

New Ethical Dilemmas in the Digital Age



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National Frontier & Rural

ATTC

Addiction Technology Transfer Center Network
Funded by Substance Abuse and Mental Health Services Administration



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Presentation Outline

- 1. Digital Types***
- 2. Use of Technology and Social Media***
- 3. Ethical Codes and Social Media***
- 4. Emailing & Texting Clients – Privacy & Security***
- 5. Social Media Policies***

10,000 foot view



Technology has invaded our lives ...






... and its *Creeping* into professional
practice

Longtime News Anchor Speaks Out After Being Fired for 'Racist' Facebook Post About Mass Shooting

D'Angelo Russell issues apology for video incident involving Lakers teammate Nick Young



 **Alicia Ann Lynch**
@SomeSKANKinMI [Follow](#)

I have been fired from my job. I am paying for what I thought was a simple joke. I know it was wrong now. I wasn't thinking.

11:34 PM - 1 Nov 13

[Reply](#) [Retweet](#) [Favorite](#)

 **Alicia Ann Lynch**
@SomeSKANKinMI [Follow](#)

Ptz stop with the death threats towards my parents. They did nothing wrong. I was the one in the wrong and I am paying for being insensitive

11:50 PM - 1 Nov 13

[Reply](#) [Retweet](#) [Favorite](#)

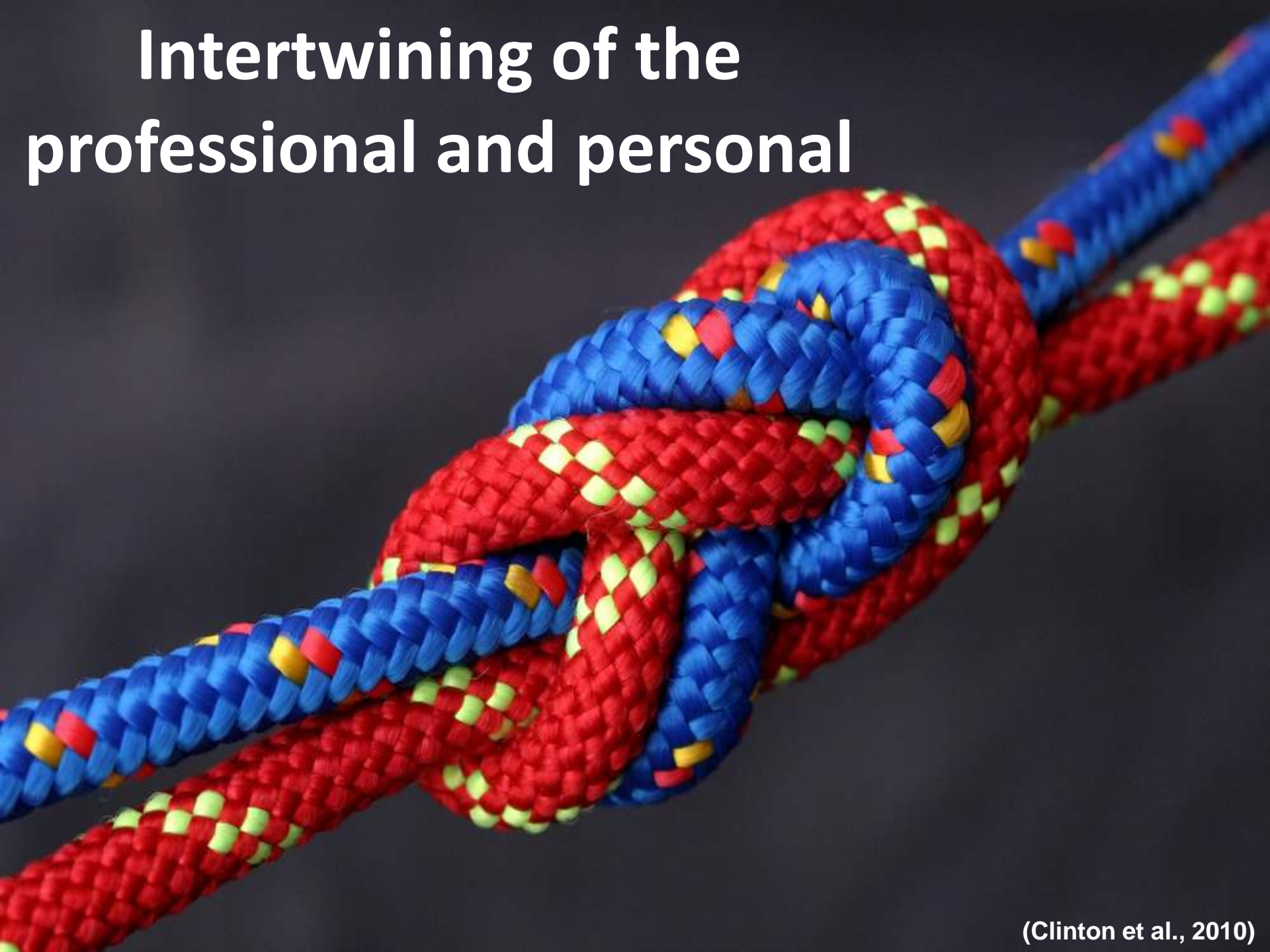
 **Alicia Ann Lynch**
@SomeSKANKinMI [Follow](#)

Please stop spreading around my parents number, and my home address. **THEY DID NOTHING WRONG.**

11:51 PM - 1 Nov 13

[Reply](#) [Retweet](#) [Favorite](#)

Intertwining of the professional and personal





Attorney at Law



Use of technology by counselors

- is increasing
- presents unique ethical dilemmas

Practitioners are vulnerable to being *blindsided* by NEW ethical dilemmas



(Crowley & Gottlieb, 2012)

“Why did I not see this coming?”



(Crowley & Gottlieb, 2012)

Some professionals are....

...ethically astute but struggle to keep up with the technology.



...comfortable with technology but less familiar with ethical codes.

UNETHICAL
UNETHICAL
UNETHICAL
ETHICAL



DIGITAL TYPES





Digital Immigrants

(Zur, 2012; Prensky, 2001)

Digital Immigrants

... people born before or about 1964 and who grew up in a pre-computer world



Like all immigrants... as Digital Immigrants learn to adapt to their environment, they retain, to some degree, their 'accent' ...



**What is your
digital accent?**



**I am a digital
immigrant...**

Digital Accent...

Comparison of Digital Types

Digital Immigrants

- Prefer to talk in-person or on the phone
- Don't text or only sparingly
- Prefer synchronous communication
- Prefer receiving information slowly: linearly, logically, & sequentially
- Prefer reading text (i.e., books) on processing pictures, sounds & video

