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Review History:

3/2012, 1/2017, 9/2019, 6/2021

Definitions:

Content Owner. Assigned by a Duke Health entity as the person responsible for managing, monitoring and maintaining a social media site. Content owner will work with a moderator within their entity or their department to monitor comments and postings by internal and external users, and delete comments that conflict with or do not coincide with the Duke Health Social Media policy.

Duke Health. Encompasses Duke University Health System (DUHS), Duke University School of Medicine (SOM), Duke University School of Nursing (SON) and the Private Diagnostic Clinic (PDC). The

Duke Health Enterprise (DHE) Workforce or Duke Health Workforce. Employees, medical staff members, faculty, students, volunteers, post docs, trainees, third party consultants, vendors, service providers, or other contractors whose conduct, in the performance of work for a covered entity is under control of such entity, whether or not they are paid by DHE or Duke Health.

Protected Health Information (PHI). Individually identifiable health information in any form or medium (paper, electronic, oral) that is created, transmitted, maintained, or stored by DHE or a business associate and related to past, present, or future health of an individual, the provision of health care, or the payment for health care linked to a patient. PHI also includes identifying or personal information, as defined in Federal Trade Commission's Red Flags Rules and the North Carolina Identity Theft Protection Act, including any name or number that may be used, alone, or in conjunction with any other information to identify an individual.

Sensitive Electronic Information. See the Information Security Standard: [DHE Sensitive Electronic Information Standard](#).

Social Media. Refers to any online networks, which connect and engage people, and where user generated content is publicly shared. Includes technology tools, online sharing sites and networks (e.g. Facebook, Twitter, LinkedIn, Google+, and Doximity), photo and video sharing sites (e.g. Instagram, Figure 1, Snap Chat, and YouTube, blogs, listservs), message boards, and similar online sharing sites that feature user-generated content, which may arise in the future.

Level:

Personnel:

Competencies/Skills:

Required Resources:

Policy Statement:

I. Purpose

The purpose of this policy is to:

1. Protect the privacy and safety of our patients and Duke Health Workforce Members.
2. Protect the Duke Health brand and reputation.
3. Provide guidance to the Duke Health Workforce Members regarding the appropriate use of Duke Health-sponsored websites and social media channels (professional and personal use) and other online activity when users represent themselves as a Duke Health Workforce Member or through other means as may be associated with Duke Health.
4. Minimize business, legal, ethical and personal risks that may arise when Duke Health Workforce Members use social media during working and non-working hours.

II. Policy Statement

Duke Health supports the professional and responsible use of social media. This policy covers the use of social media and online activities that associate Duke Health Workforce Members with Duke Health through use of a Duke Health title, email address or any other Duke identifying information or other means by which a Duke Health Workforce Member can be associated with Duke Health. This policy applies to you as a Duke Health Workforce Member whether posting to Duke Health social media sites or your own social media sites or commenting on other sites.

III. Accessing Social Media Via Duke Health Equipment

A. Permitted/Allowed for Professional Use. Duke Health allows the use of Duke Health equipment to access social media for online communication concerning Duke Health's mission, community relations, marketing and recruitment activities, customer service, engaging patients and consumers, and to promote internal communications.

B. Prohibited/Not Allowed for Personal Use. Duke Health prohibits the use of Duke Health equipment to access or participate in social media sites for personal use.

1. ***Manager Discretion/Approval.*** Nonetheless, a department manager has the discretion to designate a departmental computer not visible by the public where workforce members may access personal social media sites during non-work periods (i.e. lunch or official breaks) in compliance with [Duke HR Standards of Conduct & Performance/Corrective Actions](https://hr.duke.edu/policies/expectations/standards-conduct); <https://hr.duke.edu/policies/expectations/standards-conduct>; and [DHE Electronic Communication Policy](#). NOTE: Use of personal devices to access social media for personal use is permitted during non-work periods outside of public view.

C. Internal Communication Sites. Duke Health workforce may want to create internal communication sites behind the Duke Health firewall (e.g. wikis, blogs, SharePoint). To create such sites, workforce members should submit a ticket [Duke Service Now](#).

