

# Social Media and Health Professionals: Ethical and legal pitfalls

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Home > Vol 107, No 5 (2017) > **Kubheka**

## Ethical and legal perspectives on the medical practitioners use of social media

Brenda Kubheka

Abstract

Use of social media has increased exponentially throughout the world. Social media provides a platform for building social and professional relationships that can be used by all, including healthcare professionals. Alongside the benefits of creating networks and spreading information wider and faster than is possible with traditional communication channels, however, it presents ethical and legal challenges. For health professionals, it poses a threat to confidentiality and privacy owed to patients, colleagues and employers. It is vital for health professionals to acknowledge that the same ethical and legal standards apply both online and offline, and that they are

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# Outline

- Define social media
- SA social media landscape
- Benefits and challenges
- SA case examples
- Online disinhibition effect
- Ethico-legal considerations
- Conclusion

# Social media and networking

- **Social media**

Websites and applications that enable users to create and share content or to participate in social networking.

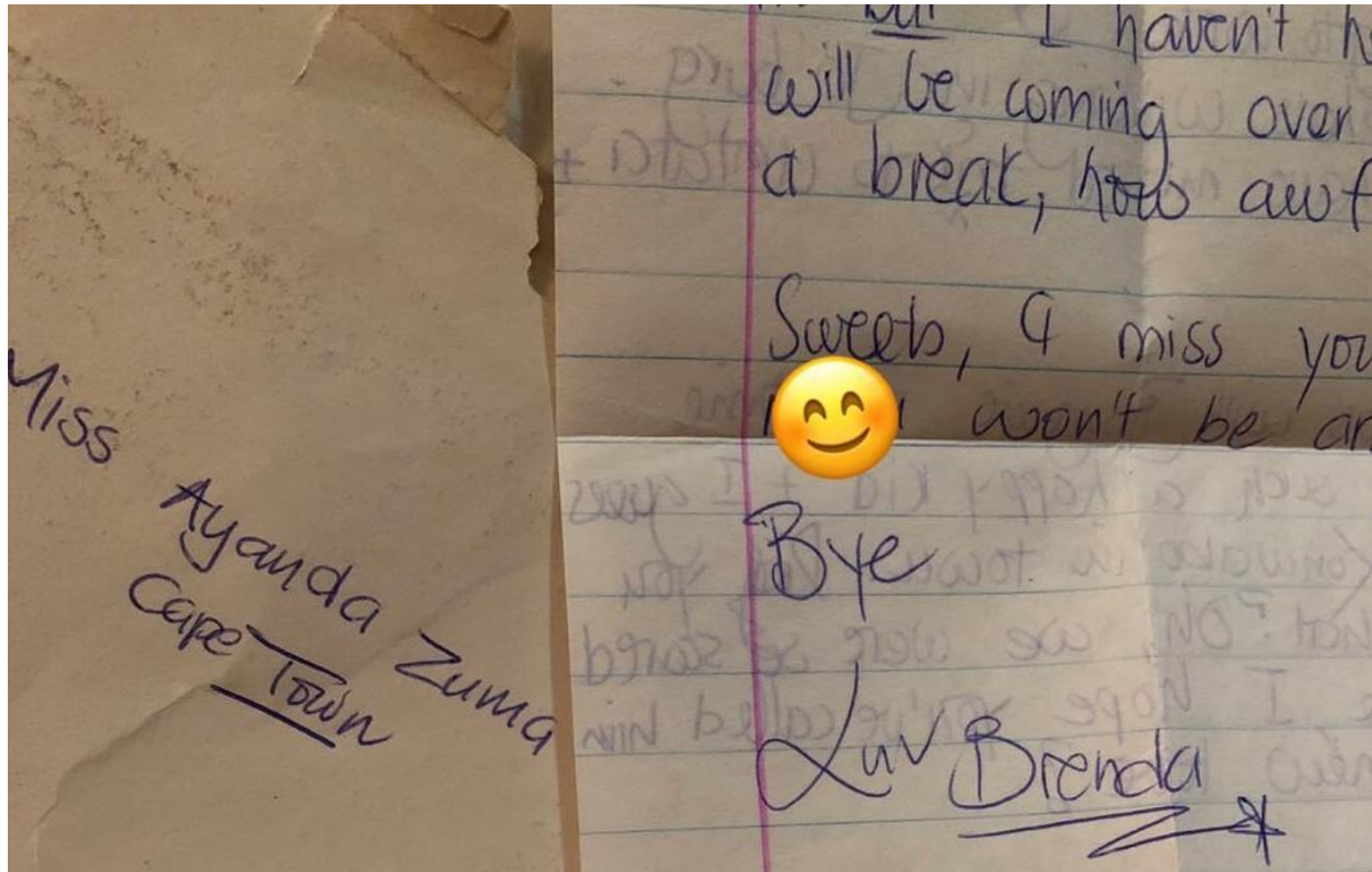
- **Social networking**

The use of dedicated websites and applications to interact with other users, or to find people with similar interests to one's own.

