

Harmony Community Healthcare Center, Inc.

d/b/a Gundersen Harmony Care Center

Policy and Procedure Manual

Subject: Social Media

Policy Number: HR-111

Policy Type: Employee

Original Policy Date: 4/16/13

Section:

Last Revised: 8/24/2016

Contact: Administrator

Next Review:

References:

Federal Trade Commission (FTC), Health Insurance Portability and Accountability Act (HIPAA)

Applicable to:

This policy applies to all employees, consultants, contractors, volunteers, and other caregivers who provide care and services to residents on behalf of Gundersen Harmony Care Center who access social media websites via the Internet while at work. It also applies to the use of social media when away from work, when the individual's Gundersen Harmony Care Center affiliation is known, identified or presumed. It does not apply to content that is non-health care related or is otherwise unrelated to Gundersen Health System.

Detail:

Gundersen Harmony Care Center recognizes the value of online communities, social media sites and blogs as vital resources to positively promote the organization's mission and values, operational goals, marketing and recruitment activities, as well as a forum for educational opportunities and communication with colleagues, patients/customers, the general public, traditional and non-traditional media and other community stakeholders. However, Gundersen Harmony Care Center also recognizes the risks associated with inappropriate internet access and use which must be addressed through appropriate safeguards, policies and practices, education and training and appropriate corrective action when necessary.

The purpose of this policy is to provide requirements for participation in social media, including Gundersen Harmony Care Center-hosted social media, and in non-Gundersen Harmony Care Center social media in which one's identity and/or affiliation with Gundersen Harmony Care Center is known, identified, or presumed. This policy is not intended to interfere with rights under the National Labor Relations Act.

DEFINITIONS:

1. **Blog:** Short for "Web log, "a site that allows an individual or group of individuals to share a running log of events, news or commentary with online audiences.
2. **Podcast:** A collection of digital media files distributed over the Internet, often using syndication feeds, for playback on portable media players and personal computers.
3. **RSS feeds or Syndication feeds:** Formats used to publish outdated content such as blog entries, news headlines or podcasts and "feed" this information to subscribers via e-mail or by an RSS reader. This enables users to keep up with their favorite websites in an automated manner more easily than checking each site manually.
4. **Social Media:** An online social structure that includes but is not limited to blogs, podcasts, discussion forums, online collaborative information and publishing systems that are accessible to internal and external audiences, RSS feeds, video sharing and social networking sites (i.e. Facebook, LinkedIn, Twitter, image sharing, email, text). Social media is a type of online media that expedites conversation as opposed to traditional media, which delivers content but does not allow readers/viewers/listeners to participate in the creation or development of the content.
5. **Equipment:** This can include cameras, smart phones, and other electronic devices

Implementation:

User Responsibilities

Social networking and other web-based communications shall be consistent with Gundersen Harmony Care Center's values, policies, Code of Conduct and applicable laws. Users are responsible for using social media appropriately, effectively, and in an ethical and lawful manner.

When accessing social media sites whether during or after normal work hours, an employee may not represent themselves as an official spokesperson for Gundersen Harmony Care Center, unless expressly authorized to do so. If an employee or volunteer expresses an opinion about Gundersen Harmony Care Center, or its services, they are required to disclose their association with the organization. Posted messages must include the following disclaimer statement:

“The postings on this site are my own and do not represent Gundersen Harmony Care Center's positions, strategies, or opinions.”

Each individual employee or volunteer is personally responsible for his/her posts (written, audio, video, or otherwise) and may be held personally liable for defamatory, proprietary or libelous commentary.

If an employee, consultant, contractor, volunteer, or other caregiver has questions regarding what is appropriate to include in a blog or social networking profile, they shall contact the manager of the Business Office who will collaborate with Gundersen Health System's Human Resources and the Legal Department.

Appropriate Usage

1. Official spokesperson or other job-specific participation in online forums;
 - a. Acceptable use of Gundersen Harmony Care Center-hosted social media sites are activities which support employees in performing their job functions.
 - b. Authorization to access social media sites as an official spokesperson of Gundersen Harmony Care Center or to set up a Gundersen Harmony Care Center-hosted blog or other social media site must be approved by the departmental manager or administrative director and the Business Office.
2. Appropriate use by designated official spokespersons of Gundersen Harmony Care Center includes, but is not limited to:
 - a. Performing research.
 - b. Accessing technology information.
 - c. Engaging in business communications.
 - d. Conducting public relations.
 - e. Recruiting.
 - f. Information sharing and work group collaboration.
3. Incidental personal use by employees and volunteers so long as it:
 - a. Is a corporate-approved social media site (LinkedIn).
 - b. Does not consume more than a trivial amount of resources.
 - c. Does not interfere with worker productivity.
 - d. Does not preempt any business activity.
 - e. Is consistent with this policy.