IV. **Professional Social Media Use and Online Activities**

A. **Duke Health Workforce Member Guidelines**

- 1) ***Identifying Yourself as a Duke Health Workforce Member.*** When a Duke Health connection is apparent and/or identifying yourself as a workforce member, such as on a Linked In profile, Facebook Page or Twitter account:
 - a) Clearly state your connection and role in the organization;
 - b) Present professional content that is accurate, factual, free of errors, and reflects favorably of you and Duke Health.
 - c) Acknowledge and correct mistakes promptly.
- 2) ***Exhibit Professionalism.*** As a Duke Health Workforce Member, you are to hold yourself to a high standard and exhibit professionalism on all social media sites, including:
 - a) Be respectful, truthful and professional to all
 - b) Follow all Duke Health policies, including [Duke's Statement on Values and Culture](#) [Duke Health's Guiding Principles](#), Duke's policies on Prohibited Discrimination, Harassment, and Related Misconduct and Privacy. Avoid posting uncivil, untruthful or discriminatory messages or images.
 - c) Avoid anger, sarcasm, criticism, and any language that may be offensive or defamatory.
 - d) Be mindful about what you post online. Remember that content becomes public, immediately searchable and can be shared far beyond your control.
 - e) Be thoughtful; if your social media posts reflect your status of a Duke Health Workforce Member, your statements reflect on Duke Health
- 3) ***Disclaimer Statement.*** Clearly state that thoughts and views are personal and not representative of Duke Health. Social media profiles should include a disclaimer statement, e.g., "The views expressed here are my own and not those of my employer." Refer to *Social Media FAQs*.
- 4) ***Duke Health Logo.*** Do not post or use the Duke Health or a SoM logo unless it is specifically approved and follows the Duke Health or [School of Medicine Branding Guidelines](#). <https://medschool.duke.edu/about-us/leadership-and-administration/office-communications/school-medicine-branding-identity>
- 5) ***Conflict of Interest.*** If a group or person offers to pay workforce members for participating in an online forum in their Duke Health role, the situation could constitute a conflict of interest and Duke Health policies and guidelines apply. Refer to the [Policy on Dual Interest and Outside Activity for Faculty and Staff](#): [Duke Dual Interest and Outside Activity May 2020.pdf](#)
- 6) Approval from entity-executive leadership ***Media Contact.*** If a media representative contacts a Duke Health workforce member regarding online

posts involving Duke Health; prior to responding, workforce members should:

- a) Alert their manager/leadership and
 - b) Contact the Duke Health media relations liaisons at 919-684-4148 or [Duke Health News Media](#)
- 7) **Research Purposes.** Social media for research must be approved through the IRB and documented in their research data security plan and approved by the IRB.

B. Duke Health Workforce Member Responsibilities.

- 1) **No Discussing PHI and/or “Friending” Patients.** The “friending” of patients and discussing PHI on social media sites is prohibited. Staff should not initiate or accept patients’ friend requests except in situations where an in-person friendship pre-dates the treatment relationship.
 - a. If a co-worker violates this rule by posting/discussing PHI on social media, do not endorse the comment by liking, commenting on it, sharing/reposting/retweeting the comment. Promptly report any violation to the DUHS Compliance Office (919-668-2573) or compliance@dm.duke.edu
- 2) **No Online Conversations with Patients.** Do not participate in online conversations with patients, patients’ families, and others regarding patient information.
 - a. If a patient or family sends a message through an online forum, or you are contacted online to discuss a patient or prospective patient’s diagnosis, the conversation must be moved offline by suggesting they contact your office.
 - b. You may respond to requests for communication with: Thank you for contacting me. Please contact my office at (provide office phone number). You may also send me an email through our secure electronic medical system, [DukeMyChart](#) or xxxx@duke.edu (provide office email address).
 - c. Written online communication with or concerning a patient may only take place through a secure, encrypted email messaging system i.e. Duke Email or [Duke MyChart](#).
- 3) **Protected Health Information and Social Media.** Duke Health Workforce Members may not post any PHI or de-identified information, including photos or video, to any non-Duke site including your personal social media sites even if the family and/or patient authorize disclosure of the information with the exception of activities described in subsection 4 of this section IV.B.
 - a. **Written Patient Authorization Required.** Photos can be posted to Duke Health social media accounts when properly executed written patient authorization is obtained. See [DUHS Use and/or Disclosure of PHI for Communications, Media Relations & Educational Purposes \(Photo, Video, and Audio of Patients\)](#) *Published Patient Stories*. Patient stories published