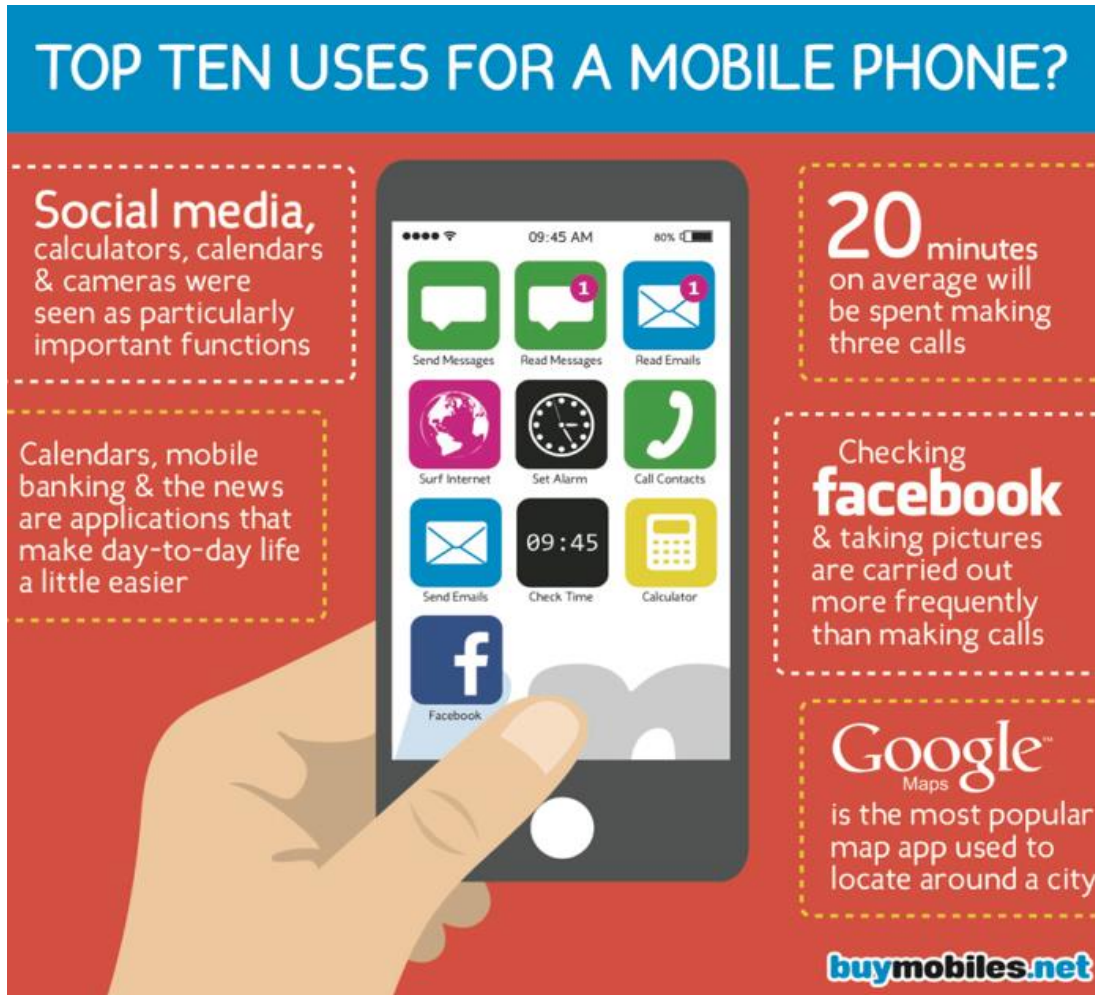


*"I don't know which doctor to choose. One has more friends on Facebook, but the other one just retweeted my message."*

# Technology and innovation



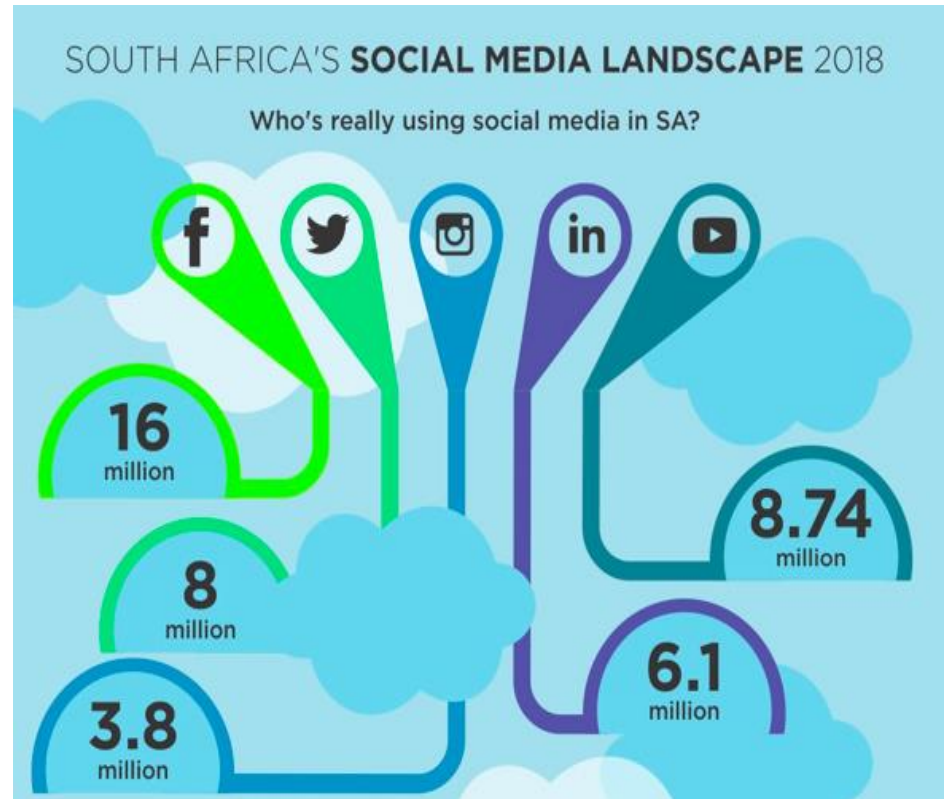
# Mobile phones





# SA social media landscape

- 8 hrs 25 minutes connected online
- 2hrs, 45min on social media compared to the global average of 2hrs 16 min



Source: World Wide Worx and Fuseware. Infographic by Gullen &Gullen  
[www.wearesocial.com](http://www.wearesocial.com), 2019 report

