

## Social Media Policy

### I. Purpose

- a. To provide guidelines outlining how \_\_\_\_\_ (Hospital) supports, governs, and moderates the use of social media.

### II. Scope

- a. Generally, these guidelines set forth in this Social Media Policy should be applied to any online medium where information may reflect back on the image of \_\_\_\_\_ (Hospital), any \_\_\_\_\_ (Hospital) Personnel and clients. This Social Media Policy applies to all forms of social media including, but not limited to: various blogs, bulletin boards, networks, multi-media, news media sites blogs, Facebook, Wikipedia or other wikis, Twitter, YouTube, Instagram, Snap Chat, Tik-tok, LinkedIn, or Chat rooms or other user generated content sites (“Social Media Sites”), or any other site where text, pictures, audio and/or videos can be posted. These guidelines also apply to any comments whether via text, audio and/or video) \_\_\_\_\_ (Hospital) Personnel may leave on Social Media applications/boards/forums/outlets might author or respond. Nothing contained in this social media policy is intended to prohibit any hospital personnel, either professional or non-professional from publishing content that is considered a “protected activity” by the National Labor Relations Board.

## GENERAL ACKNOWLEDGEMENT

BY ACCESSING, VIEWING AND/OR POSTING ANY CONTENT RELATED DIRECTLY OR INDIRECTLY TO ON ANY SOCIAL MEDIA SITE ON THE INTERNET, YOU ACCEPT, WITHOUT LIMITATION OR QUALIFICATION, THE FOLLOWING TERMS OF USE. IF YOU DO NOT AGREE TO THE TERMS OF THIS POLICY, YOU MAY NOT COPY, DOWNLOAD, UPLOAD, USE OR POST ANY CONTENT FROM OR TO ANY SOCIAL MEDIA SITE. YOUR USE OF SOCIAL MEDIA SITES CONSTITUTES YOUR ACCEPTANCE OF THIS POLICY AND HAS THE SAME EFFECT AS IF YOU HAD ACTUALLY PHYSICALLY SIGNED AN AGREEMENT.

THE HOSPITAL RESERVES THE RIGHT TO READ AND DISCLOSE THE CONTENTS OF E-MAIL AND OTHER ELECTRONIC COMMUNICATIONS FOR ANY PURPOSE WITH OR WITHOUT PERMISSION FROM YOU WHEN SUCH CONTENTS ARE POSTED ON EITHER THE HOSPITAL ELECTRONIC SYSTEMS OR A HOSPITAL SOCIAL MEDIA SITE, AND ALSO HOSPITAL RESERVES THE RIGHT TO RETAIN E-MAIL AND OTHER ELECTRONIC COMMUNICATIONS FILES FOR ANY PERIOD OF TIME IT DEEMS APPROPRIATE AND TO SYSTEMATICALLY OR SPECIFICALLY ERASE ANY SHARED DATA OR FILES FROM TIME TO TIME IN ITS SOLE DISCRETION THAT IS CONTAINED ON EITHER

HOSPITAL ELECTRONIC COMMUNICATION SYSTEMS OR HOSPITAL SOCIAL MEDIA SITES. USE OF ALL HOSPITAL ELECTRONIC SYSTEMS IS A PRIVILEGE WHICH MAY BE WITHDRAWN AT ANY TIME.

IN ADDITION, THE ELECTRONIC SYSTEMS ARE THE SOLE PROPERTY OF THE HOSPITAL, AND THE FOLLOWING POLICY SHALL GOVERN AND CONTROL THE USE OF ALL OF THE ELECTRONIC SYSTEMS OF \_\_\_\_\_ (THE "HOSPITAL") REGARDLESS OF WHETHER USE OCCURS AT A HOSPITAL FACILITY, AT THE USER'S HOME OR AT ANY OTHER LOCATION. THE HOSPITAL HAS THE ABSOLUTE RIGHT TO ACCESS, MONITOR AND VIEW ALL ELECTRONIC COMMUNICATIONS, INCLUDING EMAILS, VOICEMAILS, TEXT MESSAGES, BLOGS ON WEB BASED OR OTHER SOCIAL MEDIA OUTLETS IN WHICH SUCH ELECTRONIC COMMUNICATIONS OCCURRED THROUGH THE USE OF HOSPITAL ELECTRONIC SYSTEMS, AND OTHER COMPONENTS OF ITS ELECTRONIC SYSTEMS AT ANY TIME FOR ANY REASON WHATSOEVER. VIOLATION OF THIS POLICY CAN RESULT IN THE LOSS OF NETWORK ACCESS AND DISCIPLINE UP TO AND INCLUDING DISCHARGE. THE HOSPITAL MAY CHANGE THIS POLICY FROM TIME TO TIME WITHOUT PRIOR NOTICE IN ITS SOLE DISCRETION.

