



Social Media

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Dual Nature

- ▶ **The Dual Nature of Social Media:** While platforms like TikTok and Instagram allow nurses to find community and share "day-in-the-life" content, they also act as public records that never truly disappear.

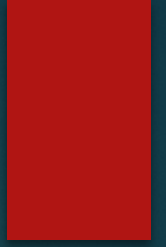
Malinda Cook

- ▶ [VCU nurse fired after posting menacing anti-ICE videos | Fox News](#)

Issues?

- ▶ What about Freedom of Speech?
- ▶ Did she deserve to get fired?
- ▶ What about ethical considerations?
- ▶ Hold those thoughts

Erik Martindale



- ▶ Unclear if CRNA, possible SRNA
- ▶ Social media post: Refusing to give anesthesia to any MAGA patients.



Erik Martindale

10h · 🌐

I will not perform anesthesia for any surgeries or procedures for MAGA. It is my right, it is my ethical oath, and I stand behind my education. I own all of my businesses and I can refuse anyone!



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Lexie Lawler

- ▶ This follows the dismissal of Lexie Lawler, a nurse from Florida, who was terminated for sharing a TikTok video in which she wished severe injuries, including a fourth-degree tear, for Karoline Leavitt, the pregnant White House Press Secretary. The demand for her suspension ultimately resulted in her firing from Baptist Health Boca Raton Regional Hospital.
- ▶ Florida attorney general moved to have her RN license terminated

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- ▶ Baptist Health terminated her employment. The hospital and state officials emphasized that healthcare workers must show concern for patient safety, and that expressing harm toward patients is unacceptable
 - ▶ Lawler's response is one of a freedom of speech claim

Beyond politics

- ▶ Several staff members at a California urgent care have been fired after they were placed on leave for posting a viral TikTok video showing them mocking what seems to be pap smear discharge left behind by patients
- ▶ Caption read: guess the substance

That's a group that decided to post!



Why post?

- ▶ Frustration
- ▶ Notoriety
- ▶ Think they are being funny

Not just anesthesia

- ▶ **The Incident:** In September 2021, a neonatal intensive care unit (NICU) nurse at Jackson Memorial Hospital in Miami, Florida, posted two photographs of a newborn with gastroschisis to her personal social media.
- ▶ **The Captions:** The posts included captions stating, "*My night was going great then boom!*" and "*Your intestines posed (sic) to be inside not outside baby! #gastroschisis.*"
- ▶ **The Outcome:** News outlets, television stations, and the hospital withheld the actual images from publication. Following an investigation into the privacy breach and HIPAA violation, hospital officials placed Samuels on administrative leave on September 8, 2021, and terminated her employment on September 15, 2021.

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- ▶ **The Tennessee Pediatric Nurses:** Two nurses at Le Bonheur Children's Hospital in Memphis lost their jobs over a TikTok video. They laughed and complained about a young patient crying after a needle poke for a gunshot wound



Hospital Response

- ▶ We have received many questions and concerns regarding a TikTok video that recently went viral. We want to let you know that as soon as we became aware of this situation two weeks ago, we conducted a thorough investigation into the matter. The sentiments expressed in this video are unacceptable and not our culture of patient-and family-centered care. We immediately took steps to address the situation to the full extent of our policy. The individuals are no longer working here.
- ▶ We also have taken steps to reinforce our strong social media policy and will continue our regular social media training with staff.

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- ▶ The Texas ICU Nurse: Texas Nurse Fired for Social Media HIPAA Violation describes a nurse who posted details on Facebook about a child suffering from measles. Sharing these medical facts broke privacy rules even without naming the child

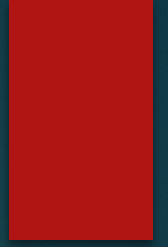
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- ▶ The pediatric ICU/ER nurse worked at Texas Children's Hospital and posted a series of comments on Facebook about a rare case of measles at the hospital. The nurse was an anti-vaxxer and posted about the experience of seeing a boy at the hospital suffering from the disease – a disease that could have been prevented through vaccination.

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- ▶ Texas Children's Hospital suspended the nurse when officials found out about her social media posts and an investigation was launched. After receiving the suspension, the nurse appeared to realize that she had shared too much information and deleted several of her posts. Four days after the nurse was suspended the decision was taken to fire her for the HIPAA violation. An official from Texas Children's Hospital confirmed the nurse lost her job as a result of violating hospital policies and federal laws by posting protected health information on social media, and not for her anti-vaxxing views.

