-party, including photos, intellectual property, private/confidential collateral or publicity rights
- Post material that is unlawful, obscene, defamatory, threatening, abusive, slanderous, or embarrassing to any other person or entity as determined by UNC Health Care in its sole discretion
- Impersonate another person
- Allow any other person or entity to use my identification for posting or viewing comments
- Post the same note more than once or “spam”
- Post chain letters, pyramid schemes, advertisements or solicitations of business
- Post phone numbers or email addresses belonging to me or any other individual or entity
- Post private health information or other confidential information that is not my own
- Post solicitations for fundraising efforts not sponsored by or benefiting UNC Health Care or involving an official UNC Health Care team.

UNC Health Care reserves the right to:

- Remove communications that violate these Terms and Conditions

- Edit or delete any communications posted regardless of whether such communications violate these standards
- Ban future posts from people who violate these Terms and Conditions

UNC Health Care does not give medical advice via its Website or social media sites. If you are seeking specific medical advice, please contact a doctor's office or call 911 in the case of an emergency.

UNC Health Care Social Media Terms of Use Guidelines

1. Use of Social Media by UNC HCS Employees, Faculty, Residents, Students, Volunteers and Contractors ("UNC HCS Representatives")

UNC HCS recognizes that UNC HCS Representatives may use Social Media to participate in professional networks, and such use may be appropriate during work time and on UNC HCS equipment because of its connection to the work of those individuals.

UNC HCS also recognizes that UNC HCS Representatives may use Social Media for purely personal reasons. Where such use directly or indirectly relates to UNC HCS in a manner that violates law, regulations, or UNC HCS policy – regardless of whether such use is personal or professional, done while on duty or during personal time, using work or personal computers or devices – UNC HCS may require that the UNC HCS Representative discontinue such use consistent with applicable policies.

Additionally, UNC HCS Representatives who must comply with an ethical code of conduct associated with their profession, such as the American Nurses Association's Code of Ethics or the American Medical Association's Physician Code of Medical Ethics, should be mindful of the applicability of such codes to their use of Social Media. In particular, health care providers must be aware of how such codes guide communications with current or former patients and any conflicts of interest between personal and professional boundaries.

2. Personal Opinions

Unless the user is an approved, UNC HCS spokesperson, communications using Social Media do not officially represent UNC HCS. If any UNC HCS Representative seeks to represent UNC HCS in his or her Social Media communication, he or she must first obtain approval from UNC HCS's PA&M. Otherwise, communications using Social Media that also identify the author as a UNC HCS Representative should, when appropriate, reflect the user's personal opinions and experiences and identify them as such. (Suggested language: *The comments and viewpoints expressed in this [blog; website] reflect my own opinions and perspectives and are not in any way sponsored, endorsed, or authorized by the UNC Health Care.*) Such disclaimers, however, do not permit the disclosure of patient or other confidential information, as described above.

3. Use of UNC HCS Email

UNC HCS Representatives who communicate using Social Media outside of the UNC HCS for purposes unrelated to their professional role should use a personal email address (not their UNC HCS address) as their primary means of identification. Just as a UNC HCS

Representative would not use UNC HCS stationery for a letter to the editor with his/her personal views, he/she may not use a UNC HCS e-mail address for personal views.

4. Use of Social Media at UNC HCS's Direction

In some instances, a UNC HCS department may ask a UNC HCS Representatives to participate in an online forum or to use some form of Social Media in relation to his or her job or volunteer duties. Prior to participation, the individual should discuss involvement with his/her supervisor, receive approval, and agree on the parameters for the project as well as the length of participation and the types of communication that are appropriate. As appropriate, the department, supervisor, or UNC HCS Representative should seek guidance from the UNC HCS Legal Department, Compliance Department, Employee Relations, and/or PA&M.

EXHIBIT B

Social Media “Best Practice” Guidelines for UNC CHS Employees, Faculty Members, Residents, Students, Volunteers, and Contractors

UNC Health Care System (“UNC HCS”) believes, as expressed in our Visions and Values statement, that “we must be deeply and broadly engaged with the people of North Carolina and the nation to meet their health care challenges.” Our Vision and Values statement also calls for us to “be innovators in research, development and implementation of new means for improving the health of North Carolinians and sharing that knowledge with a national audience.” In order to meet those goals, we believe that the effective and responsible use of Social Media by UNC HCS is absolutely essential. More specifically:

- We believe that Social Media does not create a new world of communication and responsibilities, but only creates new tools. As a representative of UNC HCS, you are still responsible for protecting our patients and yourself every day.
- We want to use social media to engage employees, patients and our community in conversations that will help us to improve people’s lives by personalizing health care.
- We believe that we all have a responsibility to ensure the effective and efficient operation of UNC HCS by abiding by our policies and completing the work we are paid to accomplish.
- We believe that you, as a UNC HCS Representative, should understand what it means to be a health care professional and that your professional reputation is reaffirmed daily. You are responsible for protecting that professional reputation.