HOSPITAL RESERVES THE RIGHT TO MONITOR, PROHIBIT, RESTRICT, BLOCK, SUSPEND, TERMINATE, DELETE, OR DISCONTINUE A USER'S ACCESS TO ANY HOSPITAL SOCIAL MEDIA SITE, AT ANY TIME, WITHOUT NOTICE AND FOR ANY REASON AND IN ITS SOLE DISCRETION. HOSPITAL MAY REMOVE, DELETE, BLOCK, FILTER OR RESTRICT BY ANY OTHER MEANS ANY MATERIALS IN HOSPITAL'S SOLE DISCRETION IT DEEMS A VIOLATION OF THIS POLICY. YOU ACKNOWLEDGE AND UNDERSTAND THAT HOSPITAL MAY DISCLOSE YOUR COMMUNICATIONS AND ACTIVITIES WITH ANYONE HOSPITAL CHOOSES, AND ANY SOCIAL MEDIA SITE IN RESPONSE TO LAWFUL REQUESTS BY GOVERNMENTAL AUTHORITIES, INCLUDING PATRIOT ACT REQUESTS, JUDICIAL ORDERS, WARRANTS OR SUBPOENAS, OR FOR THE PROTECTION OF RIGHTS. YOU AGREE THAT IN THE EVENT THAT HOSPITAL EXERCISES ANY OF ITS RIGHTS HEREUNDER FOR ANY REASON, HOSPITAL SHALL HAVE NO LIABILITY TO USERS.

### III. Social Media Definitions

- a. Personnel - means all employees, including but not limited to physicians, support staff, nursing staff, interns, residents, students (including techs, nursing, collegiate and medical), volunteers, contractors, and temporary employees.
- b. Social Media – shall mean various blogs, bulletin boards, networks, multi-media, news media sites blogs, Facebook, Wikipedia or other wikis,

Twitter, YouTube, Instagram, Snap Chat, Tik-Tok, LinkedIn, or Chat rooms or other user-generated content sites (“Social Media Sites”), or any other site where text, pictures, audio and/or videos can be posted.

- c. Professionals – hospital nurses, physicians, and other staff recognized in their field of expertise.
- d. User – either hospital or non-hospital personnel, including general public, that participates in conversation or sharing of information on social media, either video, text, or pictures, that relate to the hospital.
- e. Authorized User - a user who has been Authorized by the Hospital to participate on a hospital social media site on behalf or under the direction of the Hospital or allowed to create his or her own professional social media site using hospital email addresses.
- f. Cell phone/Electronic Communication Device – A wireless telephone that uses radiofrequencies to send and receive communications with other telephones, both wireless and landbased which may or may not have the capability to take pictures and videos. Cell phones /electronic communication devices may also be considered any device capable of being networked by a private network provider to obtain information and send information over the internet.
- g. Electronic Systems – shall mean computers, printers, networks (both wireless and hardline), hardware, software, electronic mail (“e-mail”), Internet/Web access and voice mail owned, leased, or rented by the hospital.
- h. You – shall mean any hospital personnel whether professional or non-professional, including but not limited to the personnel as defined in this section.

Social Media Policies cover two distinct areas:

#### IV. Social Media Policy (Hospital Use)

- a. Hospital use of social media, which defines the goals, commitments and participation to be applied in the management of social media, both by the hospital as well as by the hospital’s professionals when they speak on behalf of the hospital.
- b. The activity of the Hospital in social media aims to promote the presence, services, and the conversation on the Internet of both the hospital and its professionals, in line with the missions and vision of the hospital.
- c. Hospital sites in social media including (Facebook, Twitter, YouTube, Flickr, Slideshare, or others) are aimed at parents, grandparents, families,

medical professionals and society at large, who are interested in health of their loved ones, as well as an interest in their healing when being sick, including in the prevention and training of good health habits that enable them to lead healthy lives.

**d. Medical Advice Disclaimer:**

- i. It is important to remember that any information contained in the hospital's social media is not intended as a substitute for professional medical advice. It is therefore complementary, and aims only to promote education and good healthy habits. The user assumes all responsibility for the way he/she chooses to use this information. The information contained on the hospital social media site does NOT create a physician patient or provider patient relationship. Anyone seeking medical advice should do so from a medical professional.**

e. Social Media Disclaimer

- i. Concerning the publication of contents, the hospital is only responsible for those developed by its professionals, or its content recommendations from other sources, pledging to ensure the quality of the content posted on our sites.
- ii. Posts from others, including the general public, or those that have not identified themselves as hospital professionals are their own responsibility and in no case can be attributed to the Hospital.
- iii. The hospital is not responsible for content posted and/or issued by other websites or groups, even though recorded in the name of the hospital.
- iv. The hospital reserves the right, in its sole discretion, to remove content that does not meet the standards of this social media policy.

f. Rules for participation in hospital Social Media

- i. These rules for participation are aimed at users that participate in the conversation on hospital social media.
- ii. In order to ensure a good experience using social media the hospital has established the following rules for user participation in hospital social media:
  - 1. The hospital ensures the protection of minors. For this reason it is strictly forbidden to publish photographs, videos or any

graphic material where minors appear without the permission of their parents or legal guardians.

