



Dangers of Social Media in Health Care Collections

August, 2014

Disclaimer

These views are my own and not the view of Parallon, TOG, NPAS or the HMFA. This is not legal advice and should not be used as such.

Goal

- This presentation will provide real life examples of where social media was used that caused embarrassment to a patient.
- It will also cover how social media/internet searches of your company can be damaging.
- We will also discuss audit techniques and preventive measures

Agenda

- Examples of Facebook being used to embarrass a patient/caller
- Google searches of collection phone numbers and how it can make an agency look
- Examples of how to “Audit” for this
- Examples of what a company policy would look like

Facebook

Mission Statement:

“Facebook's mission is to give people the power to share and make the world more open and connected.”

Facebook Cont.



The graphic features a blue header with a white speech bubble icon on the left and the text "Social Media" in white. Below the header is a white rectangular area with a blue border containing a bulleted list of social media categories. The background of the graphic is a blue pattern with various icons like gears and arrows.

Social Media

- Blogs
- Bulletin boards
- Chat rooms
- Social networks (Facebook, MySpace, Twitter, LinkedIn, Google+)
- Multi-media like Flickr and YouTube
- News media sites

Facebook Cont.

I was sad to see that my neighbor, Karen Weeks, was admitted to my hospital today with a recurrence of her cancer.

My neighbor was discharged from my hospital today! Thanks for your prayers - from the quick peek I took at his lab results, the chemo seems to be working!

I swear if my supervisor does not back off, I'm going to cut her brake lines.

Facebook Cont.



Snapped this pic of one of my patients today while he was passed out. Gnarly, right??”

Facebook Cont.



MINDY_C:

I'm so glad you accepted my friend request, I have a question for you.



KAREN88:

Sure. Go ahead!



MINDY_C:

Since you took care of me in the hospital - you're a GREAT nurse, BTW!
- I was wondering if you could tell me what's next for me. I mean, after physical therapy and all, will I get full use of my arm back?

Facebook Cont.

An ED physician in Rhode Island was fired, lost her hospital medical staff privileges, and was reprimanded by the Rhode Island Board of Medical Licensure and Discipline for posting information about a trauma patient on her personal Facebook page. According to the Rhode Island Board of Medical Licensure and Discipline, “[She] did not use patient names and had no intention to reveal any confidential patient information.

However, because of the nature of one person’s injury ... the patient was identified by unauthorized third parties. As soon as it was brought to [her] attention that this had occurred, [she] deleted her Facebook account.” Despite the physician leaving out all information she thought might make the patient identifiable, she apparently did not omit enough.

Facebook Cont.

A former hospital employee admits she took a photo of a naked patient in Covenant Hospital's emergency room.

The former employee said she worked at Covenant for 15 years as a housekeeper. Her most recent position was to clean the ER.

She stated when she was working her shift on May 26, she took a photo on her cell phone of a female patient in the ER who was naked.

The former employee said a colleague dared her to because the patient was "drawing attention to herself."

Information obtained from www.TheHospitalList.Org

Website Class Action Violation

Stanford Hospital and Clinics contracted with a business associate, Multi-Specialty Collection Services (MSCS), to perform a revenue cycle review. Using data supplied by Stanford in an encrypted format, MSCS generated a spreadsheet listing the names, diagnosis codes, account numbers, admission and discharge dates, and billing charges for 20,000 patients seen at the hospital's emergency room during a six-month period in 2009.

Website Class Action Violation Cont.

MSCS then contracted with Corcino & Associates, LLC, to convert the data into graphics. Someone associated with Corcino then went looking for assistance with the project. That individual posted an inquiry – along with the spreadsheet—to a now-defunct website called *Student of Fortune*, which allowed students to solicit paid assistance with schoolwork.

The spreadsheet remained posted on the website for more than a year until it was discovered by a patient who reported it to Stanford. The hospital contacted the website owner and the spreadsheet was deleted immediately. The website claimed it was previously unaware of the spreadsheet and could not identify the person who posted it from the user name.

Website Class Action Violation Cont.

Stanford then investigated and reported the incident as required by HIPAA, including written notice to the patients whose information had been posted. That notice, sent four days after Stanford learned about the spreadsheet's posting, offered free identity theft protection services. Stanford also terminated its business relationship with MSCS and received written certification that previous files would be destroyed or returned securely.

Stanford cooperated with state and federal government investigations of the incident. Both concluded the hospital was without fault and no fines or penalties were issued.

Website Class Action Violation Cont.

In most cases, this would be the end of the story, but not here. In September 2011, just days after receiving the breach notice from Stanford, one of the patients filed a \$20 million class action lawsuit against Stanford, MSCS, and Corcino. She alleged violation of California's Confidentiality of Medical Information Act which, unlike HIPAA, allows private individuals to sue for damages caused by violations of the law.

After 2 ½ years of litigation, the parties last month reached a \$4.125 million settlement. Stanford denied any wrongdoing but agreed to participate to avoid ongoing costs of litigation.

