Social Media and HIPAA

Effective Date: November 2018

Policy Statement

Social media used by workforce members is subject to the restrictions set forth in this policy. These restrictions are intended to protect the privacy of patient information and to ensure compliance with applicable legal and regulatory requirements, including the HIPAA Privacy Rule.

Reason for the Policy

To provide guidelines to be followed by all Columbia University Healthcare Component (CUHC) workforce members related to their personal and professional use of social media.

Primary Guidance to Which This Policy Responds

The Health Insurance Portability and Accountability Act (HIPAA)

Responsible University Office & Officer

The Office of HIPAA Compliance, Privacy Officer

Revision History

Issued: September 2017
Revised: November 2018

Who Is Governed by This Policy

All CUHC workforce members

Who Should Know This Policy

All workforce members, faculty, staff and students in the entities listed above.

Exclusions & Special Situations

None

Policy Text

The confidentiality of patient information is governed by federal and state laws.

In the event that any provision of this policy is in conflict with applicable law or regulation, the applicable law or regulation that affords the patient with the greatest privacy will govern.
1. **Patient Privacy**

- Posting patient information, commentary, or photographs on professional or personal social media sites requires written authorization from the patient using the CUMC HIPAA Media Authorization form. The Office of Communications should be contacted at cumcnews@columbia.edu to obtain a copy of the form. A copy of the form is provided to the patient and the original authorization is placed in the medical record.

- Photo, tape or video recording in patient treatment areas is permitted only after obtaining permission from the Practice Manager, Program Director or CUMC Communications.

- Patients in treatment areas/practice locations are prohibited from photo, tape or video recording without prior permission from the provider, program or practice. Patient authorization may also be necessary if any photos, tape, or video recording contain other patients’ images or information.

- Faculty, staff and students are prohibited from taking personal photos, video or audio recordings in patient care areas to avoid inadvertently capturing patients or patient information.

- Photos, images or a narrative thought to be de-identified by a workforce member may be recognizable by the individual or others and would not meet the definition of de-identified per the HIPAA Privacy Rule and thus permission should be obtained from the Office of HIPAA Compliance prior to posting any photos, images or narratives involving patients or patient information even if they are thought to be de-identified.

- Faculty and staff may photo, video or audio record patients for treatment purposes with authorization from the patient and must use an electronic device meeting CUMC Information Security requirements.

- Notify the Office of HIPAA Compliance promptly of any suspected unauthorized disclosure of patient information via social media or any suspected unauthorized photographing, filming or recording.

2. **Interacting with Patients on Social Media**

- Faculty, staff, and students should not connect with patients or patient family members using social media. It is recommended that workforce members use the same judgment regarding any other type of social interaction with patients.

3. **Communications and Public Affairs**

    Departments, programs and centers that maintain a social media presence must adhere to CUMC social media guidelines. For additional information contact CUMC’s Office of Communications and Public Affairs at cumcnews@columbia.edu.
Responsibilities

- Review and comply with the policy
- Report any unauthorized use of social media or violations of this policy to the Office of HIPAA Compliance

Definitions

Social Media - Internet-based applications which support and promote the exchange of user developed content. Social media can take many different forms including:

- Blogs and micro-blogs such as Twitter
- Social networks, such as Facebook
- Professional networks, such as LinkedIn
- Video sharing, such as YouTube and blogs (video weblogs)
- Audio sharing, such as podcasts
- Photo sharing, such as Flickr and Photobucket
- Social bookmarking, such as Digg and Reddit
- Public comment sections on webpages (such as those for online news sites)
- User created web pages such as Wikis and Wikipedia
- Any other internet-based social media application similar in purpose or function to those applications described above

Columbia University Healthcare Component (CUHC) – Columbia University is a Hybrid Entity that has designated as its Healthcare Component (the Columbia University Healthcare Component) Columbia University Medical Center and the other colleges, schools, departments and offices of the University to the extent that they (i) provide treatment or health care services and engage in Covered Transactions electronically or (ii) receive Protected Health Information to provide a service to, or perform a function for or on behalf of, the Columbia University Healthcare Component.

Contacts

Office of HIPAA Compliance, Chief Privacy Officer
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CUMC Office of Communications and Public Affairs
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