2. Any user should check the copyright policy of any content you want to share on hospital social media to avoid publishing content without the permission of the authors who do not allow this practice.
3. If users wish to provide Internet content which copyright allows its publication, you must enter the URL so other participants can view or download the content from the original site.
4. The opinions of other users shall be respected, even if they are not shared. Users will not be allowed to insult or to use any offensive, racist, violent or xenophobic language, or to promote any type of illegal activity.
5. It is highly recommended users avoid posting personal information (postal or electronic address, phone, etc..) on the hospital's social media sites.
6. Users shall not advertise businesses, services or events for profit. The hospital, in its sole discretion, shall decide the treatment of non-profit messages, as well as those messages, which seek membership to groups or sites outside the Hospital.
7. Users are encouraged to talk about issues related to hospital social media sites. For example, a user may post about a hospital social media site's recent posting on a wellness issue – e.g. being heart healthy through exercise and diet. If users wish to discuss other issues, hospital reserves the right to remove any discussion it deems necessary that does not support the mission and vision of the hospital in its goal to support social media as well as block future users that continue to violate hospital rules for participation.
8. Users shall not write more than once the same comment: hospital shall consider this practice spamming and such spamming shall not be tolerated.
9. The hospital social media sites have their own rules for participation, which should also be adhered to by all users.

g. Time and Hours

- i. Hospital monitors its social media sites from Monday through Friday, 8:00 am to 5:00 pm Central Standard Time, except holidays including: New Years Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas. If you require assistance or have a question regarding a hospital social media site, please contact the appropriate individual designated by the hospital to address these issues or the hospital's help line.
- ii. HOSPITAL RESERVES THE RIGHT TO MONITOR, PROHIBIT, RESTRICT, BLOCK, SUSPEND, TERMINATE, DELETE, OR DISCONTINUE A USER'S ACCESS TO ANY SOCIAL MEDIA SITE, AT ANY TIME, WITHOUT NOTICE AND FOR ANY REASON AND IN ITS SOLE DISCRETION. HOSPITAL MAY REMOVE, DELETE, BLOCK, FILTER OR RESTRICT BY ANY OTHER MEANS ANY MATERIALS IN HOSPITAL'S SOLE DISCRETION IT DEEMS A VIOLATION OF THIS POLICY ON THE HOSPITAL SOCIAL MEDIA SITE.

h. DISCLAIMER:

- i. THE OPINIONS IN ANY HOSPITAL SOCIAL WEBSITE ARE THOSE OF THE USER POSTING SUCH OPINIONS OR COMMENTS AND DO NOT REPRESENT THE VIEWS OF THE HOSPITAL, ITS PROFESSIONALS OR ITS PERSONNEL.

i. Professional use of hospital social media

- i. It is possible that some service/unit or professional of the Hospital might be involved or asked to participate in a conversation on a hospital social media site for hospital purposes in relation to the objectives of the hospital itself or representing it. In this case, the professional should report this request to hospital management by sending an email to the appropriate individual designated by the hospital to address these issues or the hospital's help line with the subject "Participation in social networks".
- ii. These are the rules for participation that professionals are expected to observe by when acting on behalf of the hospital in social media regardless if the site is a social media site or a hospital social media site:
  1. As a general principle, use common sense and maintain a professional approach and style.

2. It is strongly recommended the professional act with transparency and to respect the law, as well as the values of the hospital.
3. The use in social media of information or graphic resources (photos, logos, corporate images, illustrations, videos, etc..) related to hospital for employment purposes should be consulted with hospital management.
4. Professionals who want or need to start a social media (blogs, Facebook group, Twitter profile, etc.) site about any topic related to the activity of the hospital, should advise hospital management prior to engaging in such an activity. The hospital encourages professionals to participate in social media, and offers support and recognition through the hospital's social media sites.
5. Any hospital professional participating in social media sites of their own or have questions about setting up a social media site that shall be in compliance with this policy should send their questions to hospital management which will provide support and information on best practices

iii. Time and Hours

1. Hospital monitors its social media sites from Monday through Friday, 8:00 am to 5:00 pm Central Standard Time, except holidays including: New Years Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas. If you require assistance or have a question regarding a hospital social media site, please contact the appropriate individual designated by the hospital to address these issues or the hospital's help line.
2. HOSPITAL RESERVES THE RIGHT TO MONITOR, PROHIBIT, RESTRICT, BLOCK, SUSPEND, TERMINATE, DELETE, OR DISCONTINUE A USER'S ACCESS TO ANY SOCIAL MEDIA SITE, AT ANY TIME, WITHOUT NOTICE AND FOR ANY REASON AND IN ITS SOLE DISCRETION. HOSPITAL MAY REMOVE, DELETE, BLOCK, FILTER OR RESTRICT BY ANY OTHER MEANS ANY MATERIALS IN HOSPITAL'S SOLE DISCRETION IT DEEMS A VIOLATION OF THIS POLICY ON THE HOSPITAL SOCIAL MEDIA SITE.