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- ▶ As this incident shows, the patient does not need to be mentioned by name in order for them to potentially be identified. If any personally identifiable protected health information is posted on social media without consent first being obtained from the patient, it constitutes a violation of the HIPAA Privacy Rule.

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- ▶ **The California Nursing Home Staff:** Five workers at a Gridley nursing home were fired and faced criminal charges. They filmed inappropriate videos of elderly residents and posted them on Snapchat.

Legal/regulatory considerations



- ▶ **Legal & Regulatory Framework**
- ▶ **HIPAA Violations:** Even if a patient isn't named, identifying details (room numbers, specific diagnoses, visible charts in the background) can lead to fines ranging from **\$100 to \$50,000** and immediate termination.
- ▶ **State Boards of Nursing (BON):** Boards can impose sanctions including fines, probation, or permanent license revocation for "unprofessional conduct".
- ▶ **At-Will Employment:** Private employers can terminate nurses for "reputational harm" even if the content was posted from home.

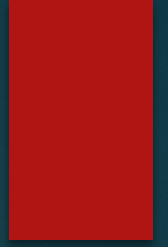
Additional considerations:

- ▶ Ethical violations
- ▶ Policy violations
- ▶ Legal violations

Common pitfalls

- ▶ **The "Private Group" Myth:** Content shared in private groups or "Close Friends" stories can still be screenshotted and reported by colleagues or the public.
- ▶ **Vent Posts:** Complaining about "difficult" patients or "lazy" coworkers on camera often violates lateral violence and professional conduct policies.
- ▶ **Background Hazards:** Recording in clinical areas risks capturing patient faces, monitors, or whiteboards in the background.

Freedom of Speech you say?



- ▶ Social media platforms are not protected by the First Amendment in terms of guaranteeing users a right to post, because the First Amendment only prevents *government* censorship, not restrictions by private companies. As private entities, platforms like Facebook, X, and TikTok have their own free speech rights to curate, moderate, and remove content according to their own rules.

Lets dig into HIPAA

- ▶ **Myth vs. Reality**
- ▶ **The "No Name" Myth:** Many healthcare workers believe a post is perfectly fine *"as long as I don't mention the patient's name."* **This is completely false.** HIPAA protects all Protected Health Information (PHI) and individually identifiable health information. If a reasonable person can infer who the patient is based on the context, location, timing, or details of an unusual case, it is a direct HIPAA violation.
- ▶ **The "Private Settings" Myth:** Relying on a "private" account, a closed Facebook group, or "disappearing" content like Instagram Stories offers zero legal protection. Anything shared digitally can be screenshotted, saved, and shared outside of your intended audience.

► The Psychological Trap: Compassion Fatigue and "Venting"

- We must acknowledge the emotional reality of working in medicine. Healthcare is stressful. Workers experience intense pressure, frustration, and compassion fatigue. Naturally, people want to decompress after a grueling shift.
- However, **social media is not a safe outlet for emotional expression.** When staff turn to personal accounts to vent about a "difficult patient" or a chaotic ER shift, they naturally include specific details to tell a compelling story. When those details are tied to your personal profile—which likely lists your job title and city—the patient becomes easily identifiable. Organizations must provide internal support channels so staff can process stress safely without exposing PHI.



Cost of noncompliance

- ▶ **2015** California Registered Nurse ePosted photos of a patient's surgical wounds on Instagram. No name was used, but the photo showed identifying tattoos and a room number. **License Revoked** by the Board of Nursing.
- ▶ **2019** Elite Dental Associates Responded to a patient's negative online review by disclosing the patient's name, treatment plan, and insurance details. **\$10,000 Financial Fine**
- ▶ **2022** Dr. U. Phillip Igbinalador & Associates Disclosed a patient's name and treatment information while responding to a social media complaint. **\$50,000 Financial Fine** issued by the OCR.
- ▶ **2025** Florida Nurse Livestreamed a medication administration pass on TikTok. **Terminated** and **License Suspended**.

Safeguards

- ▶ **Never acknowledge a patient relationship online.** This includes liking, sharing, or commenting on a patient's personal post. Even a well-meaning comment like *"Glad you are feeling better!"* publicly confirms that the individual is receiving medical treatment from your facility.
- ▶ **The Authorization Rule:** Sharing any patient imagery or data on social media is **only permissible if you have a signed, written HIPAA authorization** explicitly allowing social media publication. However, remember that once something is online, it is permanent. If a patient revokes their authorization later, it is virtually impossible to scrub all copied or shared versions from the internet.
- ▶ **Audit your background.** If you take a photo or film a video inside a clinical area, check the background meticulously. Are there computer monitors visible? Whiteboards with names? Patient faces? Room numbers? If yes, do not post it.
- ▶ **Separate personal and professional identities.** Ensure your personal profiles do not claim to speak on behalf of your employer. Keep your interactions professional and avoid inflammatory language.

