

# Three P's of Digital *Privacy, Protection, and*

Social networking has sparked many questions for counselors, such as, "Is it ethical to utilize a search engine such as Google to look up a client?" and "Should I accept a client's friend request on Facebook?" You can protect your career, your reputation, and your license by following three P's of digital ethics: privacy, protection, and policy.

## **PRIVACY**

You are responsible for keeping client information confidential, whether it's in speech, in print, or online. Adhere to the Health Insurance Portability and Accountability Act (HIPAA) privacy rules and professional standards such as the Code of Ethics from the American Counseling Association.



Because encryption of e-mails isn't universally available, don't include anything you wouldn't feel comfortable posting in public for all to read. Consider including a signature line in your e-mail that reminds clients the information exchange isn't secure. The need for privacy extends to social networking venues such as Facebook, Twitter, and blogs. Don't post information related to a client even if you think it can't be linked back to him or her—you may end up in court. In June 2010, for example, Tri-City Medical Center in Oceanside, Calif., fired five nurses for allegedly discussing patient cases on Facebook, even though apparently no names were disclosed. Using a pseudonym isn't enough. There may be enough information elsewhere online for someone to put

the pieces of the puzzle together. If you want to post information about a case for educational purposes, obtain consent from the client but still omit names and key identifying information. Keep in mind that your lecture at a professional meeting may end up online on YouTube.

## **PROTECTION**

Protection includes both clients and counselors. Experts differ on whether it's ethical to "Google" clients before accepting them or to

# Legal Ethics: Policy

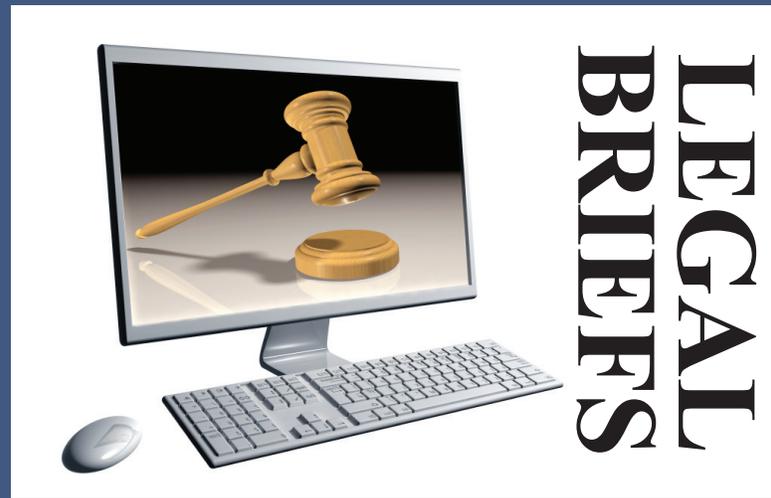
verify information. Ofer Zur, Ph.D., a psychologist who speaks on social media issues and offers continuing education courses on the topic, says that professional counselors with home offices may want to prescreen new clients by conducting an online search. Zur adds that it's important to have a "well-articulated reason" before conducting online searches of clients. You may want to obtain permission from the client beforehand. Zur also suggests you periodically search online for your own name. You may find that clients have commented or rated you on sites such as Yelp.com.

Many experts recommend you don't become "friends" with clients on Facebook, LinkedIn, MySpace, or other social sites because it crosses the boundary of the therapeutic relationship. Remember to set your privacy settings on your personal page.

## POLICY

Establishing policies helps clients understand the ground rules. For instance, include social media information in new-client packets. Tell them not to contact you via your personal Facebook page and that even though you have a Twitter account, you will not "follow" clients.

Clients who want to follow you on Twitter or a blog but want to maintain privacy might consider



using an RSS feed to protect their identity. A sample social media information page for clients can be found at [www.drkkolmes.com/docs/socmed.pdf](http://www.drkkolmes.com/docs/socmed.pdf). You can find examples of organizational social media policies at <http://ebennett.org/hsnl/hsmp>. Another ground rule might be not texting or phoning during a session. Be aware that younger clients see nothing wrong in multitasking—they've likely been doing it for most of their lives. However, it's certainly reasonable to ask a client not to use smartphones during a session.

### What is acceptable?

Agreement on correct behavior for online client-related communication is far from universal. It's best to err on the side of caution when making decisions in this area and to keep current on new developments.

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