

USE OF SOCIAL MEDIA



Draft Guideline G-012

Quality Assurance Committee

Approved by Council for Distribution and Feedback: February 23, 2016

Approved by Council: April 26, 2017 (came into effect June 23, 2017)

Note to readers: In the event of any inconsistency between this document and the legislation that affects chiropractic practice, the legislation governs.

INTENT AND OBJECTIVES

- To fulfil the objective under the *Regulated Health Professions Act, 1991 (RHPA)* to develop, establish, and maintain standards and programs to promote the ability of members to respond to changes in practice environments, advances in technology and other emerging issues.
- To outline the uses of social media in a professional context;
- To provide guidelines to members on how to engage in social media while continuing to meet legal, regulatory and professional obligations.

DESCRIPTION OF GUIDELINE

Introduction

The term social media refers to all web and mobile technologies and practices that are used to share content, opinions, experiences and perspectives online. Social media has become widely used by people as a means of communication and in many instances, has become the preferred method of communication. Examples of social media platforms include, but are not limited to: Webpages, Facebook, Twitter, Youtube, LinkedIn, and blogging sites.

Social media may present opportunities to enhance patient care, education about chiropractic, intra and inter-professional communication and collaboration, and opportunities for continuing education and professional development.

A member is expected to comply with all existing legal, regulatory and professional obligations when engaging in the use of social media, including all relevant legislation, regulation, standards of practice, policies and guidelines. The following guidelines identify some of those obligations as they relate to the use of social media.

Guidelines

A member must:

- comply with all legal and professional obligations to maintain privacy and confidentiality in accordance with the *Personal Health Information Protection Act, 2004 (PHIPA)* and CCO standards of practice. A member may not divulge information through social media that identifies a patient by name or through a combination of other identifying information.

Any communication between a member and patient, such as providing information or scheduling an appointment, must be done through secure private messaging only. A member must have a clear understanding of the privacy settings available in any use of social media, and apply their use accordingly. While patients or members of the public may make themselves publically known through posting, a member must not breach the privacy or confidentiality of a patient in any context. A member must also exercise caution when blogging so as not to identify a patient.

- not provide any clinical advice, communicate a diagnosis and/or guarantee results to a patient or any member of the public through social media. However, a member may provide general health information related to the chiropractic scope of practice for educational or informational purposes. All health related information and links posted must be related to the chiropractic scope of practice.

The chiropractic scope of practice is defined in the *Chiropractic Act, 1991* and further explained in Standard of Practice S-001: Chiropractic Scope of Practice. This includes adjunctive diagnostic and therapeutic procedures that are in the public domain, such as nutritional counselling, prescribing orthotics, giving advice on lifestyle and exercise, providing therapeutic modalities.

A member must be cognizant of the risks of using social media for professional reasons, such as a member of the public incorrectly applying information found online to their personal health situation. Whenever a member uses his/her professional designation or provides health related information, that member is viewed as acting in a professional capacity. A member must exercise caution when posting health related information, so that it be clearly used for education or informational purposes, and must not be used as clinical advice.

- exercise caution when posting health related information and links to journal articles or academic information to ensure he/she is not infringing on any copyrighted material.
- maintain appropriate professional boundaries, and avoid posting information, comments or images that may be perceived as disgraceful, dishonourable or unprofessional. A member is further encouraged to have separate personal and professional social media pages;
- not post any information to social media that may be perceived as harassment, bullying, or inflammatory comments. A member is expected to comply with Guideline G-009: Code of Ethics in use of social media;

- comply with relevant advertising provisions in Standard of Practice S-016: Advertising when using social media for advertising purposes¹;
- understand that information that is posted online cannot be removed easily. A member must consider his/her legal, professional and regulatory obligations and exercise good judgment and caution before posting material to social media.

LEGISLATIVE CONTEXT

Ontario Regulation 852/93 under the *Chiropractic Act, 1991*

The following are acts of professional misconduct for the purposes of clause 51 (1) (c) of the Health Professions Procedural Code:

10. Giving information about a patient to a person other than the patient, his or her authorized representative, or the member's legal counsel or insurer, except with the consent of the patient or his or her authorized representative or as required or allowed by law.
16. Using a term, title or designation in respect of a member's practice contrary to the policies of the College.
17. Using a term, title or designation indicating a specialization in the profession contrary to the policies of the College.
28. Contravening the Act, the *Regulated Health Professions Act, 1991* or the regulations under either of those Acts.
29. Contravening a federal, provincial or territorial law, a municipal by-law or a by-law or rule of a hospital within the meaning of the *Public Hospitals Act*, if the contravention is relevant to the member's suitability to practise.
33. Engaging in conduct or performing an act that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional.

This guideline should be read in conjunction with:

- Standard of Practice S-001: Chiropractic Scope of Practice
- Standard of Practice S-016: Advertising
- Guideline G-001: Communication with Patients
- G-009: Code of Ethics

¹ Advertising is defined in Standard of Practice S-016: Advertising as "any message communicated outside a member's office through a public medium that can be seen or heard by the public at large with the intent of influencing a person's choice of service or service provider."