### 3. DISCLAIMER:

- a. THE OPINIONS IN ANY HOSPITAL SOCIAL WEBSITE ARE THOSE OF THE USER POSTING SUCH OPINIONS OR COMMENTS AND DO NOT REPRESENT THE VIEWS OF THE HOSPITAL, ITS PROFESSIONALS OR ITS PERSONNEL.

### V. Personal use of Social Media

- a. Personal use of social media, means establishing some advice and recommendations to hospital's professionals and personnel when interacting on social media from their personal profiles.
- b. Social Media offers unlimited opportunities that professionals working at hospital can enjoy responsibly. As members of the institution, even when interacting in social media from their personal profiles, hospital professionals should take into account advice and recommendations in order to ensure a good use whenever they talk about the hospital or introduce themselves as hospital professionals.
- c. To avoid possible conflicts with the hospital, the hospital offers its professionals and personnel a variety of advice and recommendations when interacting in social media from their personal social media sites:
  - i. Professionals and Personnel are encouraged to share knowledge: all professionals and personnel of hospital have knowledge, talent and skills that the hospital encourages to share participating in social media. By interacting in social media, hospital professionals and personnel help to promote the hospital and its values.
  - ii. Any hospital professional or personnel with a personal profile on social media can express their knowledge, talent, and skills freely subject to the directives in this policy. When the hospital professional or personnel makes clear this condition, the hospital professional or personnel should also explain that they are participating personally and not on behalf of the hospital.
  - iii. **DISCLAIMER FOR PERSONAL USE:**
    - 1. OPINIONS IN THIS WEBSITE ARE PERSONAL AND DO NOT REPRESENT THE VIEWS OF THE HOSPITAL, ITS PROFESSIONALS OR ITS PERSONNEL.**



**2. THIS IS A PERSONAL WEB SITE, RUN IN MY SPARE TIME AND ONLY REFLECTS MY PERSONAL VIEWS. INTERVENTIONS AND OPINIONS IN THIS WEBSITE DO NOT REPRESENT THE VIEWS AND POLICIES OF THE HOSPITAL, ITS PROFESSIONALS OR ITS PERSONNEL.**

- iv. Any hospital professional or personnel shall use a non-corporate e-mail to register personal email accounts (such as but not limited to Gmail, Hotmail or Yahoo) for personal use in social media. Any hospital professional or personnel shall not use their hospital email address to register on any social media site not owned by hospital, as this information could be used for unintended purposes.
- v. The hospital discourages professional or personnel from providing any medical opinions on their personal social media sites. Providing any such advice could inadvertently create a provider/patient relationship.
- vi. No hospital professional or personnel shall disclose confidential information about the hospital, its professionals or personal health information about hospital patients. Under current law, both Louisiana and Federal HIPAA/HITECH laws, it is forbidden to disclose any personal health information, including images of patients, in any social network or digital media. Such disclosures, even if hospital professional or personnel deems such information “de-identified” for purposes of HIPAA<sup>1</sup> are strictly forbidden because of the danger for any posts, number of posts, tweets, or texts used in conjunction could be used to “re-identify” patient or information considered protected health information in violation of HIPAA/HITECH.
- vii. Hospital professional or personnel are encouraged to not post any derogatory or offensive remarks. Hospital recommends being respectful and professional in the relationship with other hospital employees, customers, suppliers, other healthcare organizations and patients and families in general.
- viii. Hospital strongly advises hospital professional or personnel to avoid participation in actions or movements that may cause harm or have a negative impact on the reputation of the hospital and the services it provides.

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<sup>1</sup> See HIPAA definition in hospital policies for term “de-identified” protected health information.

- ix. Hospital professionals and personnel are discouraged from friending on Facebook, Twitter, YouTube, or any social media site whether hospital or personal a patient of the hospital. Creating such a relationship with a patient by a hospital professional or personnel without having any such contact with the patient prior to the patient's hospitalization might be considered a violation of privacy regulations and, as such, the hospital discourages this type of activity

## VI. Hospital Social Media Site – Content Decision Analysis

- a. This Content Decision Analysis applies to any hospital social media site as defined in this policy.
- b. Hospital shall evaluate all content posted to its social media sites using the following Content Decision Analysis:
  - i. Is posting positive or negative?
    - 1. If Yes, hospital can do one of three things:
      - a. provide factual responses supporting the post,
      - b. no response needed, or
      - c. provide review of posting.
        - i. If respond, share positive experience
        - ii. If no, leave post alone
    - 2. If No, hospital has five options regarding the post:
      - a. Is posting trashing/degrading to others or violate terms of service (TOS)? Yes or No?
        - i. If Yes, remove posting/monitor
        - ii. If No, go to (b)
      - b. Is posting a rant, joke or ridiculing another?
        - i. If Yes, remove posting/monitor
        - ii. If No, go to (c)
      - c. Is posting facts erroneous or inconsistent?
        - i. If Yes, fix the facts – respond with actual factual information
        - ii. If No, go to (d)
      - d. Is post about unhappy patient or community member?