Digital Natives

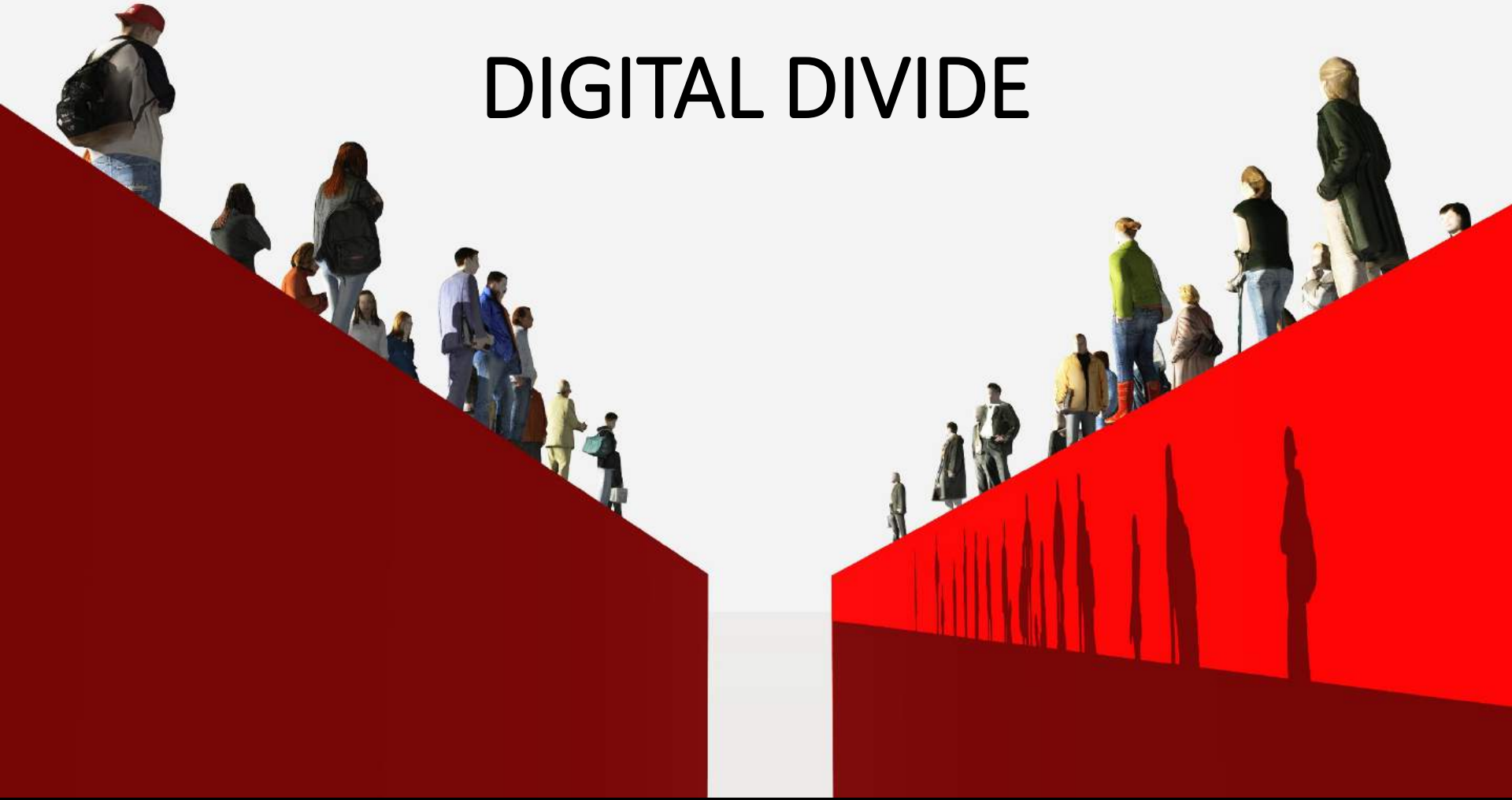
- Prefer to talk via chat, text, or messaging thru social media
- Text more than call
- Prefer asynchronous communication
- Prefer receiving information quickly & simultaneously from multiple multimedia & other sources
- Prefer processing /interacting with pictures, graphics, sounds & video before text

Other Digital Types

Ways to sort people other than age

- **Attitudes**
- **Comprehension**
- **Relationships**
- **Practices**
- **Comfort with technology**

DIGITAL DIVIDE



Younger clinicians and those with smartphones found the app more usable than older clinicians and those without smartphones.

These variables predicted clinicians' intentions to use the PTSD app in treatment with Vets.



1994 Today Show



“What is the Internet, anyway?”

Unsure About Technology?



"It's too late! Bob's brain has been sucked out by the internet!"



"We too thought we could resist social media."

**Digital Native or Digital Immigrant?
Where do you fall?**



"All I'm saying is now is the time to develop the technology to deflect an asteroid."

A person in a dark suit is standing on the right side of the frame, writing the word "RESPONSIBILITY" in large, black, uppercase letters on a large whiteboard. The whiteboard is mounted on a light-colored wall. The person is seen from the back, with their right arm raised holding a marker. The floor is a light, neutral color.

RESPONSIBILITY

Behavioral health professionals must be knowledgeable about and open to this new digital culture

Use of Technology and Social Media





People are using technology



90% of American adults
have cell phones



64% have smart phones

(Pew Report, 2015)

Use of online and mobile technologies is increasingly ubiquitous across age, race/ethnicity, and geography.

Increasingly, consumers rely on Internet- and smartphone-based tools for health information and tracking.





90% of people over

age 6 will own
SMARTPHONES by 2020


**No matter a person's salary...
more people own cell phones
than use the internet**



(Fox, 2013)

Americans now spend an average of **34 hours** per month using mobile apps and mobile web browsers

but only 27 hours a month getting online with their PCs

A person wearing a dark blue V-neck t-shirt is holding a black smartphone with both hands. The person's face is not visible. The background is a soft, out-of-focus light color. Overlaid on the image is the text "80% send and receive text messages".

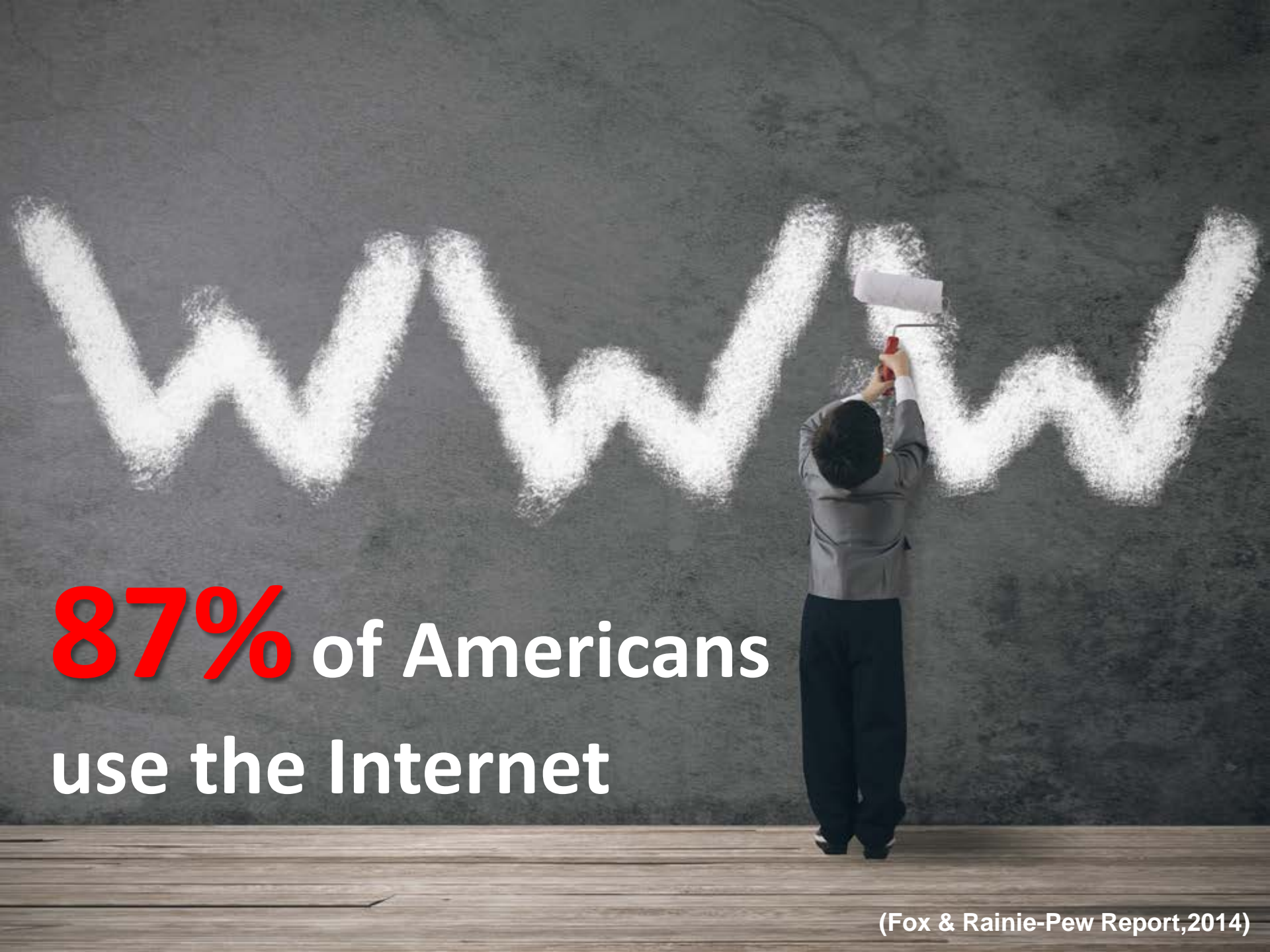
80% send and receive
text messages

(Pew Report, 2012)

A photograph of a group of young women in a social setting, possibly a school or a public event. They are all looking down at their smartphones. The image is faded and serves as a background for the text.

