



College of Homeopaths of Ontario

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STANDARDS AND GUIDELINES

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

College publications contain practice parameters and standards which should be considered by all Ontario homeopaths in the care of their patients and in the practice of the profession. College publications are developed in consultation with the profession and describe current professional expectations. It is important to note that these College publications may be used by the College or other bodies in determining whether appropriate standards of practice and professional responsibilities have been maintained.

INTENT

The intent of this guideline is to provide guidance to Registrants and the public about the College of Homeopaths' (the "CHO" or the "College") expectations concerning electronic communication and social media.

PREAMBLE

Electronic communication and social media create additional options for extending and enhancing patient and public education. However, as the number of channels of communication in society increases rapidly, so does the rate of misuse. Professional boundaries can blur. Even the most experienced Registrants may be susceptible to unintentional mistakes. Maintaining professional boundaries in all forms of communication, technology – related or not, is vital to maintaining the public trust and appropriate professional relationships with patients.

Registrants must be aware of the numerous challenges and the ramifications associated with the use of electronic communication and social media.

It is the purpose of this advisory to identify potential dangers and to offer suggestions about how to avoid them.

DESCRIPTION OF GUIDELINE

New Frontiers in Healthcare

Electronic communication and social media can be effective when used cautiously and professionally. They serve a range of purposes, from helping patients to communicating with potential new patients and educating the public in Ontario and elsewhere.

¹ Source: Ontario College of Teachers



Registrants also use the Internet and social networking sites as instructional tools and for professional development, seeking medicine, and new developments.

However, the most popular social media for educational purposes and their use can expose Registrants to risk when it comes to maintaining professionalism. It is up to Registrants to know and respect proper professional boundaries with patients, even when others initiate electronic interaction.

Private vs. Professional

There is a distinction between the professional and private life of a Registrant. Practitioners are individuals with private lives, however, due care should be exercised.

Registrants should maintain a sense of professionalism at all times – in their personal and professional lives. Registrants are reminded that a finding of professional misconduct can be made if actions or omissions in their personal lives are determined to be unbecoming conduct.

Professional Vulnerability

Practitioners can be vulnerable to unintended misuses of electronic communication. Social media encourages casual dialogue. Even the most innocent actions can be easily misconstrued or manipulated. The immediacy and simplicity of a text message, for example, may lead to longer, informal conversations. Rules may relax and informal salutations may replace time-respected forms of professional address.

Electronic messages are not anonymous. They can be tracked, misdirected, manipulated and live forever on the Internet. Social media sites create and archive copies of every piece of content posted, even when deleted from the author relinquishes all control.

The use of the Internet and social media, despite best intentions, may cause registrants to forget their professional responsibilities and the unique position of trust and authority given to them by society. The dynamic between a registrant and a patient is forever changed when the two become “friends” in an online environment.

Registrants should never share information with patients in any environment that they would not willingly and appropriately share in an office related setting.

Online identities and actions are visible to the public and can result in serious repercussions or embarrassment. As the Office of the Privacy Commissioner of Ontario notes, users may intend to share their online existence solely within their own network, but in theory anyone can access the users’ musings, photos and information. Further, the words can be altered, forwarded and misquoted.



Criminal and Civil Law Implications

Inappropriate use of electronic communication and social media can also result in a Registrant being criminally charged and convicted or facing civil action. Examples of actions and resulting charges are:

- making inappropriate online comments that lead to civil actions, such as defamation
- disclosing confidential information about patients and colleagues, thus breaching privacy policies and legislation
- breaching a court-ordered publication ban
- inciting hatred from identifiable groups
- using technology to harass a patient, colleague or others, contrary to the *Criminal Code*
- exchanging or forwarding unauthorized photos, videos or audio recordings of patient cases leading to charges of violation of privacy.

Electronic communication and social media can also be used as evidence in criminal and civil proceedings. The findings and orders of a criminal or civil proceeding are used as evidence in CHO disciplinary hearings.

Disciplinary Implications

Intentional or inadvertent misuse of social media and electronic communication could have serious disciplinary consequences professionally. Inappropriate online, e-mail and telephone conversations between registrants and others, including patients, colleagues, authorized representatives, guardians, employers, family and friends, expose Registrants to the possibility of disciplinary action.

Even one-time errors in judgment involving the exchange of photos, videos, audio recordings or comments of a personal nature may lead to a complaint of professional misconduct.

Inappropriate use of e-mails and other forms of electronic communication have been used as evidence in disciplinary cases and cited in findings of professional misconduct.

The College of Homeopaths of Ontario has a zero-tolerance policy on sexual abuse of a patient or their representatives.