- i. If Yes, hospital should act on patient/community dissatisfaction and follow up with outcome
- ii. If No, go to (e)

- e. Final review of posting – is posting based on policies – does hospital respond?
  - i. If Yes, consider transparency, source of information, timeliness, tone and response
  - ii. If No, end analysis

## VII. Twitter Guidelines (Professional and Personnel)

### a. Twitter

#### i. Background

1. Twitter is a 'microblogging' platform, which allows users to post and exchange short messages (up to 140 characters in length) and converse publicly with other users via a mobile phone or web browser. Twitter allows users to share links to online information, publish photographs and share other media such as video.
2. With the exception of direct messages exchanged between users, all messages (or 'tweets') are public and visible to all for review, comment and sharing.

#### ii. Hospital Twitter Accounts – Brief Description of Hospital Twitter (if applicable)

#### iii. Hospital Twitter Content – brief description of hospital content

#### iv. Hospital Twitter Availability – brief description of times hospital is available (office hours)

#### v. Hospital Following:

1. The hospital does not automatically follow organizations or individuals who follow it.
2. The hospital may follow relevant organizations including government agencies, organizations in the Health sector and other parties where there is a clear link in communicating and receiving information.

3. The hospital shall not follow individuals unless they are hospital professionals or other entities the hospital deems, in its sole discretion, to follow.
4. Being followed by the hospital does not imply endorsement of any kind.

vi. Hospital Lists

1. In the interest of organizing hospital followers into meaningful categories and providing stakeholders and the public with useful industry and topic information, the hospital may create publicly viewable lists of organizations following its twitter accounts.
2. Inclusion on hospital lists does not imply endorsement of any kind.
3. Should an organization not wish to be included on a list created by the hospital, it may request to be removed from the list by sending a direct message to the relevant department twitter account.

vii. Hospital replies and direct messages

1. The hospital welcomes feedback and ideas from its followers.
2. The hospital reads all replies and direct messages and ensures that any suggestions, information or other ideas are forwarded to the appropriate hospital professional or personnel.
3. When the hospital is not able to reply individually to messages received via Twitter and where common topics and requests exist, the hospital may issue a general notification.
4. Any discussions on the hospital twitter site shall not constitute medical advice and followers are encouraged to seek medical advice from the appropriate medical professional should they require the same.

viii. Hashtags

1. It is a convention among Twitter users to distinguish content using semantic tags (keywords), preceded by a # sign. This enables users to search and filter information based on keywords and share information more meaningfully. Hashtags also allow users to quickly identify ‘trending’ topics (as displayed on the Twitter.com homepage).
2. The hospital shall use hashtags when:
  - a. Providing live coverage of events (live-tweeting), and
  - b. Providing emergency communications through appropriately authorized staff. In this event it is likely that a common hashtag will already have been established and we would follow suit.

ix. Hospital on Re-tweeting

1. The hospital may occasionally be asked to re-tweet content from other Twitter users. It will consider these requests on a case-by-case basis.
2. The hospital actively seeks opportunities to re-tweet content that contributes to the dissemination and exchange of useful information about health and related topics to the general public and in keeping with the mission and vision of the hospital. The hospital may re-tweet content that includes, research findings and statistics relevant industry/business networking events, and health knowledge.

VIII. Social Media Principles

a. Hospital Social Media Guidelines

- i. The following principles of posting on hospital social media sites shall be adhered to by all hospital personnel, both professional and non-professional:
  1. Do not disclose any information about the hospital that is proprietary or confidential information as defined in this section.
  2. Do not disclose business information about the Hospital’s patients, clients, affiliates or the Board of Directors,

employees, or any person/entity (specifically or generally) without its prior written permission.

3. Do not post information that is defamatory, obscene, discriminatory or harassing to anyone, particularly and Hospital's patients, clients, affiliates or the Board of Directors, employees, or any person/entity.
4. Don't disclose Hospital's patients, clients, affiliates or the Board of Directors, employees, or any person/entity's (or anyone else's) confidential or other proprietary information, such as physician data, business plans, current or anticipated products, software, research, inventions, processes, techniques, designs, or other technical data.
5. Do not disclose any intellectual property including logos, trademarks, service marks or copyrights (including, for example, text, images and videos) that do not belong to you or User posting such content. Get permission from the owner(s) (including Hospital) prior to sharing or publishing their intellectual property including logos, trademarks, service marks or copyrights (including, for example, text, images and videos).
6. Do not post information in violation of policies in Hospital's Employee Policy Manual.
7. Realize that your comments are "on the record" for the world to see. Never use profanity or demeaning language, and do not write anything that is not suitable for all audiences.
8. If you are contacted by the news media or a blogger regarding Internet postings, please refer the inquiry to your supervisor or an authorized user as identified in the Hospital Policies.
9. Take care to make certain that readers will not confuse your views with those of the Hospital. If you are posting, do not refer to your position in the Hospital or mention the Hospital's name or anyone else Hospital's patients, clients, affiliates or the Board of Directors, employees, or any person/entity (specifically or generally) without its prior written permission.
10. If you identify yourself as an employee, refer to events at the Hospital, or provide a link to another entities' website or

comment on business or policy, you should identify yourself as an employee of the Hospital and state that your views contained in your posting are your own, not the views of the Hospital, patients, clients, affiliates or the Board of Directors, employees, or any person/entity (specifically or generally).