# The benefits and challenges of social media

## Benefits

- Online presence
  - Expertise sharing
  - Professional branding
- Identify professionals and people with common interests
- Identify challenges faced by patients and society
- Education and information sharing
- Recruitment
- Advocacy and active citizenship

## Challenges

- Lack of direct control of what is posted in the page
- Sharing of confidential information
- Privacy is not guaranteed
- Requests for direct professional advice
- Blurred line between professional and private life
- The T's and C's of the social network platform



# Social media content review

- Easy for patients to identify their doctors or even themselves
- The use of negative language describing patients was evident in 57% of the cases

Source: Von Muhlen and Ohno-Machado (2012)

# Information sharing and education



Unite !!!



Preventing physician burn out, or physician, heal thyself. A report of the Commission on...

[ncbi.nlm.nih.gov](https://ncbi.nlm.nih.gov)

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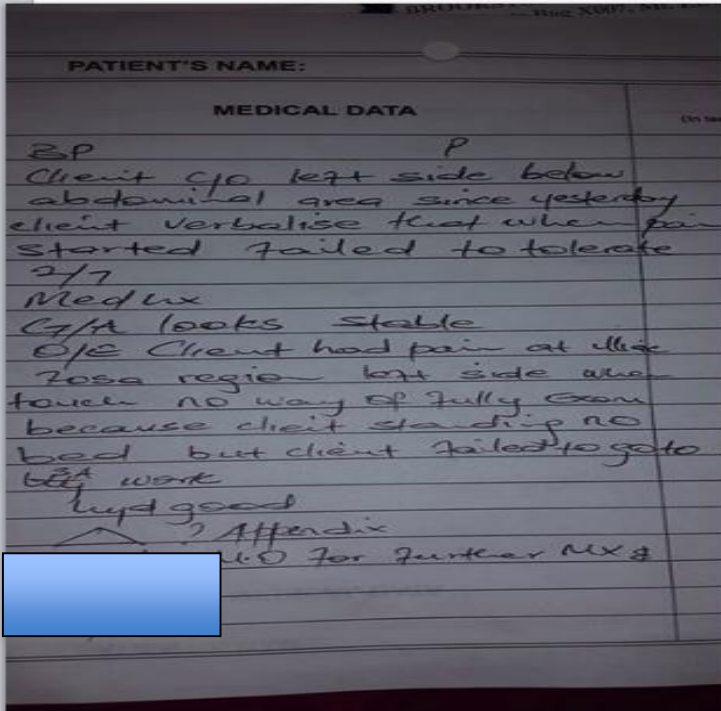


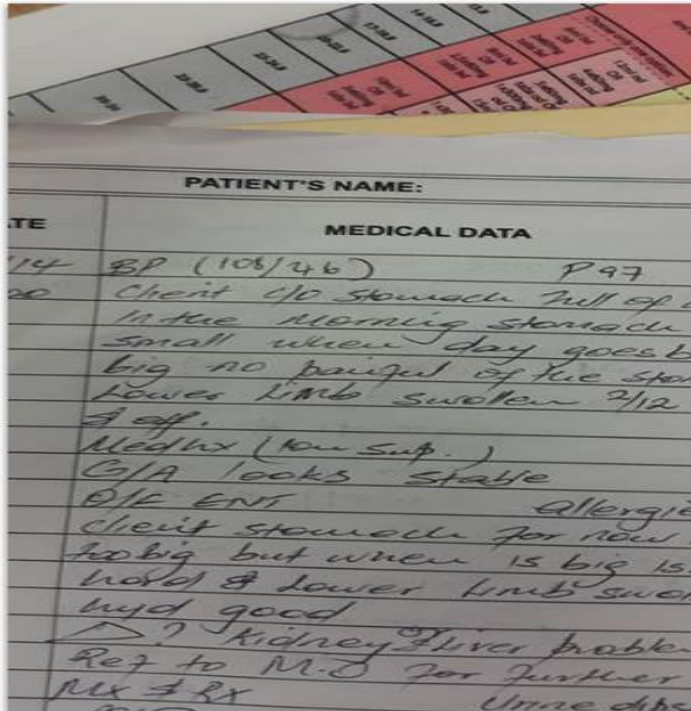
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# Discouraged healthcare professionals expressing their frustrations