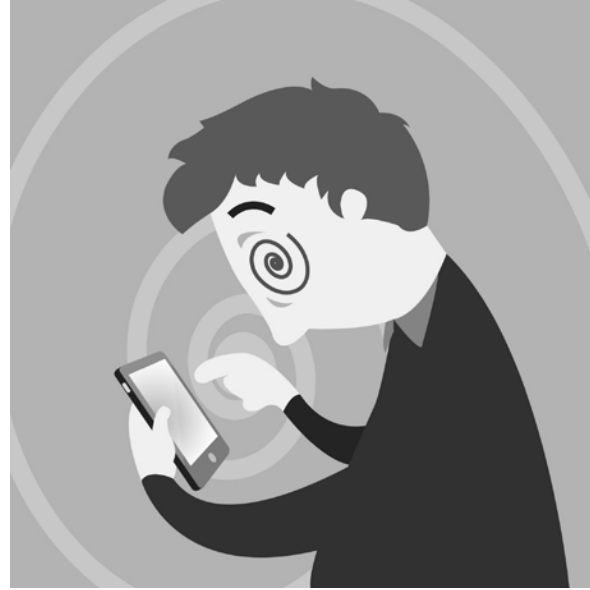
Perpetual texters...

- adolescents (aged 13–17) send or receive **3,339** texts a month (six texts per waking hour)
- young adults (aged 18–24) send or receive **1,630** (three texts per waking hour)



87% of Americans
use the Internet

The widespread availability of online health information is increasing self-management of chronic illness.



72% of Americans have looked for health information online.

62% of smartphone users have used their phone.

MOBILE TECHNOLOGY AND TEXTING





SMART- #&% PHONE APP

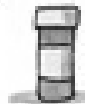
BOB, SLEEP
MORE THAN
6.4 HOURS



BOB, RUN
FASTER
THAN A
9.2 MILE



BOB, DO
SOMETHING
ABOUT
YOUR
E.D.



STILL FEELING SMUG
ABOUT BEING AN
EARLY ADOPTER OF
WEARABLES, BOB?

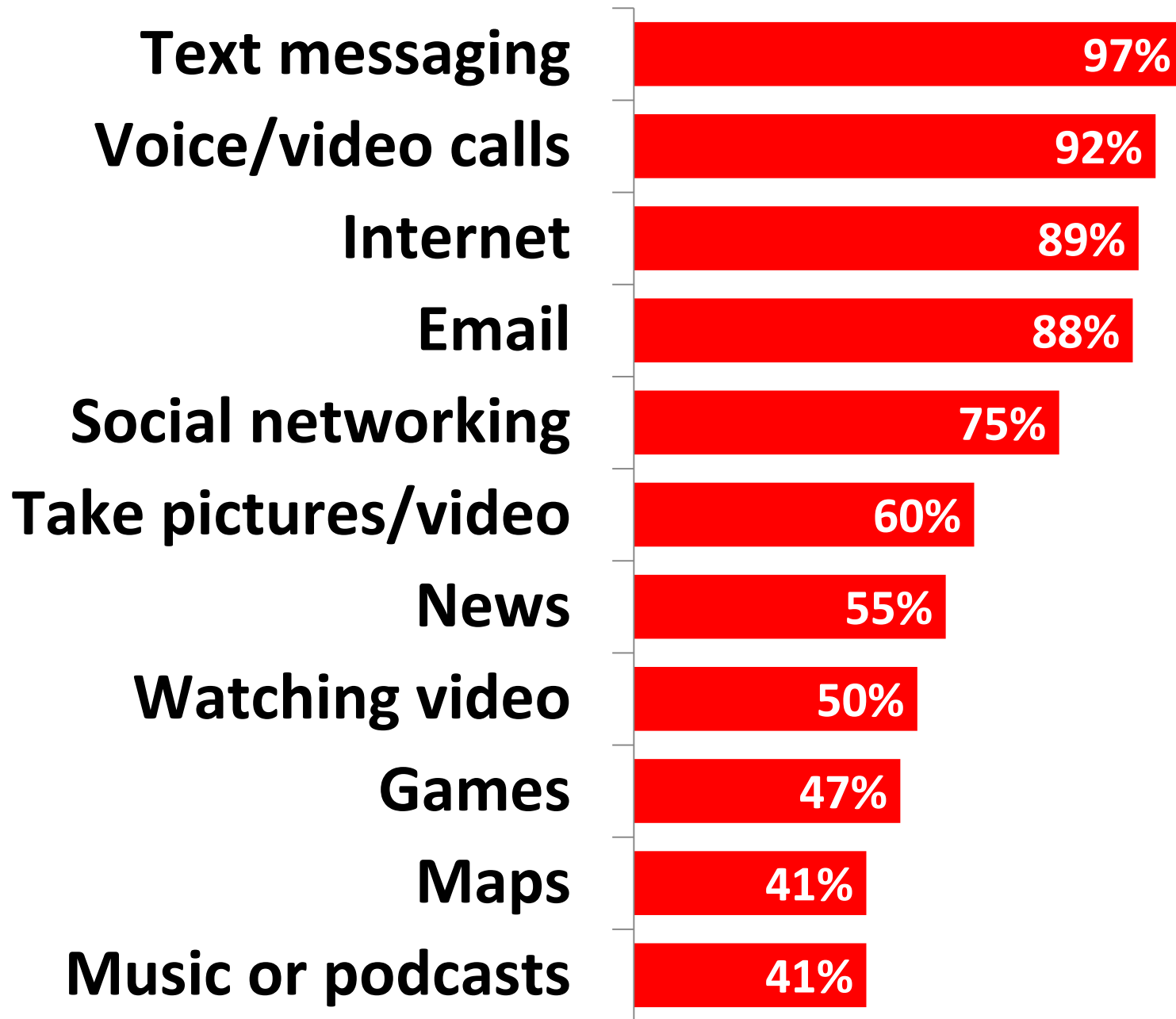


TOM
FISH
BURNE

Average number of apps per smartphone in the US in 2012 was 41

Users have many apps with different functions to overcome the narrow scope of individual apps.





(Pew Research, 2015)

What do we know about clients?

Survey of 8 urban drug treatment clinics in Baltimore (266 patients)



Clients' had access to:

- **Mobile Phone 91%**
- **Text Messaging 79%**
- **Internet/Email/Computer 39 - 45%**

Social media is a broad term that refers to online forms of communicating that any individual can employ as opposed to 'industrial media' which refers to professionally-produced radio, television, and film.

Social

network media

account
online

videos

connection

message

friends

photos

profile

search

groups

community



Social Network Site

... a website that provides a venue for people to share their activities with family, friends, and colleagues, or to share their interest in a particular topic.

Examples include:

Facebook, Google+, LinkedIn, Twitter

SNSs are a specific type of social media that allow individuals to:

- construct a public or semipublic profile within a bounded system**
- articulate a list of other users with whom they share a connection**
- view and traverse their list of connections and those made by others within the system**

Social Media Explained

twitter - i'm eating a #donut

facebook - i like donuts

foursquare - this is where i eat donuts

instagram - here is a photo of my donut

youtube - here i am eating a donut

linkedin - my skills include donut eating

pinterest - here's a donut recipe

spotify - now listening to "donuts"

g+ - i'm a google employee who eats donuts

73% of American adults reported
using the internet to engage in
social networking