11. Do not post on social media using cell phones or personal devices during work, including tablets or other electronic media.
12. Do not post any content that is personal health information of any kind, including without limitation patient images whether or not containing patient identifying information, on any Social Media Site. You are also prohibited from using the Social Media Site to provide advice or medical commentary or to use the Social Media Site to make, recommend, or increase referrals to physicians.
13. Do not return fire. If a negative post or comment is found online about \_\_\_\_\_(Hospital), an employee, a physician or other \_\_\_\_\_(Hospital) affiliate, do not counter with another negative post. Instead, offer to remedy the situation through positive action. Seek help from \_\_\_\_\_(Hospital Social Media Moderator/Marketing) in defusing these situations
14. DO NOT OFFER MEDICAL ADVICE. No one should respond to a post, create a post or blog or respond to a blog by offering any medical advice or otherwise create a physician-patient relationship while using social media. Medical advice is strictly between a physician and a particular patient and should be formed solely between the physician and patient to avoid conflicts and other ethical issues.

**15. Users may not use Electronic Systems for the purpose of harassing other Users or other individuals as it might create a hostile work environment.**

16. Users shall not use Electronic Systems to harass, bully, or intimidate anyone at any time. It is in the Hospital's sole discretion to determine if User has violated this policy. For purposes of this policy, harass, bully, or intimidate shall mean any intentional gesture or written, verbal, or physical act that via the Electronic Systems using Social Media, including but not limited to social media web pages, blogs or other electronic forums:

- a. Reasonable person under the circumstances should know will have the effect of harming a person or damaging his property or placing a person in reasonable fear of harm to his life or person or damage to his property; and
- b. Is so severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for a person.
- c. This Policy lists some examples of inappropriate conduct, but is not all inclusive.

**17. VIOLATION OF THE FOLLOWING GUIDELINES, OR OTHER INAPPROPRIATE BEHAVIOR NOT LISTED HERE, MAY RESULT IN REVOCATION OF ACCESS, OR OTHER DISCIPLINARY ACTION UP TO AND INCLUDING DISCHARGE.**

b. Personal Social Media Guidelines

- i. The following principles of posting on personal social media sites are recommendations from the hospital to all personnel, whether professional or non-professional, and are simply good principles to follow when posting to a personal social media site:
  1. You should not disclose any information about the hospital that is proprietary or confidential information as defined in this section.
  2. You should not disclose business information about the Hospital's patients, clients, affiliates or the Board of Directors, employees, or any person/entity (specifically or generally) without its prior written permission.



3. You should not post information that is defamatory, obscene, discriminatory or harassing to anyone, particularly and Hospital's patients, clients, affiliates or the Board of Directors, employees, or any person/entity.
4. You should not disclose Hospital's patients, clients, affiliates or the Board of Directors, employees, or any person/entity's (or anyone else's) confidential or other proprietary information, such as physician data, business plans, current or anticipated products, software, research, inventions, processes, techniques, designs, or other technical data.
5. You should not disclose any intellectual property including logos, trademarks, service marks or copyrights (including, for example, text, images and videos) that do not belong to you or User posting such content. Get permission from the owner(s) (including Hospital) prior to sharing or publishing their intellectual property including logos, trademarks, service marks or copyrights (including, for example, text, images and videos).
6. You should not post information in violation of policies in Hospital's Employee Policy Manual.
7. Realize that your comments are "on the record" for the world to see. Never use profanity or demeaning language, and do not write anything that is not suitable for all audiences.
8. Take care to make certain that readers will not confuse your views with those of the Hospital. If you are posting, do not refer to your position in the Hospital or mention the Hospital's name or anyone else Hospital's patients, clients, affiliates or the Board of Directors, employees, or any person/entity (specifically or generally) without its prior written permission.
9. If you identify yourself as an employee, refer to events at the Hospital, or provide a link to another entities' website or comment on business or policy, you should identify yourself as an employee of the Hospital and state that your views contained in your posting are your own, not the views of the Hospital, patients, clients, affiliates or the Board of Directors, employees, or any person/entity (specifically or generally).

