

Social Media Confidentiality for EA Clinicians and Clients

By Marina London, LCSW, CEAP

The other day, I logged onto Facebook, and I came across the following public post and comments (all names and identifying information have been changed):

First, the post – Abby, a potential EA client wrote: *“Hi Bob, do you accept Aetna insurance?”* (Note: Abby’s post included her full name and her photo.)

In response, Bob, a psychotherapist and EA clinician wrote: *“Hi Abby. Can you send me a copy of your insurance card? What about using your EAP benefit? I’m affiliated with a number of Employee Assistance Programs. I would be happy to work with you.”*

Abby responded to Bob: *“The Acme Widget Company, where I work, has an EAP. I have an EAP counselor assigned to me. But he wants me to see you due to our previous work together. He says I need more help with my issues than can be offered through the EAP. Do you know Dr. Phil in Oak Grove, IL? He is my new psychiatrist.”*

The Perils of Public Posts

I doubt Abby or Bob realized that this exchange was publicly posted and viewed by hundreds of people who should never have seen it. We have a duty as EA professionals to understand and use the appropriate social media privacy settings and to educate our clients about the danger of publicly exposing their mental health issues.

Abby should be told about the potential negative ramifications to her professional and personal life when she publicly revealed:

1. That she has a mental health issue (or implies she has a mental illness)
2. That she is seeing a psychiatrist
3. The name of her insurance plan
4. That she is seeing an EAP counselor
5. That she wants to see Bob for counseling

Unfortunately, we know all too well from hundreds of examples that information individuals make public can, and often will, be used against them. For example, what if someone at Acme sees this post and circulates it around the company? Abby may not get that sought-after promotion because her boss read her post and decided she is “too unstable” for the promotion.

Or she applies for a job, and prospective employers look for her on Facebook (and we know many will,) and they don’t hire her, because, why take a chance that her attendance and job performance may be affected by her “mental problems.”

Bob, on the other hand, should never respond to an inappropriate client post in a public Facebook setting. In doing so, he violated this clueless client’s confidentiality.

The irony is that I am absolutely positive that if Abby’s employer called Bob at his office, and asked *“Are you seeing Abby for counseling?”* he would respond, as we have all been taught, *“I can neither confirm nor deny that I am seeing Abby for counseling.”*

But on Facebook Abby and Bob seem to have lost their perspective.

An Overlapping World: Social Media Responsibility

Bob is not alone. Studies show that many therapists do not understand the confidentiality issues raised by social media. Consider the following points:

❖ **EA clients are increasingly involved with social networks.** They may Google their affiliate providers, and the external EAP that provides their services.

❖ Complicating this point is the fact that **many social media users don’t think twice about disclosing personal information online.** That goes for both client and the EA professional.

❖ **The contrast between EA clinical services and social networking sites is profound.** Most counseling interactions are private and confidential, while most interactions on social media are broadcast to the public. When an EA professional interacts in both spheres, it can be easy to violate client confidentiality – even unintentionally.

❖ **The average graduate program does not yet teach the ethics and best practices for operating in a wired environment.** There is evidence that younger professionals may already be navigating these ethical waters with

limited guidance. One study found that 60% of medical schools sampled reported instances of medical students posting unprofessional online content, which included disclosure of patient confidentiality, profanity, discriminatory language, and others.

Best Practices

Here are some best practices to avoid breaching confidentiality online:

1. **EA professionals need to recognize that their personal online activity may not be as private as they think.** Indeed, online self-disclosures

Ethical Framework at a Glance

A competent employee assistance professional working online will always adhere to at least the following minimum standards and practices in order to be considered to be working in an ethical manner.

➤ *EA professionals have a sufficient understanding of technology in:*

- Encryption;
- Backup systems;
- Password protection;
- Firewalls;
- Virus protection;
- Hardware;
- Software; and
- Third-party services.

➤ *EA companies and programs provide needed technological support.*

➤ *EA professionals work within their scope of practice:*

- **Understand specific laws or ethics within one's own discipline or geographic location.**

➤ *EA websites provide access to information for potential and current clients and managers:*

- Crisis intervention information;

- Organization contact information;
- Practitioner certification information; and
- Encrypted transmission of EAP sessions.

➤ *EAP initial intake and screening process.*

EA professionals screen the client's suitability for delivery of EA services via technology, considering language and keyboarding skills, presenting issues and clinical concerns. EA programs offer a statement of understanding that includes the following:

- Potential advantages and disadvantages of online sessions;
- Confidentiality and technology; and
- Other informed consent issues.

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may represent the intersection where dilemmas surrounding personal and professional roles meet – and in some cases signaling the start of boundary violations.