Some behaviours that have warranted disciplinary measures include:

- inappropriate electronic communication with patients
- sending graphic sexual materials electronically to patients

Minimizing the Risks: Advice to Registrants

Interact with patients appropriately

- Maintain your professional persona by communicating with patients electronically at appropriate times of the day and through established platforms (for example, a web page dedicated to your practice, rather than a personal profile).
- Maintain a formal, courteous and professional tone in all communications with patients to ensure that professional boundaries are maintained.



- Avoid exchanging private texts, phone numbers, personal e-mail addresses or photos of a personal nature with patients.
- Decline patients—initiated “friend” requests and do not issue “friend” requests to patients from your personal site or page.

Understanding Privacy Concerns

- Operate in all circumstances online as a professional – as you would in the practice.
- Manage the privacy and security settings of your social media accounts. Privacy settings can shift and change without notice. Check the settings frequently.
- Assume that information you post can be accessed or altered.
- Ensure that the privacy settings for content and photos are set appropriately and monitor who is able to post to any of your social media locations. Patients should not be among those who are allowed to view or post on your private site. Remember, no privacy mechanism is guaranteed.
- Monitor regularly all content you or others post to your social media accounts and remove anything that is inappropriate.
- Ask others not to tag you on any photographs without your permission.
- Ask others, in writing, to remove any undesirable content related to you.
- Do not post pictures or case information about patients without their written permission.

Act Professionally

- Consider whether any posting may reflect poorly on you, your practice or the homeopathic profession.
- Be transparent and authentic. Use your true professional identity at all times. Even if you create a false identity, courts can compel disclosure of your true identity.
- Avoid online criticism about patients, colleagues, your employer, other health care professions, or others within your community.
- Avoid impulsive, inappropriate or heated comments.
- Ensure that your comments do not incite others to make discriminatory or other professionally unacceptable comments.
- Respect the privacy and confidentiality of patient information.
- If you are employed, be aware of your employer’s applicable policies and programs regarding the use of social media/electronic communications and the appropriate use of electronic equipment. Even if your employer has no applicable policy, it is your responsibility to exercise good judgment.

Important questions to ask yourself

- When interacting with patients electronically am I using electronic communication and social media to enhance their healthcare or to satisfy a personal need?
- What are my reasons for sharing this information with a patient – are they professional or are they personal?
- Is this picture or comment something I would be comfortable with my patients, other professionals, my employer or the CHO seeing?
- Would my peers or supervisors/employer consider what I have posted as reasonable and professional?
- Would I communicate this way in my practice?



- Are the photos, videos or audio recordings I am posting susceptible to misrepresentation or manipulation?
- Am I keeping current in my awareness and knowledge of social media technology developments to protect myself from misuse?

Registrants should be able to answer this: How does my online presence – that which I control and that which is posted by others – reflect on my professionalism, and how does it reflect on the homeopathic profession?

Maintaining professional boundaries in all forms of communication, technology-related or not, is vital to maintaining the public trust and appropriate professional relationships with patients.

RELEVANT COMPETENCIES & PERFORMANCE INDICATORS

*Note to Readers: The performance indicators listed below each competency are examples of the possible indicators which demonstrate performance consistent with the competency. The list of performance indicators is not exhaustive. For complete information please refer to College documents *Competency Profile for Entry-to-Practice Homeopaths Practising in Ontario* (February 27, 2012) and *Performance Indicators* (March 2012).*

- 1.9 Use effective communication to develop professional relationships with patients, families and other health-care professionals.

PERFORMANCE INDICATORS

1. Use clear and concise written communication.
2. Use clear and concise verbal communication.
3. Adapt communication to recipient. (e.g., patients, families and other health-care professionals.)
4. Confirm that communication is being understood by recipients.

DEFINITIONS

For the purpose of this guideline, the following definitions apply:

Homeopath

“Homeopath” means a registrant of the College of Homeopaths of Ontario.

Registrant

A Registrant is a member of the College of Homeopaths of Ontario.

LEGISLATIVE CONTEXT

Homeopathy Act, 2007, Ontario Regulation 315/12 Professional Misconduct (Note: This regulation is not yet in force. It comes into force on the day named by proclamation of the Lieutenant Governor.):

5. Giving information about a patient to a person other than the patient or the patient’s authorized representative except with the consent of the patient or the authorized representative or as required or authorized by law.
16. Acting or being in a conflict of interest in one’s professional capacity.



26. Making a claim about a homeopathic treatment, other than a claim that can be supported as reasonable professional opinion.
27. Using or permitting the use of a testimonial from a patient, former patient or other person in the advertising of the member or his or her practice.
48. Engaging in conduct or performing an act relevant to the practice of the profession that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional.
49. Engaging in conduct that would reasonably be regarded by members as conduct unbecoming a member of the profession.

RELATED DOCUMENTS

- #6 Standard of Practice on Advertising
- #14 Standard of Practice on Principles of Professional Ethics
- #1 Guideline on Record Keeping and Privacy of Information

SOURCE

Ontario College of Teachers