10. You should not post any content that is personal health information of any kind, including without limitation patient images whether or not containing patient identifying information, on any Social Media Site. You are also prohibited from using the Social Media Site to provide advice or medical commentary or to use the Social Media Site to make, recommend, or increase referrals to physicians.
11. You should not return fire. If a negative post or comment is found online about \_\_\_\_\_(Hospital), an employee, a physician or other \_\_\_\_\_(Hospital) affiliate, do not counter with another negative post. Instead, offer to remedy the situation through positive action.
12. DO NOT OFFER MEDICAL ADVICE. You should not respond to a post, create a post or blog or respond to a blog by offering any medical advice or otherwise create a physician-patient relationship while using social media. Medical advice is strictly between a physician and a particular patient and should be formed solely between the physician and patient to avoid conflicts and other ethical issues. iv)
13. Harassment/Bullying/Intimidation
  - a. You should not use your personal social media site for the purpose of harassing other Users or other individuals as it might create a hostile environment.

## IX. Violations of Social Media Policy

### a. Indemnification by Employee

- i. Employee shall defend, indemnify, and hold harmless Hospital and its affiliates and their respective officers, directors, members, employees, clients, contractors, agents, successors and assigns from and against any third party claims of infringement or any breach of the Social Media Policy. Employee shall promptly reimburse Hospital for, any and all losses, claims, damages, settlements, costs, and liabilities of any nature whatsoever (including reasonable attorneys' fees) to which any of them may become subject arising out of based upon, as a result of or in any way connected with, Employee posting of any content to a Social Media Site, any third party claims of infringement or any breach of this Policy.
- b. HIPAA – reference appropriate sanctions for HIPAA violation – possible civil or fines by DOL.

- c. Disciplinary Action – violation of this social media policy could subject hospital professional or personnel to disciplinary action, including but not limited to possible suspension or termination.
- d. Notification by hospital to Louisiana State Board of Nursing (LSBN) – hospital shall notify the LSBN of any violation of the social media policy that it deems, in its sole discretion, violate the Louisiana Nursing Practice Act.

#### X. HIPAA Privacy Notice

- a. Hospital should amend Privacy Notice to include the following language regarding hospital social media sites:
  - i. Social Media Activities – Hospital may use or disclose certain health information (such as your name, address, phone number, age, gender, and dates you received treatment at the hospital) to further the hospital’s mission and vision with respect to its social media sites. Any health information hospital uses as described above will be used to expand and improve the services and programs we provide the community.

#### XI. Cell Phone Policy

- a. The hospital cell phone policy applies to all hospital personnel, including but not limited to hospital professionals, as well as non-hospital personnel.
- b. The hospital shall post signage advising visitors of the “Cell Phone Policy” in multiple areas of the hospital including the privacy rights of the patients and the hospital’s directive to contact local authorities if visitors violate the “cell phone policy” which may include removal from the hospital premises as well as the confiscation of a visitor’s cell phone.
- c. Cell phone/electronic communication devices shall be prohibited from use by hospital personnel because of the potential liabilities listed below. The following list of potential liabilities should not be considered exclusive:
  - i. Faulty conversation
  - ii. Incomplete conversation or text message
  - iii. Autocorrect problems with content of emails/text messages
  - iv. Potential violations of HIPAA/HITECH
  - v. Potential for de-identified information to become re-identified for possible HIPAA/HITECH violation
  - vi. Applications might contain faulty conversions for medications
  - vii. Applications might contain faulty definitions for medications

- viii. Issues related to how text message are entered in the medical records could create issues of patient care or potential liability
- d. Based on the potential liability of the use of cell phones/electronic communication devices, the hospital requires all personnel to adhere to the following:
  - i. Use of personal cell phones/electronic communication devices by Hospital personnel and hospital professionals is limited during work hours. Personnel may use cell phones/electronic communication devices during lunch or break periods in private space away from all patients, common patient care areas, and common work areas.
  - ii. Personal cell phones/electronic communication devices are to be turned off and stored during working hours and are not to be kept on person.
  - iii. Cell phones/electronic communication devices owned by the hospital and issued to employees may be used for business purposes or other use consistent with hospital business or furtherance of patient care.
- e. Any use of cell phones/electronic communication devices to record or take still or video pictures of the facility, employees, patients, or property is strictly prohibited and such activity may subject an employee to immediate termination.
- f. Any unauthorized communication of Hospital confidential information to any party through the use of cell phones/electronic communication devices is strictly prohibited and such activity may subject hospital personnel to immediate termination.
- g. **PERSONNEL WHO VIOLATE THIS POLICY WILL BE SUBJECT TO DISCIPLINARY ACTION UP TO AND INCLUDING IMMEDIATE TERMINATION OF EMPLOYMENT BASED ON “DUE PROCESS” PER STATE POLICY, AND THE SEVERITY OF POLICY VIOLATION.**
- h. Cell phones/electronic communication devices (use by patients or public)
  - i. The hospital shall permit patients and the public to use cell phones/electronic communication devices while on hospital property.
  - ii. However, hospital personnel should be vigilant and if hospital personnel should observe any patient or an individual using a cell phones/electronic communication device that would violate another

patient's right to privacy, the hospital personnel shall perform the following:

1. Advise the patient or individual to refrain from using the cell phones/electronic communication device in violation of the hospital's policy on protecting the patient's privacy.
2. Should the patient or individual continue to use the cell phones/electronic communication device after being warned, hospital personnel should contact the local authorities and advise the patient or individual the same.