social network

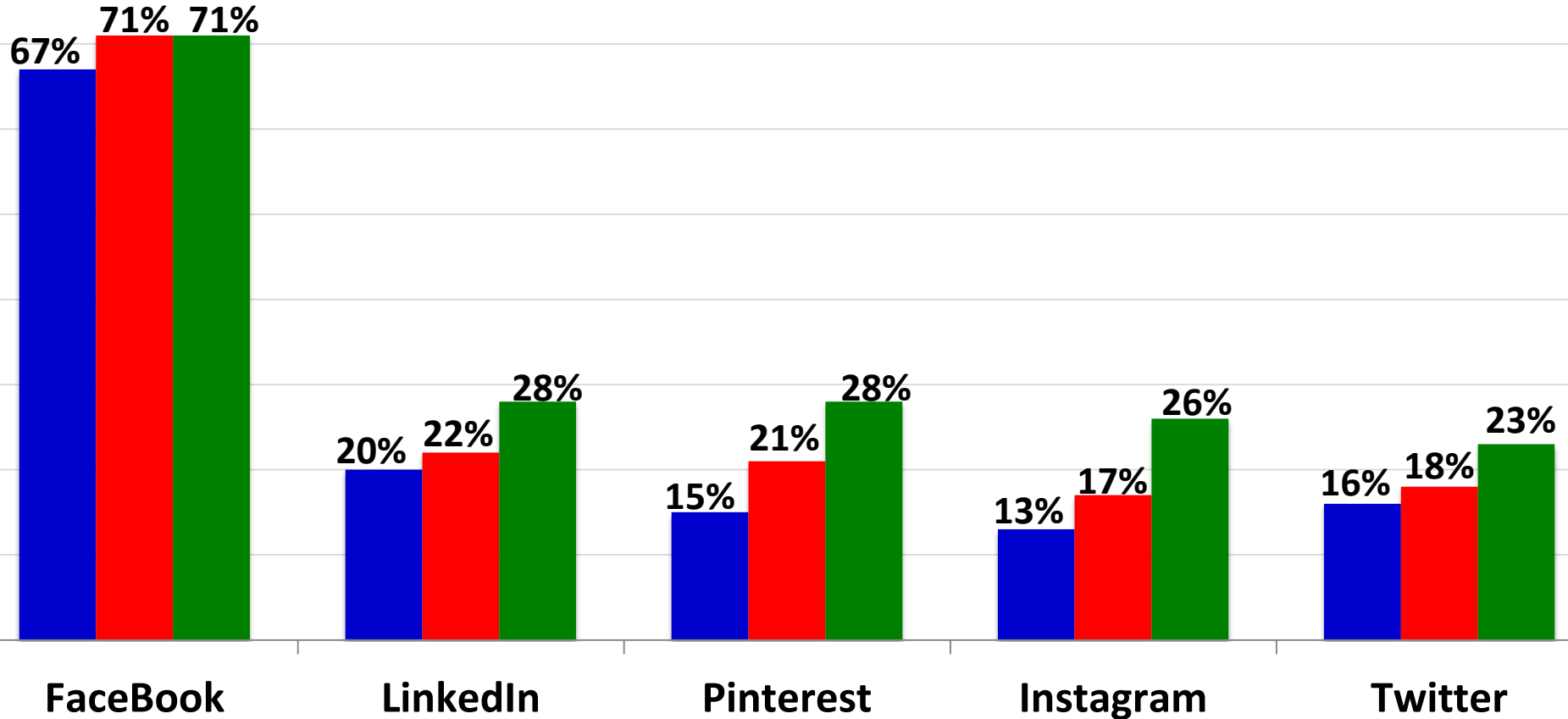


(Duggan & Smith, 2014)

Social Media Sites 2012-2014

Percent of Online Adults Who Use the Following Social Media Websites

■ 2012 ■ 2013 ■ 2014

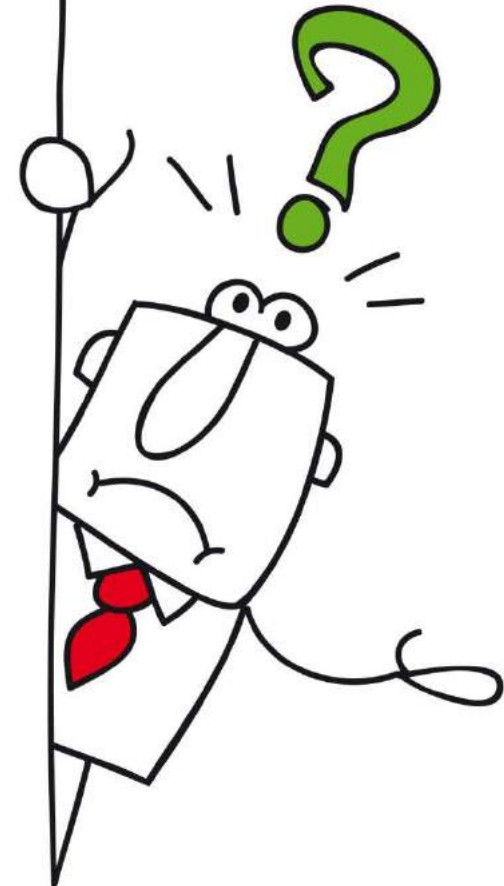


Pew Research Center's Internet Project Surveys, 2012-2014

2014 data collected Sept. 11-14 & Sept. 18-21, 2014; N=1,597 internet users ages 18+

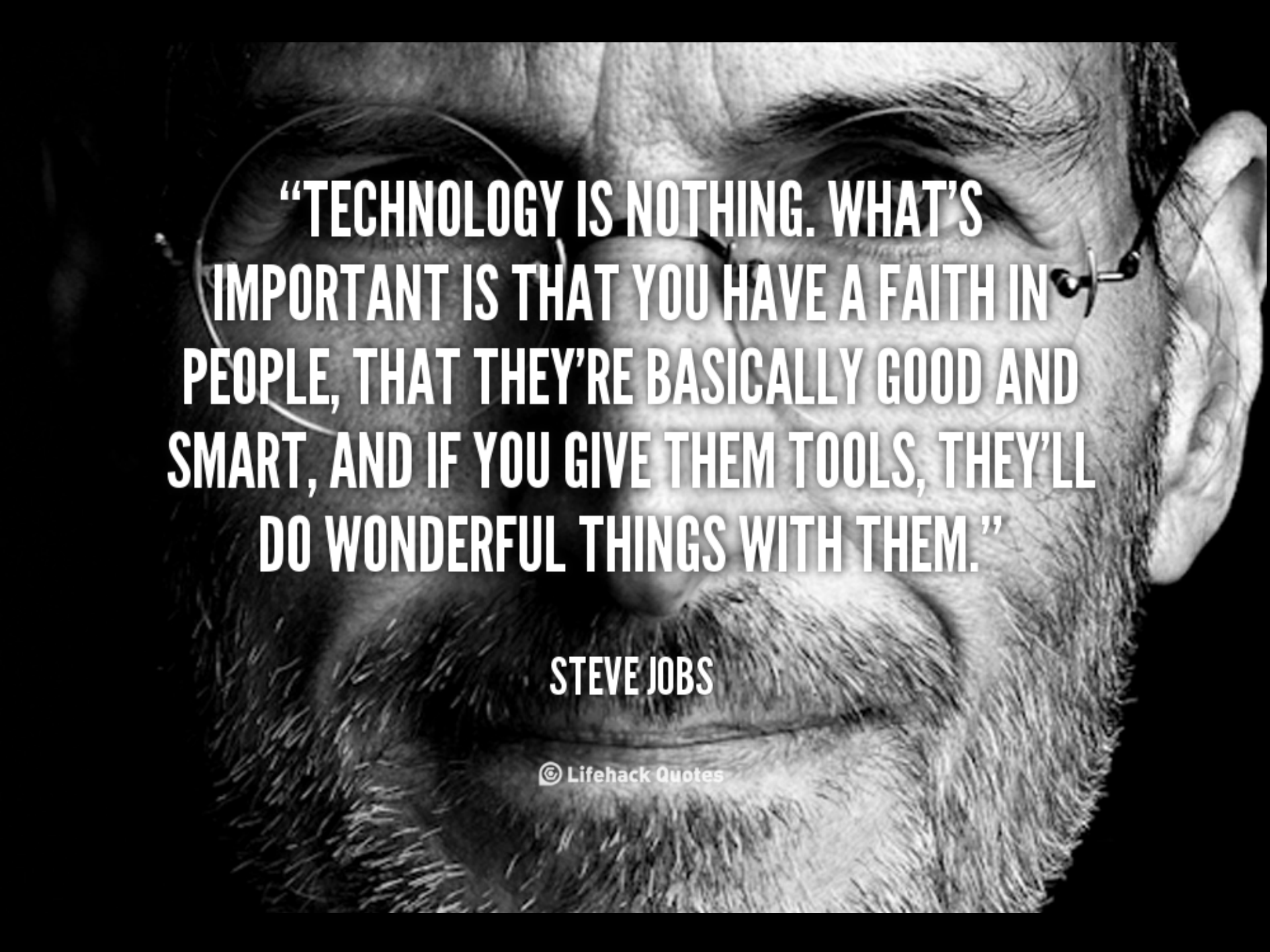
<http://www.pewinternet.org/2015/01/09/social-media-update-2014/>

Since patients are likely to use SNS, it may be helpful for practitioners to understand the phenomena of SNSs, even if they do not participate themselves.



It's imperative that professionals understand...

- the ability of technology to reach enormous numbers of people (it is undeniable)**
- the use of technology for treatment and recovery support offers the possibility of better care, reduced stigma, and broader reach**

A black and white close-up portrait of Steve Jobs. He is wearing his signature round glasses and has a full, grey beard and mustache. His eyes are looking slightly to the right of the camera. The lighting is dramatic, with strong highlights and deep shadows, emphasizing the texture of his beard and the frame of his glasses.