53 minutes ago · [Profile Icon]

Some of the referrals I get from the same sister 🙄🙄





4 Likes 22 Comments



News Feed Requests Messenger Notifications More

# Is laughter the best medicine?





# Breast Cancer Support Pretoria

Community



Like



# Facebook posts



**GOOD NEWS: HIV/AIDS Cure Finally FOUND,  
Doctors Confirm – NO MORE CONDOMS!!!**

[salatestnews.com](http://salatestnews.com)





# Cyber psychology: Online disinhibition effect

Defined as lowering of psychological restraints, which often serve to regulate behavior in the online social environment.



Basevi, R., Reid, D. & Godbold, R. (2014). Ethical guidelines and the use of social media and text messaging in health care: A review of literature. *New Zealand Journal of Physiotherapy*, 42(2): 68-80.

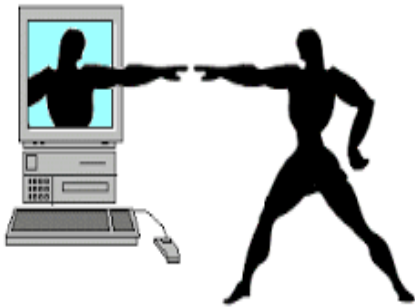
Suler, J. (2004). The online Disinhibition effect. *CyberPsychology & Behavior*, 7(3), 321-326.