Inappropriate Usage

1. Inappropriate usage of social networking while at work includes, but is not limited to:
 - a. Any activity or communication that involves the transmission of or access to sexually oriented, obscene, discriminatory, harassing, defamatory, false, inaccurate, abusive, profane, pornographic, threatening, racially offensive, or otherwise biased, discriminatory or illegal material.
 - b. Posting or disclosure of any confidential, proprietary information, including but not limited to business and financial information.
 - c. Resident' Rights to Privacy and Confidentiality: Posting or disclosure of any resident identifiable information of any kind without the express written permission of the resident. Even if an individual is not identified by name within the information you wish to use or disclose, if there is reasonable basis to believe that the person could still be identified from that information, then its use or disclosure could constitute a violation of the Health Insurance Portability and Accountability Act (HIPAA) and Gundersen Harmony Care Center policy. **Examples include, but are not limited to, images or recordings being kept, shared or disseminated via social media by staff taking unauthorized photographs of a resident's room or furnishings (which may or may not include the resident), or a resident eating in the dining room, or a resident participating in an activity in the common area.**
 - d. Resident Abuse: Posting or disclosure of any resident in a way that demeans or humiliates a resident(s), regardless of whether the resident provided consent and regardless of the resident's cognitive status. **Examples include, but are not limited to, photographs or recordings being kept, shared or disseminated via social media of residents that contain nudity, sexual and intimate relations, bathing, showering, toileting, providing perineal care such as after an incontinent episode, agitating a resident to solicit a response, derogatory statements directed to a resident, showing a body part without the resident's face whether it is the chest, limbs, or back, labeling resident's pictures and/or providing comments in a demeaning manner, directing a resident to use inappropriate language, and showing the resident in a compromised position.**
 - e. Disclosure of an individual's personal information without appropriate authorization.
 - f. Misrepresenting, obscuring or replacing a user's identity on an electronic communication.
 - g. The use of social networking sites (i.e. LinkedIn) to conduct an informal performance review or professional reference as a representative of Gundersen Harmony Care Center.
 - h. The use of social networking sites (i.e. LinkedIn) to conduct and informal performance review or professional reference from another Gundersen Harmony Care Center employee.
 - i. Solicitation for personal gain or profit.
 - j. Streaming media (including, but not limited to, YouTube or similar video-sharing sites, online radio and TV stations, movie clips, etc.) for non-business related use.
 - k. Knowingly uploading or downloading commercial software in violation of its copyright.
 - l. Accessing social media using another individual's account name or password.
 - m. Deliberate attempts to propagate any virus, worm or other malicious code.
2. Inappropriate usage of social networking while at home or outside of work includes, but is not limited to:
 - a. Using a Gundersen Harmony Care Center e-mail address as primary means of identification.

- b. Posting or disclosure of any confidential, proprietary information, including but not limited to business and financial information.
- c. Posting or disclosure of any patient identifiable information of any kind without the express written permission of the patient. Even if an individual is not identified by name within the information you wish to use or disclose, 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 the Health Insurance Portability and Accountability Act (HIPAA) and Gundersen Harmony Care Center policy.
- d. The use of social networking sites (i.e. LinkedIn) to request an informal performance review or professional reference from another Gundersen Harmony Care Center employee.

No Guaranteed Information Privacy or Confidentiality

Social media communications are not private or confidential. Electronic communications can, depending on the technology, be forwarded, intercepted, printed and stored by others.

Copyright Issues

Copyrighted materials belonging to entities other than Gundersen Harmony Care Center may not be transmitted on the Internet. Users are not permitted to copy, transfer, rename, add or delete information or programs belonging to other users unless given express permission to do so by the owner. Employees, staff, and volunteers shall not place company material (copyrighted software, internal correspondence, etc.) on any publicly accessible Internet site without prior permission.

Right to Search and Monitor

The Corporate Communications department at Gundersen Health System along with the Business Office at Gundersen Harmony Care Center will be responsible for the daily monitoring of Gundersen Harmony Care Center's social media exposure. The Administrator and/or Business Office Manager will be notified of any risks or concerns identified by the Corporate Communications department. All Internet traffic is monitored by Information Systems. To ensure compliance with Gundersen Harmony Care Center's internal policies, applicable laws and regulations and to ensure employee safety, the Administrator or the Business Office Manager or designee may permit the inspection, monitoring and disclosure of such traffic. The Corporate Communications department will also be notified as appropriate.

Information Systems reserves the right to remove any inappropriate files or programs found on an employee's computer system or stored in their home directory on the network without prior notification. Any such incident will be documented and the employee's supervisor/manager notified. While monitoring performance of our Internet bandwidth for patient-critical systems, should an employee be identified as accessing an inappropriate website, the employee's supervisor/manager will be notified.

Postings to Gundersen Harmony Care Center's Social Media Sites:

Any postings to any of Gundersen Harmony Care Center's social media sites (i.e. website, Facebook page, etc.) should be handled through the Business Office. The Business Office will be responsible for getting written permission of the patient for any postings involving patient identifiable information of any kind. Along with this, the Business Office will be responsible for managing these sites, posting to these sites and removing postings from these sites for Gundersen Harmony Care Center related business.

Violations

Suspected or known violations of policy or law shall be reported to the employee's supervisor/manager; the Administrator, or Human Resources. Violations may result in revocation of Internet service privileges, disciplinary action up to and including termination of employment, as well as civil and criminal liability.

Viruses

If a user suspects infection by a computer virus, they must immediately stop using the involved computer and call the Information Systems Help Desk. Any media used with the infected computer must not be used with any other computer until the virus has been successfully eradicated. Users should not attempt to eradicate viruses themselves.