**“TECHNOLOGY IS NOTHING. WHAT’S
IMPORTANT IS THAT YOU HAVE A FAITH IN
PEOPLE, THAT THEY’RE BASICALLY GOOD AND
SMART, AND IF YOU GIVE THEM TOOLS, THEY’LL
DO WONDERFUL THINGS WITH THEM.”**

STEVE JOBS

© Lifehack Quotes

ETHICS



A background image featuring a bokeh effect of out-of-focus city lights at night. The lights are in various colors, including yellow, white, orange, red, and a prominent cyan light on the right side. The overall scene is dark, with the lights creating a soft, glowing atmosphere.

Interesting professional and ethical challenges as the distinctions between private and public information blurs.

(Behnke, 2008)



"All disclosures reflect decisions about the boundaries between the private self and the outer world."

(Farber, 2006)

**Ethical Codes and Licensing Boards
have not caught up
with the TECHNOLOGY**

eThiCS

In some cases ... provide little guidance

Social Media Guidelines

- **Nurses' Guide to Use of Social Media-2011**
National Council of Boards of Nursing
- **Model Policy Guidelines for the
Appropriate Use of Social Media and Social
Networking in Medical Practice-2010**
Federation of State Medical Boards

CASE STUDY

National Boards and Ethical Guidelines/Codes for Social Media

- **APA**
- **NASW**
- **NBCC**
- **ACA**
- **AAMFT**

NASW Eight Tips

- **Don't friend clients**
- **Don't blog, post, or make negative comments about work matters or colleagues**
- **Manage your privacy and location settings on social media accounts**
- **Implement a social media and technology policy**
- **Make clients aware of how their use of social media may compromise their confidentiality**
- **To Google or Not to Google Clients**
- **Become fully competent in the use of technology before implementing it into your practice**
- **Implement security and privacy measures for electronic communications and records**

Follow the Elevator Rule...

If you wouldn't
say it aloud in a
crowded
elevator don't
post it online



Health Professionals Should Not POST

- Client identifying information
- disparaging comments about colleagues or client groups
- unprofessional media (e.g., photographs and/or videos that undercut the reputation of health professional practice)
- comments about litigation in which one is involved

12 Word Social Media Policy

- **Don't Lie, Don't Pry**
- **Don't Cheat, Can't Delete**
- **Don't Steal, Don't Reveal**

Farris Timimi (<https://twitter.com/#!/farristimimi>), M.D., is medical director for the Mayo Clinic Center for Social Media.

Additional Rules

<http://network.socialmedia.mayoclinic.org/discussion/a12wordsocialmediapolicy>

- **Don't endorse as a matter of course**
- **Supervisors: Don't initiate an employee friend request at your own behest**
- **Separate your circle of friends from patients you mend**
- **Corporate logo in your username is a no go**
- **Adding a disclaimer is probably saner**
- **Don't practice on the Internet, regardless of your good intent**
- **Always surmise that HIPAA applies.**
- **Speak on your behalf, not that of staff.**
- **Anonymity is really gimmicky**
- **If you chat about your company, identify abundantly**

EMAILING & TEXTING PATIENTS - PRIVACY & SECURITY



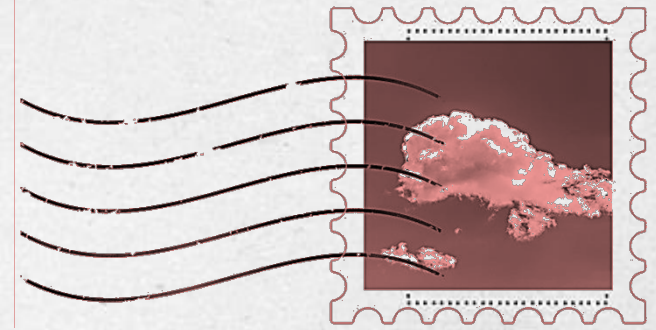
“electronic exchanges”



Emailing Patients



‘Email is not like mailing a sealed letter or package. It’s more like sending a postcard – people are not supposed to read it while in transit, but it passes through many hands, & one can never be sure that someone is not reading it illegally.’



Ms. Wendy Woods

% National Frontier & Rural

Addiction Technology Transfer Center

Reno, NV

More than one-third of cell phone users

- have sent a text message to the wrong person **(38%)**
- report that a text they sent was misunderstood by the reader **(37%)**



Love you babe! goodnight!

My love for you is strong I
would buy you a casket if I
could!

*castle. I promise I meant
castle.

Autocorrect why do you
have to ruin me so?

Emily?

Hello?

Send

TEXTING

Miscommunications



**Text Messages
can be saved,
sent to an email
account, and
posted online all
without the other
person's
permission**

SOCIAL MEDIA POLICIES FOR CLIENTS/ STAFF



Social Media Policies

- **Friending, Following and Messaging Patients Through SNS**
- **Conducting Web Searches Of Patients**
- **Patients' Doing Web Searches On Practitioners**
- **Patient Reading/Following Counselor's Blog**
- **Responding To Patients Comments On Web-rating Sites**

Is it okay for practitioners to accept friend requests from patients, allow patients to follow them or message them through social network sites?



If a client friends you and you accept them, they have access to SNS



**Halloween Party
2012**

Our opinion is that engaging in **friending, following, and messaging** with those whom we serve, supervise, teach, or collect research data from, crosses boundary lines because it implies a personal relationship

**The conditions under which
Google, Facebook, or other search
engines may be used to find out
information about a patient**





Prevalence of Googling

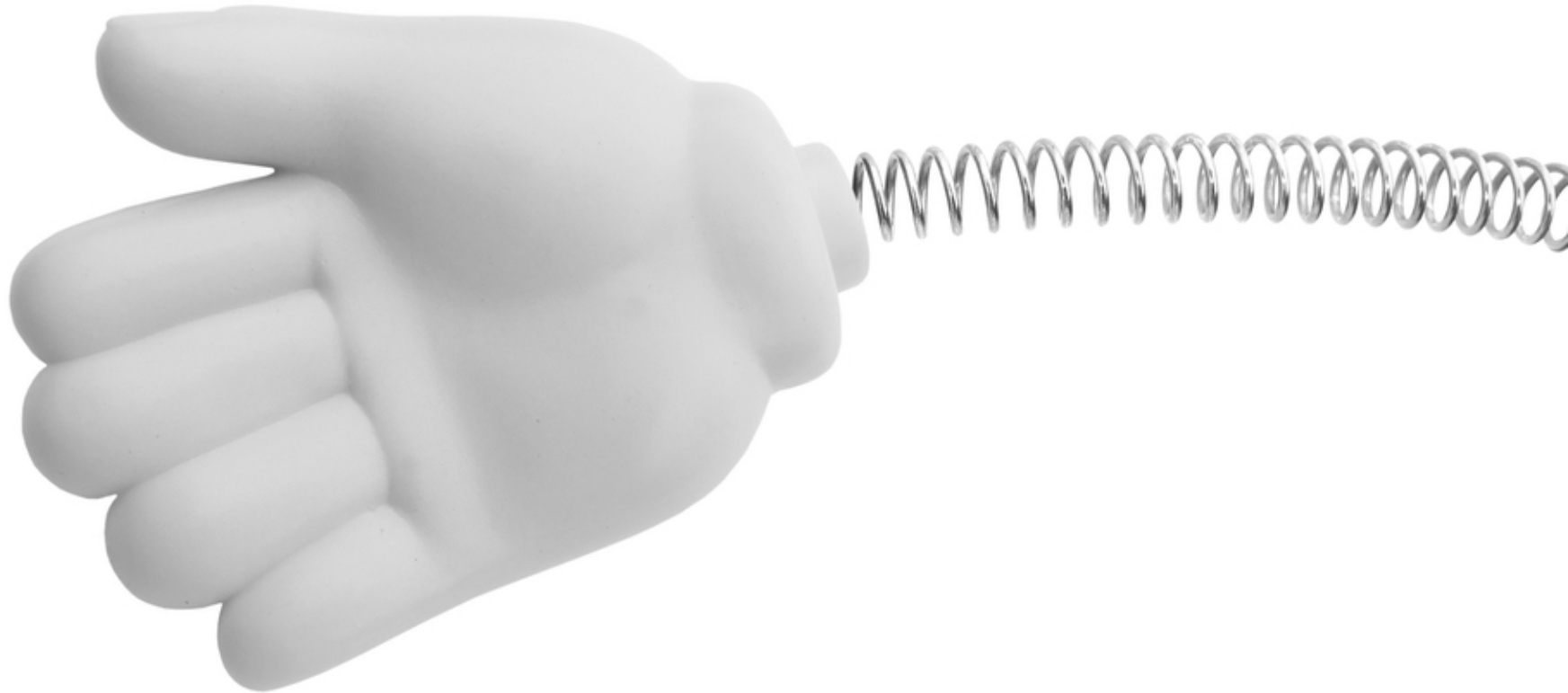
- **22%** of **193** clinical psychology graduate students had Googled their psychotherapy patients (Martin, 2010)
- **28%** of **227** multidisciplinary psychotherapists accidentally found information about patients online whereas **48%** intentionally sought this information

(Kolmes & Taube, 2010)

Would it be okay to
drive by a patient's house?