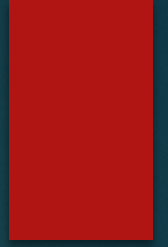
Don't

- ▶ Take photos or videos in clinical areas, even if no patient is visible.
- ▶ Connect with current or former patients on personal accounts.
- ▶ Post while on the clock (timestamps can be used as evidence of neglect).

Do

- ▶ Use the [American Nurses Association \(ANA\) Social Media Principles](#) to guide your content.
- ▶ Include a disclaimer stating "views are my own" in your bio.
- ▶ Review your employer's specific social media policy annually.

ANA Principles



- ▶ Be aware of your audience. Make sure that the content of your posts is appropriate for the people who will be seeing it and may share it with others.
- ▶ Maintain your professionalism. Avoid posting anything that could be considered unprofessional or inappropriate, such as photos or videos of patients.
- ▶ Know your social media policy. Familiarize yourself with your employer's social media policy and adhere to it across all the social media platforms that you choose to use.
- ▶ Secure your social media profiles. Review and set-up the respective privacy settings for the social media platforms that you choose to use.
- ▶ Share credible information only. The dissemination of credible and reliable information protects the health and well-being of the public.
- ▶ Engage with respectful content. Do not share content that is harmful, disparaging, racist, homophobic, or derogatory.

Consider

- ▶ If you would not say it in front of a patient's family member or your boss, then do not post it.

Additional considerations

- ▶ What about CRNAs posting how much money we make?
- ▶ Open discussion

Additional considerations

- ▶ What about posting anti doc or anti AA material?
- ▶ Open discussion

Additional Cases

- ▶ New Jersey 2012
- ▶ **Description:** A nursing assistant photographed a resident's genitals and sent the picture to a friend, who uploaded it to Facebook. The assistant was fired. Both were charged with invasion of privacy and conspiracy. The New Jersey Attorney General's office said the worker was given probation; her friend pre-trial intervention. A spokesman for CareOne, Tim Hodges, said in an interview that the home itself reported the incident to authorities and has a "very strict policy on the use of no mobile devices or cameras in our facility. Fortunately we have not had an incident since then."

2012 NY

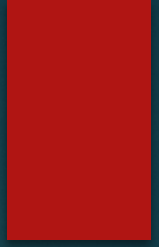
- ▶ A year after she stopped working at the home, a former nurse aide posted a video to Facebook in which an elderly wheelchair-bound resident was harassed. The video showed a hand briefly tugging at the resident's hair. Voices in the video could be heard taunting her, saying among other things: "The boss lady said that if you don't wash the dishes, she will slap the black off you...and she called you a bitch." The aide pleaded guilty to one count of willful violation of health laws, a misdemeanor. The home's administrator Susan Murty said an investigation started immediately when an employee discovered the posting and the home worked with authorities to determine its scope. "Most of the people who work in nursing homes are really wonderful people and it's a shame that this is what people talk about. That's always our frustration," she said.

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- ▶ Snapchat 2012 Wisconsin
 - ▶ Two workers took photos and videos of nude or partially nude elderly residents and shared them on Snapchat. One picture showed a resident vomiting; another video showed a resident being assisted with an obstructed bowel, according to a criminal complaint. The employees admitted taking photos and sharing them with one another and with friends. Both pleaded no contest to misdemeanor counts of disorderly conduct and invasion of privacy through use of a surveillance device. A lawyer for the facility told the Green Bay Press-Gazette at the time the women were charged that both were screened before they were hired, and both were fired after an investigation. The current executive director declined to comment beyond saying the facility has changed ownership since the incident.



- ▶ Dunmore PA
- ▶ The name and picture of a resident with Alzheimer's disease were posted on a nursing assistant's Instagram page. The resident "was incapable of granting permission for this social media post and did not give such permission," according to a government inspection report. In its plan of correction, the home said the photo was removed from Instagram and no other residents were affected. The home's administrator declined to comment.





- ▶ California
- ▶ A nursing assistant posted a picture of a resident's hand on Facebook, with a caption akin to "I am holding her hand til she falls asleep." A comment posted below the photo by a second nursing assistant had a question that included the resident's first name. Both employees were "counseled" for not maintaining confidentiality.