

by Adam Turteltaub

In the Spotlight: A discussion on social media and compliance with Eric Newman

*This interview with **Eric Newman** (NewmanE@sutterhealth.org), Privacy Officer for Sutter Health in the San Francisco Bay area, was conducted by **Adam Turteltaub**, SCCE/HCCA Vice President of Membership Development.*

AT: First, can you give us some quick background on your role at Sutter Health? I think it will be helpful for people to understand what your work life is day to day, and how much of your work is focused on privacy.

EN: I'm a Privacy Officer for several Sutter Health hospitals and a medical foundation in the San Francisco Bay Area. I'm a proud member of the Privacy & Information Security team led by Jacki Monson, our Chief Privacy and Information Security Officer. My day-to-day responsibilities include investigating privacy incidents and conducting risk assessments to determine our reporting obligations to regulators, including the Department of Health and Human Services Office for Civil Rights and the California Department of Public Health. I conduct education for new employees and trainings at management and department meetings. I also participate in workgroups focused on various work plan goals, including effective education and privacy policies.

AT: When most compliance professionals think of social media, they tend to get a shiver down their spine. We just conducted a survey among compliance professionals, and social media was in the top five risk areas

they were planning on focusing on for 2016. Your experience with social media is very different, though. You managed social media for HCCA and SCCE before you took your privacy compliance role at Sutter. How did your SCCE/HCCA experience shape your perspective?

EN: One of the most beneficial uses of social media is to support someone else. Oftentimes, the work life of a privacy professional can feel isolated, given the independent nature of the job. SCCE/HCCA shaped my perspective by allowing me to talk with compliance and privacy professionals about their excitement or reservations around social media. SCCE/HCCA embraced social media and encouraged their members to view social media sites as a community. Now you can engage in discussions with like-minded professionals, instead of battling the problem on your own. Watching this shared-thinking approach and collaborating with my colleagues is what I enjoy most at Sutter Health.

AT: Obviously you saw the benefits of social media in that job, but you also saw the negatives, including some people who had less of a filter than they probably should have. Why do you think people tend to be careless in social media?



Turteltaub



Newman

EN: Everything seems to get posted on social media these days, yet individuals have an unrealistic expectation that it is kept private. With smartphones, tablets, etc., it's become increasingly convenient for individuals to connect, and it's easy to forget that social media is not private and individuals should use discretion in everything they post. At Sutter Health, we focus on educating our workforce on the risks and benefits of social media.

AT: It must have been a bit of a shock switching roles, with social media going from an asset to a potential liability. How did you reorient your thinking?

EN: Switching roles was seamless. Most organizations realize that viewing social media as an asset creates a more positive experience for both their employees and the clients/patients they serve by promoting transparency and healthy discussions. Sutter Health believes

there is great value to sharing and communicating in online communities.

AT: What's Sutter's policy when it comes to employee social media activity?

EN: Sutter Health has a comprehensive social media policy, tip sheet, and training video that we've used to encourage staff to use social media responsibly. Employees receive training where they learn that, as a member of the Sutter Health team, everything they say or do in a social media setting may connect back to our network of care. The policy also emphasizes the importance of protecting our patients' information and privacy. Our policy,

in part, reads "Staff may not use or disclose any patient identifiable information of any kind, including patient images, on any social media platform or smartphone application without the express written authorization of the patient. Even if an individual is not identified by name within the information at issue, if there is a reasonable basis to believe that the person could still be identified from that information, then its use or disclosure could constitute a violation of HIPAA, state law, and/or Sutter Health network policies." You may access links to our policy, training video, and tip sheet at www.sutterhealth.org/employees.

AT: How do you help employees understand what they should and shouldn't do online, besides just saying "Here's our policy"?

EN: I like using real-life examples, including incidents I've investigated or social media cases that have been in the news. One example is the incident involving New York Giants

defensive end Jason Pierre-Paul. ESPN reporter Adam Scheffer posted an image of Pierre-Paul's medical chart on Twitter. Two hospital staff members were terminated as a result of this incident for inappropriately accessing Pierre-Paul's record.

I remind staff that

Sutter Health monitors our electronic health record system for inappropriate access, so be sure to only access protected health information when it relates to your job.

AT: Do you find that when employees stray beyond the proper level of communication it's a conscious decision, or they weren't really

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thinking through what they were doing before they hit the enter button?

EN: I've seen cases where employees don't think they'll be caught, and feel protected behind their computer screen. I've also seen cases where an employee posted a picture without realizing a patient's protected health information is visible in the background. Posting or sharing photos on social media sites is a very simple process, especially when using your smartphone. I think reminding staff to "pause before you post," is critical to preventing an easily avoidable privacy incident.

AT: Where do you see social media going in healthcare?

EN: I see social media sites adopting technologies that allow patients to easily communicate with their care team. Although traditional social media outlets aren't designed for patient-provider interaction, there are technologies that allow patients to communicate privately with their care team and access medical records using a smartphone mobile app.

AT: Thanks, Eric, for sharing your insights with us. 📍

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