# Separate Online and offline identities: Logical Fallacy

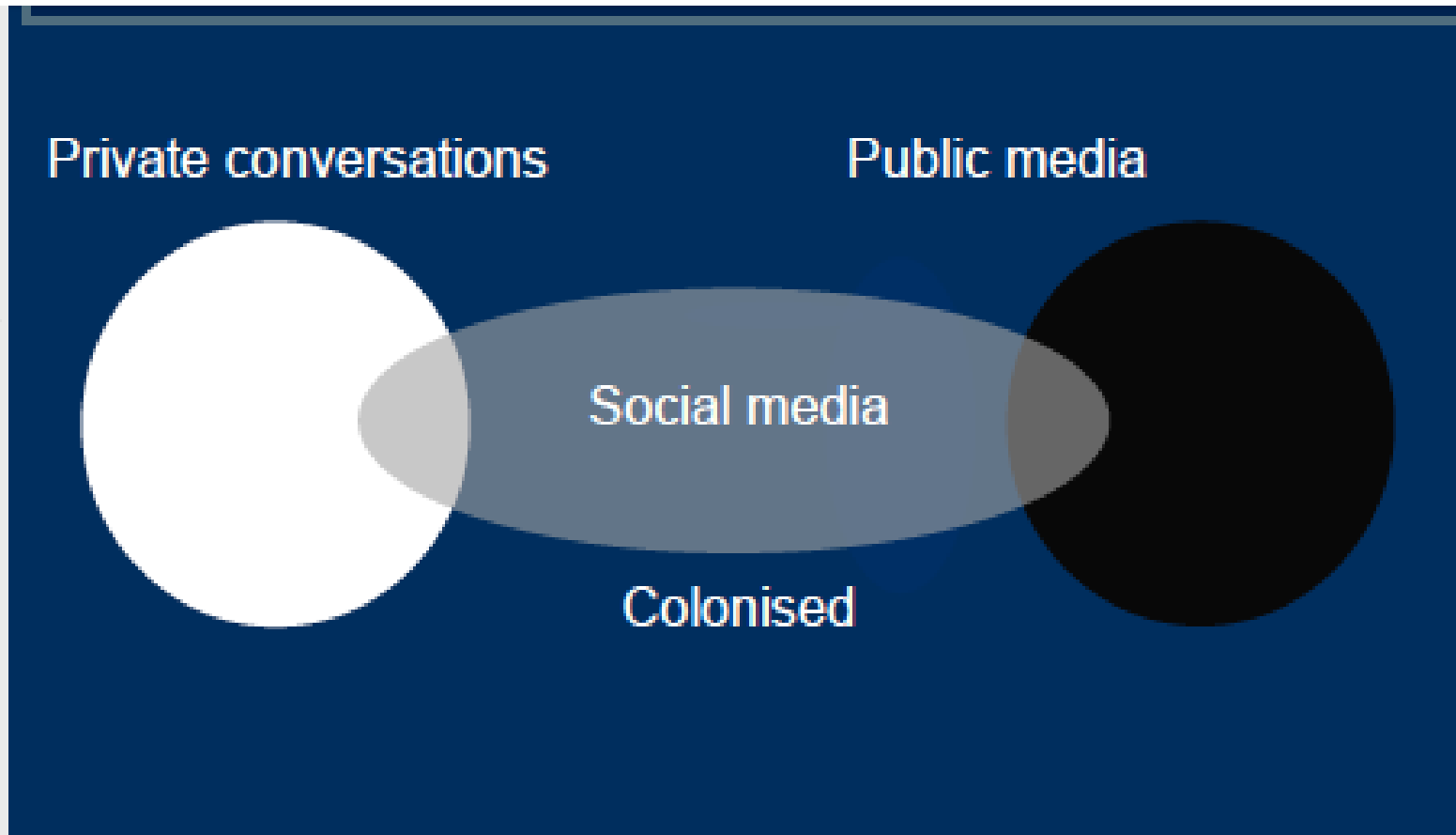
News > Health

## Most senior NHS GP resigns after inflammatory online comments exposed

Comments Dr Arvind Madan posted  
online under the pseudonym Devil's  
Advocate have inflamed tensions  
with under pressure practices



# The grey area between private conversations and public conversations



# Should we be concerned about the work related WhatsApp groups?



Medical Daily



## Medical Student Learns The Hard Way To Not Take Selfies With Your Sick Patient

Aug 13, 2015 11:40 PM By Ed Cara  
@EdCara4



# Ethico-legal considerations

## Ethical

- Beneficence
- Duty of medical professionals to:
  - Society
  - Themselves
  - Healthcare profession
  - Other Healthcare professionals
- Informed consent
- Respect for people's privacy and dignity
- Ethical values

## Legal

- Dignity protected and respected
- Protection of physical and psychological integrity
- Equality
- Privacy
- Confidentiality
- Freedom of expression
- Contractual relationships

# Consequences for Healthcare Professionals

- Academic dismissal
- Termination of employment
- Deregistration from professional boards
- Litigation



## Recent survey – Health IQ Consulting

n = 149

- Training on SM ethical and legal pitfall – 31%
- SM training throughout medical training – 65%
- Inappropriate comments about patients – 48%
- Reprimanded a colleague for inappropriate comments – 45%
- Comments about a colleagues' competence – 52%
- Picture of a patient – 78%
- Inappropriate info about an employer – 46%

## Concern about online professionalism

- Very concerned - 45%
- Slight concerned - 31%
- I'm not bothered - 24%

# The good and bad of social media

It has given everyone a voice!!!



## Take home messages

- Always put the patient at the center
- Always put yourself in the patient's shoes
- Do online as you would do offline
- Protect the professional boundary
- Before posting ask yourself “ What if the post went viral?”
- Share generic medical information for awareness and educational purposes
- Give medical advice online that you would comfortably give to a malpractice lawyer
- NB: Privacy settings do not necessarily guarantee privacy (T's and C's) – protect yourself
- We have no control on how fast and far information spread on social media





@healthiq\_za



@docbee



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