

# Social Media FAQ



## **Why does social media matter to HIPAA?**

Because confidentiality of patient information is essential, acknowledging or disclosing any information involving a patient on public social media channels is an immediate HIPAA violation. The only case where a practice can name a patient in any way on social media is if the practice has explicit, written media permission and the practice is the one responsible for posting or sharing the content.

## **Can I post content that doesn't identify the patient?**

If your post is completely de-identified and contains no protected health information (PHI) or possible PHI, then posting that content would not violate HIPAA privacy. If, however, the post contains any PHI that can be traced back to a patient or if additional information included could narrow down which patient was involved, it is highly recommended to skip posting the content in case it leads to patient identification.

## **What if I'm friends with a patient on social media?**

Regardless of the scenario and personal relationship, no healthcare employee can post (personally or otherwise) in any way that may identify that a specific patient was at your practice without explicit written permission. This applies to private profiles, family members, friends, and anyone you may have a non-working relationship with.

## **What if a patient posts about attending the practice?**

Patients are not held to the same restrictions as the practice and may post about visiting you at the office or comment on their visit on social platforms. Even if the patient posts, no practice employee is permitted to acknowledge or respond to their post or comment - even if tagged - in any way that acknowledges the patient came to the practice.

## **What if a patient posts a review, negative or positive, about my practice?**

Even when it comes to reviews, your practice still cannot acknowledge that an individual is a patient of the practice. Responding to reviews with a generic statement, such as "Thank you. Please contact our office to discuss further." will take the conversation offline and allow your practice to address the patients concerns or comments without acknowledging them as a patient in a public forum. Practice's have been fined for posting PHI in response to reviews, most recently a practice in Dallas, Texas who responded to dozens of reviews including PHI and was fined by the OCR when a patient involved filed a complaint for non-compliance with the HIPAA Privacy Rule.



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