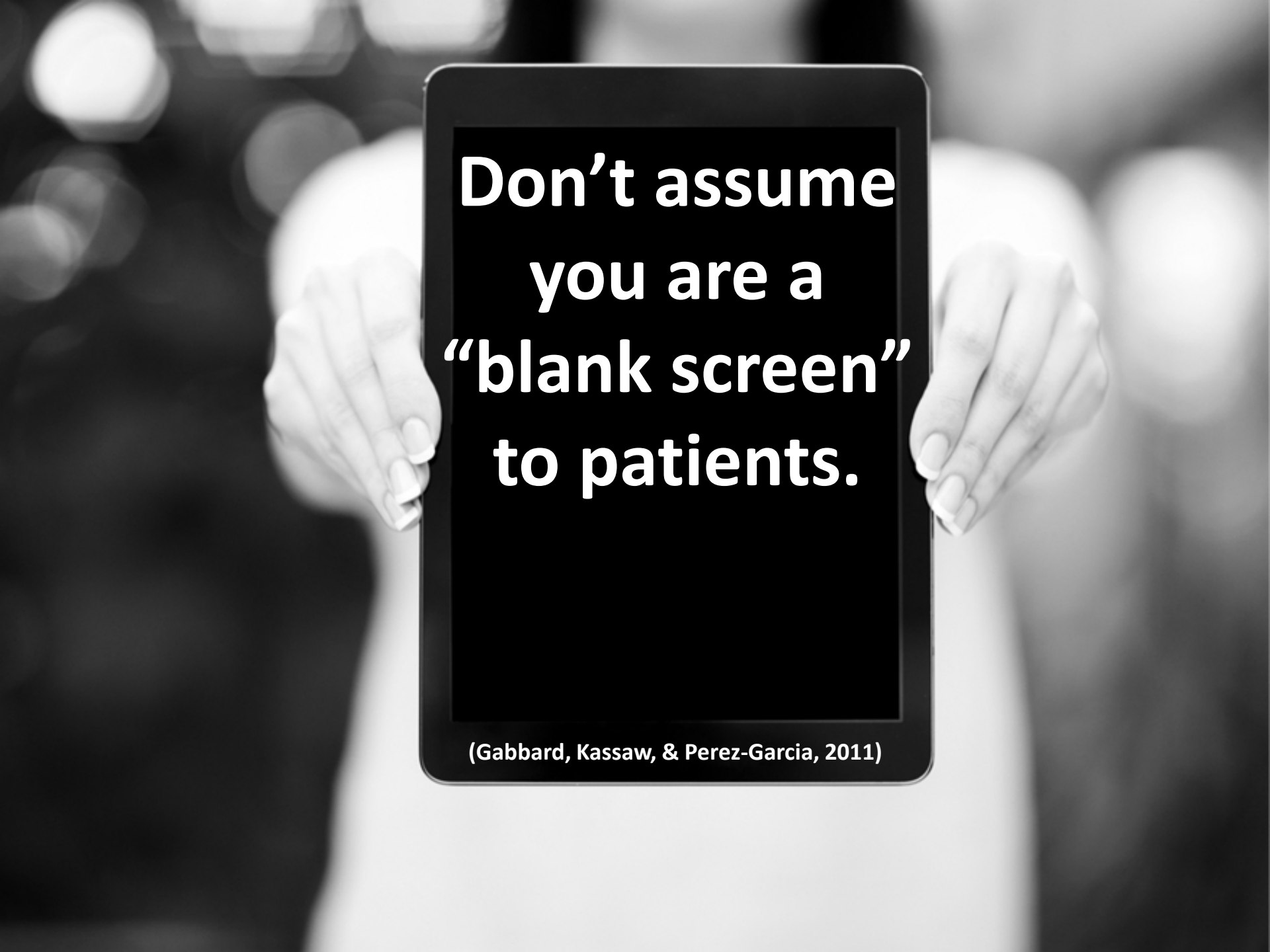
On the other hand



Patients **Googling** Counselors

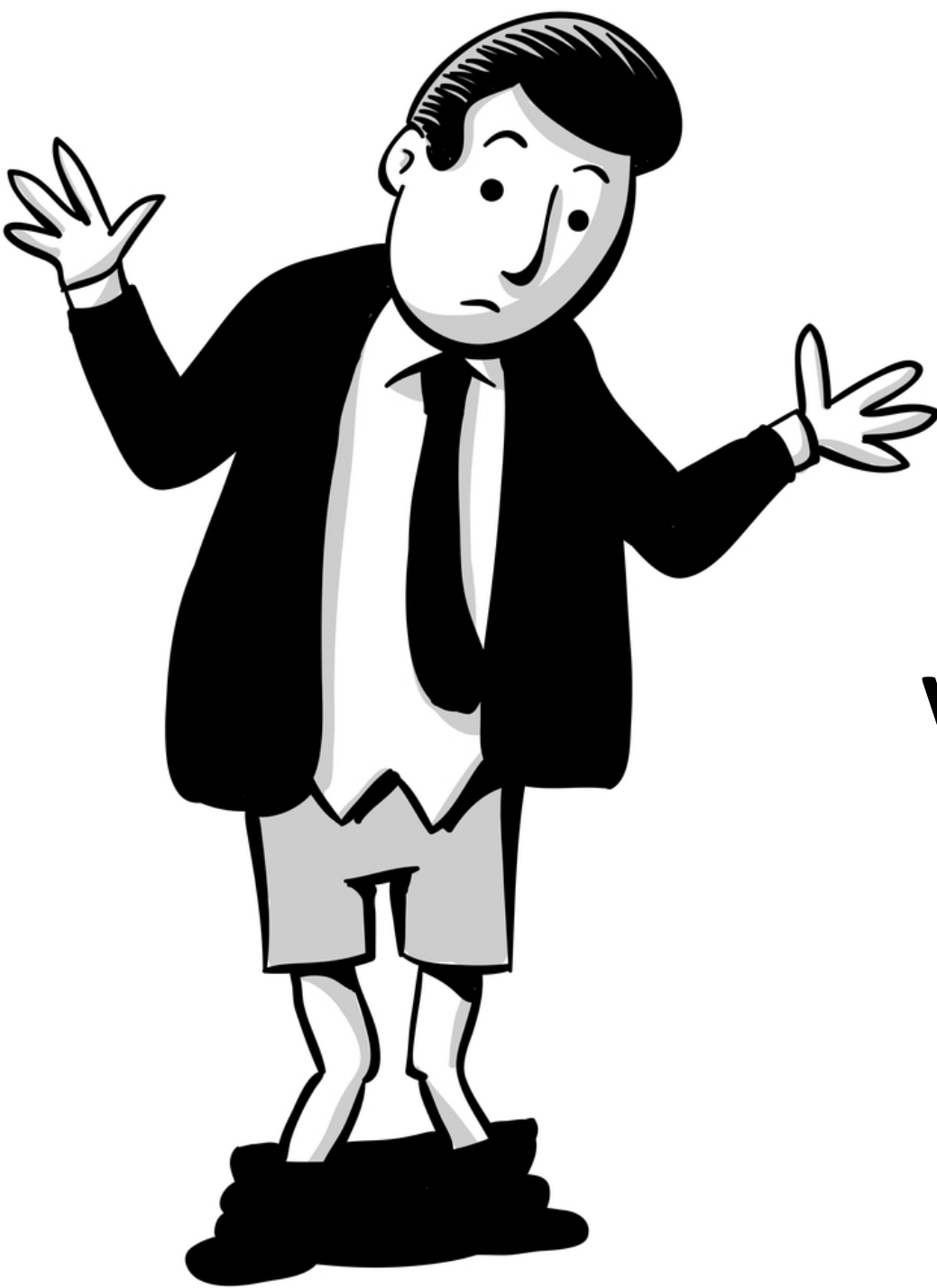
70% of patients reported finding personal information about their psychotherapist on the Internet

only **28%** discussed it with their psychotherapist

A black and white photograph of a person's hands holding a tablet. The tablet screen is black with white text. The background is blurred, showing other people's heads and shoulders.

