

Ignoring HIPAA or Just Not Thinking it Through?

Quandary:

"HuskyFan" is a UConn Health employee working in the hospital. "HuskyFan" is caring for a well-known UConn college athlete, "SuperStar". The athlete's coach, "Coach" is visiting "SuperStar" in the hospital. "HuskyFan", an ardent fan of both "SuperStar" Athlete and "Coach", has an opportunity for a quick iPhone snapshot with "Coach". She snaps her 'selfie' pic of smiling "Coach" with his arm around her and because she has Facebook on her phone, quickly posts it with the caption..."look who's here visiting "SuperStar"! I love my job!"

What's wrong with this picture? (no pun intended!)

Answer:

Let's think about this for a minute. "SuperStar" is the patient and she only used the patient's first name. The picture is of "Coach" and he's not a patient, so, no HIPAA violation, right? Actually, **this is a HIPAA violation**. HuskyFan's Facebook page tells everyone where she works (and even if it didn't, her name badge is upfront in the 'selfie'). "Coach" is associated with "SuperStar" and she mentions he is "visiting SuperStar" so anyone in the public domain knows "SuperStar" is a UConn Health patient. Sharing medical information that can be linked in any way to identify a patient, no matter how remotely, for purposes other than those related to your work responsibilities is a HIPAA privacy breach. UConn Health does not have a specific policy on use of social media, however we do have Privacy policies. Employees are expected to apply these policies to any situation in which they find themselves. "Think Before You Post."

*For more information on social media HIPAA violations that have been in the news go to:

<http://www.asrn.org/journal-nursing/1170-hipaa-ignored-doctors-and-nurses-are-sharing-embarrassing-photos-of-patients-on-social-media.html>

*Taken from July 1, 2014 Journal of Nursing. Accessed on 8/6/14.