2. Be aware that self-disclosure online is almost inevitable. Often it is initiated by clients who want to learn more about their therapists. Some clients may do more than a Google search: They may join social networking sites and professional listservs/chat rooms, or pay for online background checks or online firms to conduct illegal, invasive searches.

3. EA counselors need to create and maintain a formal social networking site policy as part of the informed consent process. Informed consent processes should at the very *least* acknowledge the risks and benefits of using social media and other technologies. In addition, such policies should articulate practitioner expectations for using such sites, specifically that counselors will not “friend” or interact with clients on social networking sites.

4. EA counselors should develop online technological competence. They must understand the nature and essential technology of social networking sites. They should proactively set controls that limit who can access their personal information.

5. EA clinicians should contact both professional and personal liability insurance representatives. This is necessary because they need to find out whether their professional and personal liability insurance covers social networking sites.

6. EA clinicians should avoid using certain types of speech online. This holds true even if they use high privacy restrictions and other protections (such as pseudonyms). These communications might include breaches of confidentiality – speech that is potentially libelous and which denigrates the reputation of their field.

Develop Online Technological Competence

Above all, I urge EA clinicians to develop online technological competence. This can be done by:

❖ Reviewing the “Ethical Framework for the Use of Technology in EAPs” co-authored by EAPA and the Online Therapy Institute, and posted on EAPA’s website: <http://onlinetherapyinstitute.com/ethical-framework-for-the-use-of-technology-in-eaps>

(**Editor’s note:** See sidebar for an excerpt.)

❖ Reading relevant articles on a topic such as “*A therapist and coach guide to encryption,*” which covers how to use encrypted e-mail services and the relationship between encrypted e-mail and HIPAA compliance. <http://issuu.com/onlinetherapyinstitute/docs/tiltissue21>

❖ Taking a formal course such as “E-Therapy Certification”: <https://www.allceus.com/e-therapy-certification>

Summary

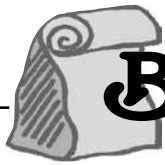
Be aware that technology and social media are moving targets, evolving at an unprecedented rate. EA professionals will have to continuously update their knowledge of the online world. In the meantime, if either you or your client are not sure you understand Facebook’s privacy settings..... don’t use Facebook. ■

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Ethical Framework for the Use of Technology in EAPs: <http://onlinetherapyinstitute.com/ethical-framework-for-the-use-of-technology-in-eaps/>



What You Need to Know about Social Media Etiquette

Before there was LinkedIn, you wouldn't have dreamt of asking a new acquaintance to buy something from you just minutes after meeting. Just like offline networking, building relationships online follows the same rules of etiquette.

❖ **Be professional.** Don't be the egg; post a professional photo of yourself on your profile. *This holds true on all social media sites.* A business colleague should recognize you from your online picture. Include information about yourself. Social media profiles are the equivalent of a business card, so be sure you keep it updated as your professional information changes. Always keep your basic contact information current and link to your other professional profiles.

❖ **Introduce yourself.** Want people to get a sense for who you are? Post interesting, value-added content on social media accounts to showcase your professional expertise. This is especially true with LinkedIn; when you update your status with useful information, you're building trust

among your network – opening doors for introductions to new connections.

❖ **Be authentic.** One of the biggest mistakes people make when connecting on LinkedIn or Facebook is not personalizing the message in the invitation. Swap out the default message with something like, *“George, I really enjoy your blog at xblog.com. The leadership content you share is so valuable. I'd like to add you to my professional network and get to know more about your business.”* This will let the recipient know how you found them and why you want to connect. In turn, they will know that you aren't connecting for the sake of just adding to your numbers.

❖ **Listen.** If you're not taking time to listen and engage with influential people (the ones you are hoping to connect with), you're missing an opportunity. Choose a handful of key people you want to build a business relationship with, read what they are posting, and when there is an opportunity for you to add value – jump in! ■

Questions for the EAP & Clients to Consider

❖ *Why are technologically supported therapy options needed?* There are many reasons – insufficient use of face-to-face services, shortage of local providers, and the stigma of seeking face-to-face services.

❖ *Do online services work?* Is technologically supported therapy clinically effective for common types of EAP relevant mental health and addiction problems? Many studies show this is true, and the clinical reasons for patient engagement are compelling.

❖ *How do EAP customers typically react?*
What are some issues to consider with the EAP

corporate client in terms of the promotion and use of online clinical services? For example, common access, privacy, data security, and technical issues.

Online tools that once seemed futuristic are here to stay. Once questions are considered, addressed, and policies are established – **including ensuring social media confidentiality** – online counseling programs, whether related to addiction, mental health or other areas, can help improve employees' work as they seek to transform their lives from despair to recovery. ■

Source: Online Therapy Institute.