**Don't assume
you are a
"blank screen"
to patients.**

(Gabbard, Kassaw, & Perez-Garcia, 2011)



**Counselors/
therapists today
may likely feel
violated, invaded,
and exposed...**

(Gabbard, Kassaw, & Perez-Garcia, 2011)



**Blogging Puts You
at Greater Risk**



Search

most blogs are searchable by

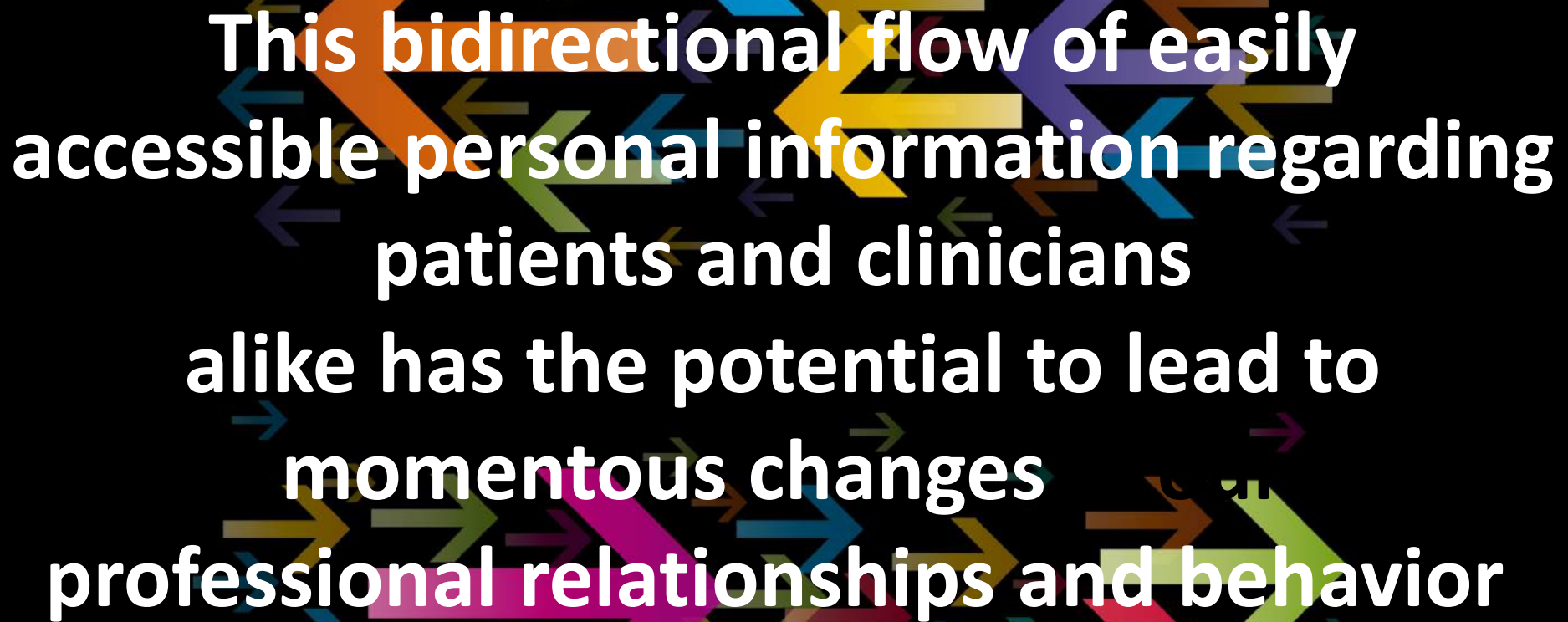
date or keywords so that a blog entry

written a year ago can be quickly accessed

Another website can post a link back to a counselor's/therapist's blog or easily copy and paste a counselor's/therapist's blog entry, referencing the counselor/therapist as the original author.

Practice digital professionalism

- **Always be honest**
- **Share good health care information and refute the inaccurate information**
- **When sharing content reference the original post or poster**
- **Be respectful in comments toward others**
- **Thank those who share your posts or content**



This bidirectional flow of easily accessible personal information regarding patients and clinicians alike has the potential to lead to momentous changes in professional relationships and behavior

(Tunick et al., 2011)



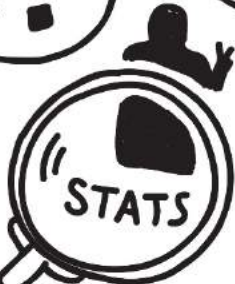
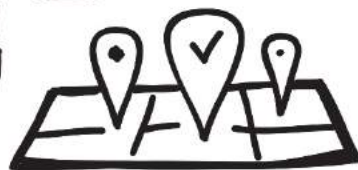
**Will you hold
counselors'
responsible for
what they read
on blogs or SNS
(Duty to Warn)**



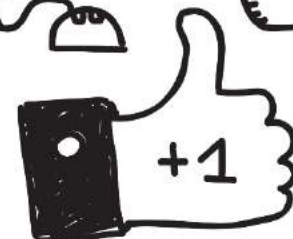
SHARE



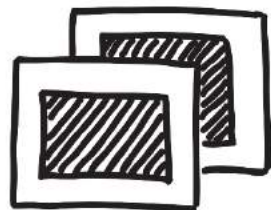
LIKE



SOCIAL



lol



MEDIA



@



Sms



TWEET



follow

How should the practitioner respond to comments or ratings posted on internet sites?





Deedle C.
Los Angeles, CA

0
1

★★★★★ 5/2/2013

In the beginning, SCCC's services were very helpful and I had a great experience. However, during services, I found myself involved in a severely traumatic experience. They assigned me to a new therapist who was not qualified for the issues that had arisen. Not only did this therapist misdiagnose the situation, he also pathologized me during treatment. When I attempt to remedy the situation the director shut me down and was unresponsive. The point here is that I needed advocacy and I was treated as a sick person instead of getting the assistance I needed.

Was this review ...? [Useful](#) [Funny](#) [Cool](#)

[Bookmark](#) [Send to a Friend](#) [Link to This Review](#)

[Add owner comment](#)



Gretchen H.
Savannah, GA

76
455

★★★★★ 3/23/2010

Wow...there are some serious negative reviews here and I'm amazed. Several years ago my husband and I were going through a difficult time and if it weren't for SCCC we would've divorced. Which is really sad considering how awesome life is for us right now.

Our therapist was the best and I truly appreciate how many tools for life he taught us.

I honestly cannot speak for group therapy, but our one on one was great. The times they offered were great too..

I think the one drawback was the front desk guy with the glasses...he's a bit...um...standoff-ish and it can be slightly unnerving.

Was this review ...? [Useful](#) (10) [Funny](#) (4) [Cool](#) (3)

[Bookmark](#) [Send to a Friend](#) [Link to This Review](#)

[Add owner comment](#)



Love M.
Pasadena, CA

29
43

★★★★★ 4/1/2010

I went to this place in 2003 or 2004. The therapist in training that I got assigned (you do NOT get any opportunity to interview them; they are just ASSIGNED TO YOU, by a lottery) was

**Does your organization have a
social media policy?**




Employer Social Media Issues

- **Employees Griping on the Web**
- **Shoulder-Surfing**
- **Googling Job Applicants**
- **Staff Monitoring SNS**

Employees will share their gripes and struggles on Twitter, Facebook, YouTube, Instagram, and any other site with friends or strangers who will listen...



Working
here
SUCKS!



When employees are reprimanded or terminated for statements they make online ...



“Facebook Fired”... the growing number and type of incidents that have arisen across all professions

(Hidy & McDonald, 2013)

A magnifying glass with a black handle and a silver frame is positioned over a document. The lens is focused on the text, creating a bright light flare. The background is a dark, textured surface.