- on DukeHealth.org can be shared on your personal social media site.
- b. *Patient Tags*. If a patient tags you in a photo that appears on social media, it is your responsibility as a Duke Health Workforce Member to un-tag yourself in that photo.
 - c. *No Photos of Staff/Students without Permission*. Do not include staff members or students/learners in photos online unless they have given their permission.
- 4) ***DUHS Attending Physician Posting of Minimum Necessary PHI in accordance with Prior Written Patient Authorization***. DUHS Medical Staff members, who are also Duke University School of Medicine Clinical Department Faculty (Attending Physicians), may post respectful and appropriate de-identified information or minimum necessary PHI without direct identifiers, e.g., not including patient name, face, marks or tattoo, to Attending Physician's social media account in accordance with the following requirements:
- a. identify self as Duke Attending Physician in social media site;
 - b. post on social media for the sole purpose of health care education;
 - c. obtain a prior executed, valid written patient/legal guardian authorization to include PHI on Attending Physician's social media site(s), [2019 Duke HIPAA waiver.pdf](#), provide patient/legal guardian with a copy of the authorization and retain a copy of the authorization within patient's medical record in accordance with Duke Health Media Authorization Policy; and,
 - d. comply DUHS De-identified Protected Health Information Policy [DUHS De-Identified Protected Health Information v.1 \(policytech.com\)](#) or [DUHS Minimum Necessary Policy, and Duke Health Use and/or Disclosure of PHI for Communications, Media Relations & Educational Purposes \(Photo, Video, Audio of Patients\)](#), and Duke Health Privacy Policies and HIPAA regulations.
- 5) Patient stories published on official Duke platforms, including a Duke Health entity social media sites, DukeHealth.org, medschool.duke.edu, nursing.duke.edu and SoM department websites, can be shared on Attending Physician's social media sites without a second authorization being obtained by the Attending Physician for the purposes of health care education and training.
- 6) ***Report Patient Complaints***. If a patient or patient family member posts complaints about service or other issues, follow the [Duke Health Social Media & Web Compliment & Complaint Process](#) and [Flow Chart](#) and escalate the issue to the appropriate business unit to follow up.

V. Personal Social Media and Online Activities

In addition to the policies set forth above, the following stipulations are expected to be adhered to when engaging in social media for personal use. As a Duke Health Workforce Member, you are an ambassador of the organization. Personal social media and online activity is expected to be consistent with Duke Health's reputation, brand and values.

- 1) Use your personal email address or personal social media identification or "handle" as your

- primary means of identification.
- 2) Do not discuss job responsibilities or specific activities that happened on the unit/department during your workday when it includes clinical care or PHI.
 - 3) Personal social media and online activity (such as blogging) should not interfere with work commitments. These activities should be restricted to official breaks and off work hours.
 - 4) The Duke Health Workforce Members should not represent the views of Duke or Duke Health. Inappropriate content that implicates Duke Health or can be identified otherwise, will be subject to review by the Office for Institutional Equity (OIE) and/or Human Resources and could potentially result in discipline.
- Do not post or use the Duke, Duke Health, SON or SoM logo unless it is specifically approved and follows the [Duke Health Branding Guidelines or SoM Branding Guidelines](https://medschool.duke.edu/about-us/leadership-and-administration/office-communications/school-medicine-branding-identity) <https://medschool.duke.edu/about-us/leadership-and-administration/office-communications/school-medicine-branding-identity>

VI. Official Duke Health-Sponsored Social Media Communications

- A. Duke Health supports the use of social media by Duke Entities for online communication concerning our mission, community relations, marketing and recruitment activities, customer service, and to promote internal communications.
- B. Entities interested in starting a Duke Health-sponsored social media site should consult with Duke Health Office of Marketing and Communications, PDC Office of Communications or SoM or SoN Office of Communications and must submit their request in writing to appropriate communications office.

