As health care providers continue to try to navigate the world of social media, the Rhode Island Board of Medical Licensure and Discipline (the “Board”) has issued policy guidelines (the “Guidelines”) to address the use of social media by the state’s physicians. The Policy Guidelines for the Appropriate Use of Social Media and Social Networking in Medical Practice were issued on October 23, 2013 and address how ethical standards for physicians apply when interacting with patients and the public through social media. In short, the Guidelines provide that “the standards of
medical care do not change by virtue of the medium in which physicians and their patients choose to interact.”

The Guidelines, which are based on model policy guidelines adopted by the Federation of State Medical Boards (“FSMB”) in 2012, discourage physicians from interacting with patients on personal social networking sites, caution that physicians must protect patient confidentiality online, and remind physicians that information posted to social media is seldom private and may be disseminated to a wider audience wider than the author intended. The Guidelines also state that the Board is authorized to discipline physicians for unprofessional conduct related to the use of social media.

Regardless of where they practice, physicians and other healthcare professionals should be aware that their online conduct can subject them to discipline under the rules of a state licensing board, an employer’s guidelines, or medical staff policies. Although many state medical boards have not formally addressed the use of social media, a study published earlier this year in the Annals of Internal Medicine indicated that the majority of state medical boards would likely undertake an investigation of a physician based on certain serious breaches of online professionalism, including using patient images without consent and misrepresenting credentials in an online setting. State medical boards were divided, however, on whether they would pursue disciplinary action for other online activities, such as posting clinical narratives to social media or depicting alcohol use in pictures posted online. Hospital systems, including the Mayo Clinic, have also adopted their own social media guidelines for employees. To further guide providers in the appropriate use of social media, the FSMB and the American College of Physicians issued a statement on Online Medical Professionalism earlier this year.

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