**the unwary employer may find that it has
inadvertently entered an area that is a
hotbed for scrutiny and litigation.**

3 Additional Issues

**DON'T EVER
'SHOULDER SURF'
or
MAKE AN
EMPLOYEE SHARE
THEIR PASSWORD
or
ASK THEM to
'FRIEND YOU'**



**Companies need to be careful when
using social media in recruiting
employees and researching applicants**



**Protected Class
(race, religion, & disability)**

'What is learned cannot be unlearned'



So I looked at your Facebook page
...oh man...there's no way you're
getting this job!

Don't Hire Consultants or Staff to Monitor Social Network Sites

“Once you get into the business of monitoring, then you're potentially taking on liability for the things you might see.”

“Any policy around student social media needs to be very, very cautious.”

(Ms. Trainor of the Council of School Attorneys)

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Summary

1

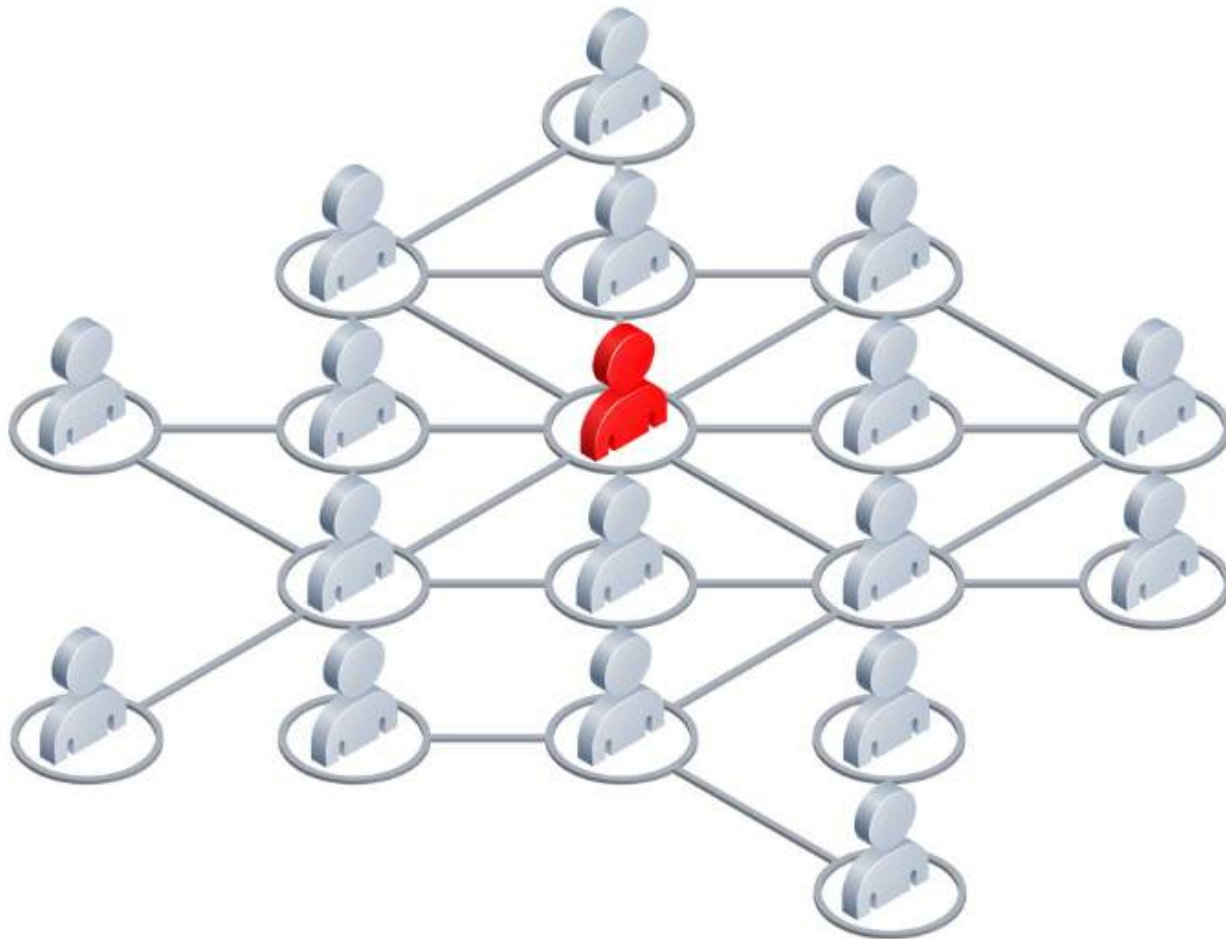
2

3

4

Social media and technology especially impact boundary crossings (multiple relationships).

How do you manage these?



Be Prepared...

- Violations of ethical codes related to social media and technology will occur....are you prepared?
 - What training can you refer counselors/prevention specialists/peer support specialists to attend
 - How will you handle complaints
 - What guidelines can you provide counselors/prevention specialists/peer support specialists
 - Should clinical supervisors receive special training to assist their supervisees
- How do we prepare our new practitioners/specialists versus our seasoned practitioners/specialists

Preparing for Complaints

Complaints Department



Kevin got fed up listening to people complaining all day

Does your agency provide guidance for these situations?

- **“A former clients sent a ‘friend’ request on my personal Facebook page? Should I accept it?”**
- **“One of my clients is a friend of one of my family members on Facebook. I don’t want him to have access to my personal information, photos, etc. Is there anything I can do to protect my personal information?”**
- **“A client just posted a comment on my private practice Facebook page that reveals some clinical information about his symptoms. How should I handle this?”**
- **“A potential client sent me a direct message on Twitter inquiring about my therapy services. Is Twitter confidential? How should I respond?”**
- **“During an initial intake, a client shared some grandiose facts about her successful work history and public accolades. Should I Google her name to see if what she’s reporting is true?”**
- **“I just saw that a client is following me on Pinterest. I’m not sure how I feel about her seeing boards about how I want to decorate my dream house.”**
- **“Should I enable or disable comments on my private practice website blog? I’m concerned that it may look like I’m encouraging clients to comment on my blog.”**

Professional associations and licensing boards
are now **immersed** in efforts to identify
pertinent ethical issues and develop practical
guidelines regarding technology/social media



(Reamer, 2015)

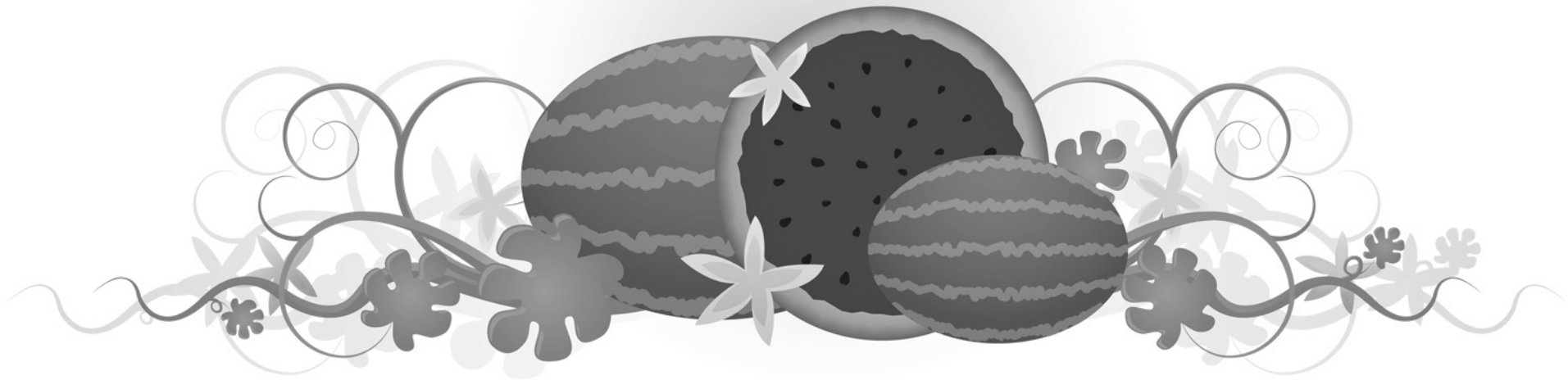


Legal Issues

Practitioners should contact both their professional and personal liability insurance representatives to determine if professional and personal liability insurance policies cover ethical violations related to SNSs

**“When you are walking through your
neighbor’s watermelon patch
don’t stop to tie your shoe.”**

Chinese Proverb



THANK

YOU

Save the Date

Mind the Gap: Using Technology
to Connect People to Care

NFARSUMMIT.COM



NFAR'S 4TH ANNUAL



TECHNOLOGY Summit

Philadelphia, PA | August 3 - 5, 2016