VII. Corrective Action

- A. Workforce members will face corrective action, up to and including termination for failing to comply with the Duke Health Social Media Policy and other Duke Health policies including:
 - 1) Compromising the privacy or security of protected health information or proprietary business information as described in the [DUHS Breach of Protected Health Information-Patient Privacy Policy v.2 \(policytech.com\)](https://policytech.com)
 - 2) [Duke HR Standards of Conduct & Performance/Corrective Actions](#)
 - 3) [Faculty Handbook](#) and the Medical Staff Bylaws
- B. To monitor compliance with this policy, the Steering Committee or its designee may perform random electronic audits of the workforce's access to social media sites. Managers may also request usage audits of their direct reports.

VIII. Resources

The Duke Health Marketing & Communications provides global oversight of Duke Health Workforce Member use of social media and serves as a resource for questions regarding the appropriate use of social media sites.

- Duke Health Marketing and Communications Office: 919-684-4148
- PDC Office of Communications – PDCMemberComm@dm.duke.edu

- School of Medicine Office of Communications - som@duke.edu
- School of Nursing Office of Communications –
DukeUniversitySchoolofNursingNews@dm.duke.edu
- Duke University Health System Compliance Office -
compliance@dm.duke.edu

Additional Resources:

Social Media FAQs (attached)

- Process to Establish an Official Duke Health-Sponsored Social Media Channel
 - <https://intranet.dh.duke.edu/ent/newscomm/SitePages/Marketing/Social%20Media%20Application.aspx>
- Duke Health Branding Guidelines/SoM Branding Guidelines
 - <https://medschool.duke.edu/about-us/leadership-and-administration/office-communications/school-medicine-branding-identity>
- Policy on Dual Interest and Outside Activity for Faculty and Staff
 - [Duke Dual Interest and Outside Activity May 2020.pdf](#)
- Duke HR Standards of Conduct & Performance/Corrective Actions
 - [Standards of Conduct | Human Resources \(duke.edu\)](#)
- Duke Health Social Media & Web Compliment & Complaint Process and Flow Chart
 - [Compliments, Suggestions and Complaints | Duke Health](#)
- Online Reputation Management: A Guide for Physicians
- DUHS Breach of Protected Health Information-Patient Privacy Policy
 - [DUHS Breach of Protected Health Information-Patient Privacy Policy v.2 \(policytech.com\)](#)
- Protected Health Information and Patient Privacy Policy
 - [Protected Health Information and Patient Privacy | Human Resources \(duke.edu\)](#)
- DUHS Use and/or Disclosure of PHI for Communications, Media Relations & Educational Purposes (Photo, Video, Audio of Patients)
 - [DUHS Use and/or Disclosure of PHI for Communications, Media Relations & Educational Purposes \(Photo, Video, Audio of Patients\) v.1 \(policytech.com\)](#)
- DUHS De-Identified Protected Health Information
 - [DUHS De-Identified Protected Health Information v.1 \(policytech.com\)](#)
- Duke Statement on Values and Culture
 - [Values & Culture | Audit, Risk and Compliance \(duke.edu\)](#)
- Duke Faculty Handbook
 - [Faculty Handbook | Office of the Provost | Duke University](#)
- Harassment & Discrimination Policy
 - [Harassment & Discrimination | Human Resources \(duke.edu\)](#)
- Duke Branding Guidelines/SoM Branding Guidelines
 - <https://medschool.duke.edu/about-us/leadership-and-administration/office-communications/school-medicine-branding-identity>
- Duke Health Guiding Principles
 - [Duke Guiding Principles Poster.pdf](#)
- HR Standards of Conduct & Performance/Corrective Action Policy

- [Standards of Conduct | Human Resources \(duke.edu\)](#)
- Use of Computing & Electronic Resources Policy
 - [DHE Electronic Communication Policy v.1 \(policytech.com\)](#)
 - [Use of Computing & Electronic Resources | Human Resources \(duke.edu\)](#)
- DHE Sensitive Electronic Information Standard
 - [Duke Health Secure System Usage Memo.pdf](#)
 - [Duke Service Now](#)
- Duke Communicator Toolkit Social Media Guidelines
 - <https://commskit.duke.edu/multimedia/social-media-guidelines-for-communicators/>
- Communications Resources
 - [Communications Resources | Duke University School of Medicine](#)

Attachment Names:

Social Media FAQs_8.30.2019.