MSCS and Corcino will pay \$3.3 million of that amount. Stanford will pay \$500,000 for a program to educate vendors on HIPAA requirements, as well as \$250,000 to cover the administrative costs of the settlement. Once all the details are finalized, each of the 20,000 patients will pocket a little more than \$100.

Information obtained from www.healthcareblog.pyapb.com

Baby Pictures at the Doctors? Cute, sure, but Illegal

The New York Times recently published an article on the subject of taking a baby's picture in a hospital setting.

Under HIPAA, baby photos are a type of Protected Health Information just like medical records or social security numbers.

For generations, doctors offices across America kept pictures of patients that were treated.

Source: <http://www.nytimes.com/2014/08/10/nyregion/baby-pictures-at-doctors-cute-sure-but-illegal.html>

Who Called Me?

“Googling” a company's 1-800 phone number will yield several websites where consumers have gathered to discuss getting a phone call.

Google 8002239899

Web Maps Shopping Videos News More Search tools

About 6,190 results (0.28 seconds)

800-223-9899 / 8002239899 1/4 - 800Notes
800notes.com/Phone.aspx/1-800-223-9899
Did you get a call from 8002239899? Read the posts below to find out details about this number. Also report unwanted calls to help identify who is using this ...

8002239899 on tellows | 5 Comments (3 negative) for ...
www.tellows.com/num/8002239899
★★★★★ Rating: 2/9 - 5 reviews
Phone number 8002239899 from Toll-Free tagged as Cost trap 2 times: National Patient Account Services(NPAS) ... 865 searches on tellows, the online ...

Who Called Me? Cont.

Comments for 8002239899

Write a comment



Anonymous reported National Patient Account Services(NPAS) with the number 8002239899 [added on Jul 25, 2014 12:19:01 PM](#)
as Debt collection company

National Patient Account Services(NPAS) This company handles billing information for hospitals. They call you if you have a bill and would like to pay. In short, they are the company who takes care of billing for hospitals. They will call you over and over and over again.

reply to this comment



DebbiTooSmart reported enpath? with the number 8002239899 as Cost trap [added on Jun 27, 2014 4:48:43 PM](#)

This number, 800-223-9899, has called me three times in the past week. Has information about a doctor's visit, and the doctor's name, and my home address. Tries to tell me I owe \$187. I said the doctor had been paid, he (and she) said, no this was through the hospital. He doesn't go through the hospital. I called the number back today...Enpath (sounds like). Automated and tells you to push buttons to get to a live person. I hung up.

reply to this comment



Thomasthetank reported unknown with the number 8002239899 as Harassment calls [added on Jun 6, 2014 6:37:15 AM](#)

Be wary. They are calling you for payments missing or amounts in debts for hospital visits that you just didnt have. I got a call from some chap who advised there is an amount owing on a bill for the medical attention my wife sought at a Kentucky Hospital back in 2011. What??

reply to this comment



Deamon reported unknown with the number 8002239899 as Cost trap [added on May 27, 2014 3:42:12 AM](#)

What the hell is that idiot ?
A guy calls me and try to intimidate me to pay or give information.
Threats and heavy breath. I laughed at him and hang out.

reply to this comment



Who Called Me? Cont.

If you do not have someone monitoring this on a monthly basis, you are allowing a perception to be made about your company. This perception is going on “unchecked”.

Cyber Attacks

- Community Health Systems was hacked in April and June of 2014.
- Nearly 4.5 million patients data was believed to have been compromised
- It is believed that Malware was used to gather the information over a long period of time but has since been removed.

Auditing

There are simple easy steps that should be added to a monthly check list.

- Hashtag (#) Search
 - Try to search popular Social Media sites like Facebook, Instagram & Twitter
 - Searching for #YOURCOMPANYNAME could produce results positive or negative

Auditing Cont.

- Phone Number Searches
 - Google your company's phone number as discussed previously
 - Search for false or negative comments
 - Answer those you feel comfortable with
 - Attempt to contact the site's administrator for those that you do not feel comfortable addressing

Policy Language

A policy should exist that covers the DO's and DON'T's of Social Media Violations. Examples of language that the policy should include:

- Restriction on the use of Social Media while at work on a company owned device
- Standard language “includes but not limited to”
 - Blogs
 - Facebook
 - Myspace
 - Twitter
 - ETC.

Policy Language Cont.

- Establish Goals
 - Keep in mind that information shared over social media can reach a global audience.
 - Ask “What do you want to achieve”?

Policy Language Cont.

- Language about “unacceptable use that can/will result in termination”
 - Harassing a patient or co-worker
 - Impersonating a patient
 - Participating in a political or religious debate in the company’s name

Key Take Away Points

- Remember that Social Media is here to stay
- Policies should be in place for Social Media
- Reach out to your peers for opinions
- Don't overthink writing the policy
- Don't under think writing the policy

Questions