UNC HCS has developed these guidelines to help employees and managers deal with the novel questions that arise from the use of Social Media and other online tools in a health care environment.

“Institutional use” is the use of Social Media in the name of, sanctioned by, or using the identity of any UNC Health Care entity that has been authorized by your manager or Public Affairs and Marketing Department (PA&M). Institutional use may also include the use of social media to participate in professional networks that are relevant to your work for UNC Health Care. “Personal use” is all other uses of Social Media.

1. Institutional Use

UNC HCS recognizes that UNC HCS Representatives may use Social Media to participate in professional networks or conduct research, and such use may be appropriate during work time and on UNC HSC equipment because of its connection to the work of those individuals. If you are formally

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representing UNC HSC or are responsible for UNC HSC-sponsored Social Media, however, such use should be authorized by and executed in collaboration with PA&M and your manager. There can be no UNC HCS sites or pages on YouTube, Twitter, Facebook, etc., unless they are developed or authorized by PA&M. As necessary, PA&M or your manager will identify person(s) to be content owners of various UNC HCS Social Media sites. By identifying yourself as part of the UNC HCS community in such a network, be aware that you are now connecting yourself to your colleagues, managers and even UNC Health Care patients and donors.

If you are contacted by a member of the accredited media about a posting or comment on a social networking site, you should immediately contact the UNC HCS News Office at 919-966-3367 before responding.

Content Owners: Content owner will be directed by PA&M and is responsible for monitoring and maintaining Web content in the following manner. Content owner should:

- a) Follow all applicable UNC HCS policies;
- b) Develop a “listen first” strategy. Know what is being said about you and understand what your target audience values before you engage in social media;
- c) Ensure that content is current and accurate;
- d) Link directly to original source material and online references;
- e) Respond to e-mails and comments when appropriate;
- f) Delete comments that contain profanity, are selling or promoting a product, are spam, or contain material that is unlawful, hateful, threatening, harassing, abusive or slanderous;
- g) Forward comments expressing dissatisfaction to the appropriate area and copy PA&M for response and follow up;
- h) Delete communications that would not be acceptable in the UNC HCS workplace, would violate copyrights or other intellectual property protections, or would reveal proprietary financial, intellectual property, patient care or similar sensitive or private information;
- i) Be aware that any Social Media conversation, whether public or private, may be subject to Public Records requests under North Carolina law (direct any such Public Records requests to UNC HCS Legal Department);
- j) Secure the express consent of all involved parties for distribution or publication of free and/or paid rights recordings, photos, images, video, text, PowerPoint presentations, artwork and advertisements;
- k) Obtain executed authorization forms for the release of protected health information from patients or their representative before releasing any information about the patient including, but not limited to, name, photograph, text, video, or any information that might lead anyone to identify the patient, including the description of a trauma or other publicly known incident. Releases are available by contacting the UNC Health Care News Office. Completed releases are to be kept on file in the News Office;
- l) Be aware that only patients may divulge their own health information anywhere on the Internet (unless the patient has otherwise allowed disclosure by someone else using a HIPAA-compliant authorization form);
- m) De-identify comments that identify a patient unless authorization from a patient is obtained. All identifying information must be edited out of the post and a notation added that identifying information was removed;

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- n) Be responsive when patients, customers or employees ask a question, and respond in a timely manner, even if to say you will get back to them shortly. Be sure to follow up with all involved parties.

2. Personal Use

Personal Use of Social Media should happen only during non-work time and in strict compliance with all other UNC HCS policies. (Incidental and occasional personal use is permitted as long as the use does not detract from an employee's performance and productivity. See ADMIN 0065 and ADMIN 0085.)

Following these guidelines will ensure that your actions reflect our core values of integrity, teamwork, innovation, excellence, and leadership while exhibiting a level of professionalism that our customers expect and deserve. When on-line you are speaking in your personal capacity unless you have prior authorization from your manager or PA&M to speak for the UNC HCS.

What You Should Do:

- Be smart. Be respectful.
- Be authentic. When you post or comment in social media always state your name.
- Be transparent. State that it is your opinion. Unless authorized to speak on behalf of the UNC HCS you must state that the views expressed are your own.
- Be careful. Protect what personal information you share online.
- Be responsible and act ethically. When you are at work, your primary responsibility is the work of UNC HCS.
- Report violations or suspected violations to the Privacy Officer at 966-9659 (office number) or 919-619-8512 (cell)

What You Should Never Disclose:

- Confidential UNC HCS Information: If you find yourself wondering whether you can talk about something you learned at work – don't.
- Patient Information: Do not talk about patients or release patient information or any information that reasonably could identify a patient.
- Personnel Information: Do not refer to your co-workers in an abusive or harassing manner.
- Legal Information: Do not disclose anything to do with a legal issue, legal case, or attorneys.
- Materials that belong to someone else: Stick to posting your own creations. Do not share copyrighted publications, photos, logos or other images that are trademarked. If you do use someone else's material, give them credit. In some cases you may also need their permission.