

**MARSHALL COMMUNITY HEALTH CONSORTIUM
GRADUATE MEDICAL EDUCATION COMMITTEE**

POLICY ON SOCIAL MEDIA

SECTION 1. STATEMENT AND SCOPE OF POLICY

The use of online social media can have numerous implications-good and bad-for residents, the hospitals and the patients they serve. For example, the improper use of social media by residents can result in a breach of confidentiality, HIPAA violations, loss of productivity, damage to the Sponsoring Institution's or hospital's reputation and good will, and, in some circumstances, can subject the user, the Sponsoring Institution, and the hospital to criminal prosecution and/or civil liability. Therefore, this policy sets forth rules and guidelines applicable to resident access and use of online social media, both on and off duty.

SECTION 2. DEFINITIONS

For the purposes of this policy, the following definitions have been established:

- 2.1 Social media- the enabling of individuals to share their insights, express their opinions and share information within the context of a globally distributed conversation; includes weblogs ("biogs"), message boards, conversation pages, web forums, e-mail discussion lists, newsgroups and interactive websites such as "MySpace", "Facebook", "YouTube", and "Twitter".
- 2.2 Social Networking- the act of accessing or posting content on social media.
- 2.3. Hospital – the site in which a resident is assigned for clinical duties.

SECTION 3. PROCEDURE/LIMITATIONS

3.1 Social Media/Social Networking

3.1.1. Unless specifically authorized in writing by the site hospital to do so as part of the resident's position, residents are not permitted to engage in social networking:

- 3.1.1.a. Residents should not be engaged in social media activity during reportable duty hours
- 3.1.1.b. The use of hospital-owned, controlled, or supplied equipment, including, but not limited to, computers, software, or other information or electronic communications systems for social media/social networking purposes is not permitted.

- 3.2. Residents are to keep the hospital's best interest in mind and remain cognizant that social media use is both very public and, in many instances, permanent. Even when the resident is not acting on behalf of the hospital, their actions and words may nonetheless reflect either negatively or positively on the hospital, regardless of whether or not the resident has expressly identified him/herself as a resident. The use of social media use must not disrupt or have the potential to disrupt the effectiveness and efficiency of the hospital's operations or patient care.
- 3.3 Residents are not permitted to post at any time false or defamatory information about the hospital, its employees, patients, visitors or vendors. Violations of this policy may result in disciplinary action, up to and including immediate termination. The Consortium reserves the right to take legal action where appropriate against residents who engage in prohibited or unlawful conduct.
- 3.4. Residents must not purport to speak or post on behalf of the hospital or the Consortium without express written authorization to do so from hospital administration or the Designated Institutional Official (DIO).
- 3.5. Residents are personally responsible for any social media content published. Residents must remain truthful and respectful of patients at all times your audience and must assume full responsibility and liability for all actions arising from their posts.
- 3.6. Residents are not permitted to post material that is obscene, defamatory, profane, libelous, threatening, harassing, discriminatory, abusive, hateful, embarrassing to another person or entity, or that violates the privacy rights of others.
- 3.7. Residents must not use social media to harass, threaten, discriminate or disparage other residents, hospital employees, patients, visitors or anyone associated with or doing business with the hospital or Sponsoring Institution.
- 3.8. The personal use of social media must not violate any federal, state or local laws or any applicable Sponsoring Institution or hospital policy, including but not limited to policies regarding harassment and discrimination, solicitation and distribution, patient confidentiality and HIPAA.
- 3.9. Residents must protect the privacy and confidentiality of others and are prohibited from the disclose any information that is confidential, sensitive, privileged or proprietary to the hospital, its patients, visitors, employees or any other party that has disclosed information to the hospital or Sponsoring Institution.
- 3.10. Residents should read and comply with the Terms of Service for each Social Media site used, and must respect and comply with copyright, fair use and other

applicable laws. This includes a prohibition on using the trademark(s) or logo(s) of the Sponsoring Institution, the hospital or any entity affiliated without express authorization to do so. Residents must not quote more than short excerpts of someone else's work; and always give credit where credit is due.

- 3.11. Posting of photographs of the hospital or its employees, patients, visitors, vendors, suppliers, or persons engaged in hospital business or attending hospital events, is not permitted unless you have written authorization from hospital administration to do so.
- 3.12. Residents are not permitted to create a link from a personal social media site to the hospital internal or external website.
- 3.13. Residents must not provide any medical advice via social media unless the hospital has specifically authorized such conduct.
3. 14. Residents should refrain from posting complaints or concerns regarding their residency status and are encouraged to address those issues directly with the Graduate Medical Education Office or DIO.

SECTION 4. MONITORING

- 4.1. The Sponsoring Institution or its member hospitals have the ability to monitor and record all usage of its information and electronic communications systems, including e-mail and Internet use and reserves the right to do so for any reason and at any time, with or without notice.
- 4.2. Residents should also recognize that information posted on social media is neither private nor confidential and are subject to review by anyone associated with the Consortium.

SECTION 5. POLICY CHANGES

As technology changes or as new opportunities or challenges emerge relating to social media, this policy will evolve, the Sponsoring Institution reserves the right to amend this policy at any time without prior notice.

SECTION 6. REPORTING VIOLATIONS/QUESTIONS

The Consortium expects residents to report any violations of or possible or perceived violations of this policy to the DIO.

SECTION 7. DISCIPLINE

Violations of this policy may result in disciplinary action, up to and including immediate termination. The Consortium reserves the right to take legal action where appropriate against residents who engage in prohibited or unlawful conduct.

SECTION 8. PROTECTED ACTIVITY

None of these rules is intended or will be applied in a manner to limit resident complaints or discourse (or communications) which are protected by applicable law, including but not limited to the National Labor Relations Act.

Effective: March 1, 2018

Approved by CGMEC: February 14, 2018
Approved by DIO: February 14, 2018