[DUHS Use and/or Disclosure of PHI for Communications, Media Relations & Educational Purposes \(Photo, Video, Audio of Patients\) v.1 \(policytech.com\);](#)

Entities:

DASC/Arrington

DCC

DHCH

DHTS

DPC

DRAH

DRH

DUH

DUHS

PDC

PRMO

SOM

SON

Watts College of Nursing

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DUKE HEALTH ENTERPRISE AUTHORIZATION TO USE AND/OR DISCLOSURE PROTECTED HEALTH INFORMATION FOR DUKE COMMUNICATIONS, MEDIA RELATIONS AND EDUCATIONAL PURPOSES

Name _____

Contact Info _____

Physician _____

Keywords _____

I _____, am the patient or legal authority (circle one) to authorize Duke University, Duke University Health System, the Private Diagnostic Clinic and other members of the Duke Health Enterprise identified in its Notice of Privacy Practices (collectively "Duke"), as well as any duly authorized affiliates, subsidiaries and physicians to use, disclose, store and archive the materials and health information of (patient name) _____ described below to the public for the activities and purposes described below:

Specific materials and health information to be used, disclosed, stored or archived for the public activities and purposes identified below:

- Demographic information such as name, age, city/county and state of residence
- Specific diagnosis and treatment information, including treatment date(s), provider name(s) and treatment location(s)
- De-identified medical images, photos, scans
- Exceptions or special instructions: _____

I agree to participate, or permit my providers or other staff to participate, in an interview; to have photographs and/or audio and video recordings taken; and that these materials and any other health information identified above may be used, disclosed, stored or archived for the public activities and purposes marked below:

- | | |
|---|---|
| <input type="checkbox"/> For all purposes listed below | <input type="checkbox"/> Duke consumer marketing, including Duke website, social media, YouTube and print materials |
| <input type="checkbox"/> News media, including television, newspapers, radio and their related websites and social media channels | <input type="checkbox"/> Duke community relations, development, or promotional purposes |
| <input type="checkbox"/> Duke physician marketing, and Social Media including print and electronic materials | <input type="checkbox"/> Duke training, education, or medical illustration |

Duke approved third-party commercial instructional or health educational materials of _____ (name of third party)

Notes or special instructions: _____

I understand that once the materials and health information identified above are publicly used or disclosed as provided in this authorization, Duke may not retain control over the further use or disclosure of these materials and health information by any third party, including other people, entities and media, and also that these materials and information may no longer be protected by federal or state privacy law. In particular, I understand that, after publication and/or distribution, these materials and health information may be picked up, reprinted and/or rebroadcast and disclosed by other people, entities and media who are not connected to Duke.

Duke cannot limit the amount of time the media may use footage for future print or online publications or broadcast, rarely has final control over the use or (re)distribution of such materials, and cannot guarantee that other entities will not capture and display on their own Website or other communications media information that I have authorized to be disclosed by Duke above, despite Duke's copyright.

I understand that I will receive no compensation from Duke for this authorization or for anything described here in. I also understand that my health care treatment or payment for health care services at Duke is not conditioned upon my giving this authorization. I have read this form and fully understand the contents. I agree to be bound by this authorization. I acknowledge and represent that I am the patient whose health information is the subject of this authorization and that I am 18 years of age or older or that I am the personal representative of the patient whose health information is the subject of this authorization.

This authorization for Duke's purposes expires at the termination of the last of the activities described above in which I have agreed to participate. Specifically, the termination date occurs at the conclusion of the last activity that includes the above described materials and my health information.

I may revoke this authorization at any time, which I must provide in writing and send to _____. I understand this revocation will not affect any uses or disclosures prior to such revocation. I understand I may review or obtain a copy of the health information subject to this authorization by making a request in writing and sending it to the address above.

 SIGNATURE of Patient / Personal Representative

 DATE TIME

 PRINTED NAME

 RELATIONSHIP to PATIENT

A signed copy of this form will be provided to patient or personal representative at the time of execution.