## XII. Intellectual Property/Confidential Information (Non-HIPAA related)

- a. Communication of the Hospital's proprietary or confidential information either outside of the Hospital or to Users within the Hospital not authorized to receive such information is strictly prohibited. Methods and materials developed by the Hospital, including marketing information, development plans, and technological development are only a few examples of proprietary information held as confidential and which are not to be improperly communicated.
- b. Confidential information may include but is not limited to, security Safeguards information, business plans, financial data, market information, Hospital client lists, trade secrets, and all other information either:
  - i. Designated by the Hospital providing the information as confidential;
  - ii. Subject to reasonable efforts by the party receiving the information to protect it against unauthorized access or use; or
  - iii. Known by the recipient to be confidential (collectively referred to as "Confidential Information").
- c. Confidential Information does not include any information or material which the recipient can demonstrate is:
  - i. In the public domain without violation of an obligation of non-disclosure;
  - ii. Required to be disclosed pursuant to law, but only to the extent such disclosure is required;
  - iii. Independently known or developed by the recipient without violation of an obligation of non-disclosure; or

- iv. Obtained from a third party without violation of an obligation of non-disclosure.
- d. All Confidential Information shall at all times be and remain the sole and exclusive property of the Hospital; and Hospital retains for itself exclusively all proprietary rights in and to all Confidential Information developed or sold by such anyone, and all modifications made thereto by any party, including the exclusive right to manufacture and distribute any and all such items.
- e. INTELLECTUAL PROPERTY DISCLAIMER TO BE USED ON HOSPITAL SOCIAL MEDIA SITE:
  - i. Users agree that any content posted on any hospital social media site, is the sole property of the hospital and users grant to the Hospital an irrevocable right to reproduce, distribute, publish, display such content and the right to create derivative works from your content, edit or modify such content and use such content for any purpose. User shall agree that these rights granted to are global and perpetual.

XIII. Acknowledgement of Social Media Policy (See Attachment A)

### **SAMPLE ACKNOWLEDGEMENT FORM**

- (1) As an employee of \_\_\_\_\_ (the "Hospital"), I, \_\_\_\_\_, acknowledge that I have read, and that I understand, the Hospital's Social Media Policy. I agree to abide by its terms, and I am aware that violations of this policy may subject me to disciplinary action, including discipline up to and including discharge from employment, as well as legal action.
- (2) I am aware that the Hospital reserves and will exercise the right to review, audit, intercept, access and disclose all matters on the Hospital's Electronic Systems at any time, with or without notice, and I expressly consent to such monitoring. I am aware that the use of passwords or codes, the placement of data in "personal" folders or other electronic storage, and written indications on e-mail or other electronic communications of "confidential" or "private" does not restrict the Hospital's right to access such communications. I further acknowledge and understand that the Hospital's Electronic Systems, as defined in the Policy, are not private and that I have no expectation of privacy with regard to any use of these Electronic Systems.
- (3) I hereby agree to assume all responsibility related to the security, privacy, and confidentiality risks inherent in sending any content over the internet, including but not limited to Social Media, by its very nature, the internet, including any content or website found on the internet, cannot be absolutely protected against intrusion attempts or security breaches. I am aware that Hospital does not control third party sites or the internet; therefore, Hospital cannot and does not warrant against any interceptions or compromises to my information. when posting any content on the internet, including but not limited to Social Media, I am aware that such postings could violate state and federal privacy laws when posting any content.



**(4) PERSONNEL SHALL DEFEND, INDEMNIFY, AND HOLD HARMLESS HOSPITAL AND ITS AFFILIATES AND THEIR RESPECTIVE OFFICERS, DIRECTORS, MEMBERS, EMPLOYEES, CLIENTS, CONTRACTORS, AGENTS, SUCCESSORS AND ASSIGNS FROM AND AGAINST ANY THIRD PARTY CLAIMS OF INFRINGEMENT OR ANY BREACH OF THE SOCIAL MEDIA POLICY. EMPLOYEE SHALL PROMPTLY REIMBURSE HOSPITAL FOR, ANY AND ALL LOSSES, CLAIMS, DAMAGES, SETTLEMENTS, COSTS, AND LIABILITIES OF ANY NATURE WHATSOEVER (INCLUDING REASONABLE ATTORNEYS' FEES) TO WHICH ANY OF THEM MAY BECOME SUBJECT ARISING OUT OF BASED UPON, AS A RESULT OF OR IN ANY WAY CONNECTED WITH, EMPLOYEE POSTING OF ANY CONTENT TO A SOCIAL MEDIA SITE, ANY THIRD PARTY CLAIMS OF INFRINGEMENT OR ANY BREACH OF THIS POLICY. \_\_\_\_\_ (Initial)**

\_\_\_\_\_ DATE: \_\_\_\_\_

EMPLOYEE SIGNATURE