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INTRODUCTION

• Generally the object of every regulatory authority is to:

  • secure in the public interest the highest standards in the training and practice of medicine or dentistry.
MANDATE

Standards

Training

Regulation

Registration
Technology, and recently Social Media (SM), has revolutionised health service delivery.

- **ICU** – Raise questions about traditional notions of death and dying.
- **Organ Transplantation** – Issues around the dead donor rule
- **Gene Therapy/Stem Cell Research** - Raise ethical and legal issues

All of these technologies bring new prospects of securing a cure, successful treatment and a happier life but the hope of new prospects comes with new challenges. Usually, ethical, legal and regulatory.
• Social networks includes the use of technology such as YouTube, blogs, LinkedIn, storify, and flicker, podcast, e-newsletters, Instagram, RSS feed, Pinterest, and whatsapp.
USE OF SOCIAL MEDIA IN MEDICINE
The Good

- **Patients:** some patients are well versed in the use of SM and legitimately, expect their healthcare professionals to be equally adept. Most of them use to:
  - gain knowledge and understanding of their condition
  - share experiences on their conditions through patient groups and networks.
  - Help them make decisions such as which doctor to consult, hospital to go to or causes of treatment they prefer etc.
The Good Cont.

- **Practitioners**: Most practitioners use SM to:
  - create professional networks where they connect with peers and share medical knowledge within the professional community.
  - share experiences and best practices to improve upon quality of care.
  - communicate and receive prompt feedback or guidance on the handling of complex medical conditions.
  - provide education on various aspects of health to their followers.
  - receive valuable advice on hard cases that raise serious medico-legal issues.
• **SM** can thus be said to constitute an important resource or forum where health professionals, patients and members of the public may meet and exchange ideas on issues of health concern with the goal to achieving health promotion, disease prevention, lifestyle modification and improved health outcomes.
Not So Good

- **Patients**: Improper use of SM may lead to:
  - Misunderstanding of complex technical information due to contextual limitations.
  - Abandonment of professional advice on the basis of unverified or unverifiable information.
  - Improper relationships with health professionals (exchange of sexually explicit pictures etc.)
  - Create fear and panic or undermine professional or institutional reputation based on unfounded allegations/speculations.
  - Etc.
Not So Good Cont.

- **Practitioners**: Improper use of SM may lead to:
  - Improper professional-patient/client relationships (sexual harassment etc.)
  - Unethical advertisements
  - Breaches in medical privacy, confidentiality and informed consent.
  - Damage of the reputations of other professional colleagues or institutions.
  - Misinformation of patients or public on matters outside their scope of practice or competence.
  - Etc.
NURSES
This man is being put into an induced coma. In a hallway. Hooked up to an ECG machine, which was in another room, and did not look marginally healthy. But no one else seemed concerned. And I was offered to take over breathing. Maybe later.
“Yeah your time is over. Send them to hell, where some of them belong. The rest goes into the hole for compost fertilizer, hehehe” (Global Post, 2013)
I just got this pic in a text~

GRAPHIC IMAGE

This is what a shotgun to the face can look like.

@thatspicegirl Self inflicted yes.

@muemong Yep! That would suck to be him when he woke up.
If he woke up!! 😞🔫
A woman who was treated for alcohol poisoning in an emergency room is suing her physician and the hospital after photographs taken of her while admitted were posted to social media sites. Chicago’s Northwestern Memorial Hospital, 2013

A first-year resident filmed another doctor inserting a chest tube into a patient. The patient’s face was clearly visible. The resident later posted the film on YouTube.

Physician Accused of Posting Patient Photos on Social Media

Three doctors at the Punjab Institute of Medical Sciences stirred a controversy by taking pictures in the midst of an “emergency” surgery on Friday night and posting these on social media. Tribune News Service Jalandhar, June 19, 2016

Doctors pose for pictures as patient lays cut open

An Emergency Medicine Physician was reprimanded by the Rhode Island State Board for “unprofessional conduct” and was fined after making comments on Facebook about a patient. Boston Globe, 2013

Doctor reprimanded after patient privacy breached on Facebook

The National Media Commission has condemned the publication of pictures of the remains of the late Mr. Paul Victor Obeng, lying at the morgue.

Ghana: DAILY GRAPHIC, 19 MAY 2014

India: Where are the ethics? Surgeon posts pictures of patient's internal organs on Facebook: The surgeon posted pictures of Faizal's innards on Facebook much to his shock.
REGULATORY CONCERNS

• The uptake of technology, especially, SM in healthcare practice, therefore, raises issues of ethical, legal and regulatory concern.

Legal:

- **Obsolete laws** – some of the laws mandating our regulatory councils were passed when there was no social media. As such, they do not sufficiently provide specific regulatory guidance on the use of SM in healthcare practice eg. Unethical / unlawful advertising, improper professional – patient / client relationships.
Institutional Polices / Ethical Guidelines:

- Most polices are not intune with the pace of technological development. As a result, there is no specific guidance on the proper or ethical use of SM eg. advertising on Facebook, YouTube, blogs, WhatsApp etc.
REGULATORY CONCERNS Cont.

- Regulatory:
  - The emergence of SM brought to the fore the gaps in our regulatory approaches and strategies in the 21st century (medical privacy, confidentiality, appropriate consent practices, etc.)
• As a consequence, uncontrol and wrongful use of SM by practitioners calls the reputation of our professions into disrepute but there is a problem of enforcement.

How does a regulator enforce standards in the absence of clear guidelines on the rightful or ethical uses of SM?
RECOMMENDATIONS

- Legislative reforms *(where appropriate)* to provide clear guidance to practitioners on the proper use of SM in the health care context.

- AMCOA should spearhead the development or harmonization of policies and rules of professional conduct in relation to the ethical use of SM for the guidance of, or adoption by, member Councils.
CONCLUSION

• The issues of regulatory concern raised by the use of SM in the professional setting are not only complex, they also call for a much more nuanced reflection on the appropriate regulatory response on the part of Regulatory Councils.

• Arguably, AMCOA is the best placed body to drive this dialogue.
THANK YOU