

The ultimate game of russian roulette

Profession



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Just one month ago, a nurse was fired from Texas Children's Hospital after posting on Facebook about a child who had acquired measles. Last year, a nurse was fired after she was overheard talking about a patient who had Hepatitis C. In 2015, healthcare staff members videotaped and photographed a CNA who was in labor. They included pictures of her genitals and posted them on social media sites (Balestra, 2018). It is becoming increasingly common for HIPPA violations to occur. As social media platforms continue to gain upwards mobility in popularity, it becomes more difficult to see the grey line where HIPPA lies. It is important to understand that while social media is fun for personal life, all work related/patient related details need to stay off social media sites. The easy access of smartphones makes it even more difficult to resist the temptation to sneak pictures of patient information. Not only will doing so cause healthcare providers to lose their license and get fined, not following HIPPA causes individuals to violate basic ethical rights that all patients have. The right to privacy. This essay will look at a hypothetical scenario involving HIPPA, celebrities and smartphones in the healthcare setting. Advantages and disadvantages of having smartphones in the workplace will be presented, ending with why a high ethical standard needs to be upheld surrounding privacy and use of smartphones.

In the scenario, a nurse is working her normal grave shift when one of her favorite musical celebrity is admitted due to a car accident. She texts her friend that this celebrity is at the hospital and when her friend does not believe her, she takes a picture of the celebrity. Well, not just one picture. She took several pictures, including picture of him without clothes on and a

face sheet with his demographic area. At the end of the scenario, four options are presented for how to continue. I chose option number three. In this option, the nurse going on facebook and Instagram the following day and posts a picture of the celebrity. The nurse feels that it's no harm, no foul because she does not think anyone will recognize him. Reading this scenario may evoke some emotions in individuals. For most, it is an obvious and disgusting violation of HIPPA. However, for others, the line does not appear clear what nurses can and cannot post on social media. HIPPA violations can be either occur on accident from negligence or it can be on purpose, which is termed willful (Kornusky and Caple, 2018). Negligent violations would be like putting a patient's demographic facesheet in the trash instead of the shredder box on accident. Another negligent violations could include forgetting to log off the computer after they're done with it. Interestingly; posting, texting and tweeting patient information is still counted as negligible as long as the intent was not to harass the patient or get personal gain from the photo.

Willful HIPPA violations are when the staff worker shares information in order to see it, get personal gain or use it to harm others (Kornusky and Caple, 2018). Other willful acts include looking into other patient charts that the staff member is not caring for out of curiosity, allowing someone else to use a different employees password to see patient information on a patient they are not caring for or even violating security protocols others (Kornusky and Caple, 2018). For instance, many hospitals have a situation called breaking the glass. This is when there is a high profile patient, such as a celebrity, high ranking official or criminal with sensitive past, at the hospital. Their

patient information in the electronic health record is placed in a hypothetical glass box. To get the information, a special passcode must be entered and this passcode is given only to healthcare workers who are directly involved in patient care. If someone enters the chart, they are asked if they want to break the glass to see the chart. Doing so without authorized permission is a willful HIPPA violation.

After looking at what HIPPA violations consist of and the differences between willful and negligent violations, it is clear that the nurse in the scenario has committed a blatant negligent violation. In real life, this violation would likely be brought up to the hospital who would fire the nurse. The Board of Registered nursing also get involved fine her and possibly revoke her license. HIPPA violations are very serious and healthcare workers need to be more aware of the dangers of sharing patient information. While smartphones do increase employees ability to quickly snap a photo and violate HIPPA, smartphones are not all bad.

There are several advantages of having smartphone access in the hospital setting. Smartphones are small, easily portable and have almost all the capabilities as a computer. Many healthcare workers use smartphones everyday in the clinical setting to help improve patient care. Certain applications (apps) can improve patient care; MedCalc helps nurses and doctors properly calculate medications and avoid errors and UptoDate improves patient education by allowing medical professionals to have the newest evidence based practice at their fingers tips nearly instantly. A study from 2017 revealed three major advantages of smartphone use in the clinical setting: they are convenient and mobile, they improve communication and

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they can enhance patient care (Valle, Godby, Paul, Smith & Coustasse, 2017).

Smartphones are very convenient due to their small size and portability. Not only are they easy to keep in a pocket, but they have many useful apps that improve medical knowledge and can help employees double check diagnoses, appropriate laboratory data and necessary patient education. By helping nurses and doctors double check their work, smartphones inadvertently improve the quality of patient care. Last but not least, smartphones help doctors and nurses communicate faster. A study completed in 2014, showed that doctors who used Whatsapp responded to patient and nurse inquiries with a median time of 2 minutes (Valle et al., 2017). There are clearly advantages to using smartphones, but there are also dangers.

While smartphones can enhance communication and improve quality of care, they can also be a hindrance. One of the major drawbacks to use of smartphones in the clinical setting is that they are distracting and may pose as interruptions. In 2011, a resident got distracted while writing a patient order on their phone because they got a text from a friend about a party (Valle et al., 2017). Not surprisingly, smartphones also lead to more confidentiality and HIPPA violations. While a smartphone can be used to take a picture of, say, a patient wound to send to the doctor, this picture is poorly secured on the phone. Not only that, but it is required to obtain consent from the patient any time a picture is taken of them. A study from 2014 revealed that 24% of the time a picture is taken for medical purposes, consent is not obtained (Kirk, Smith & Hunter, 2014).

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There are clear advantages and disadvantages to smartphone use. Despite the disadvantages, smartphones are the way of the future and will be included in the clinical practice. Because smartphone use is only going to increase, practitioners need to understand the ethical implications behind their actions and know how to behave in a manner that does not violate HIPPA. There are several ways that patient information can be protected without removing smartphones from the healthcare setting. First, it would be recommended that any patient information or photos be sent only to secure and protected devices that are maintained and owned by the hospital. If medical workers are using their own smartphones, these devices need to be password encrypted. Most phones are connected to a cloud or computer hard drive. These secondary devices also need to be password encrypted. As discussed earlier, it is key that consent be obtained and documented before any pictures are taken of a patient. Patient identifiers need to be kept out of any and all photographs (Nabulyato, Jayaseelan, Malagelada & Heaton, 2016).

Looking back at the scenario, the nurse should never have taken any pictures of the patient in the first place. She took them without the patient's consent, which violated privacy rights. Not only that, but the pictures served no medical purpose and were to be used for the nurses personal gain and benefit, which is a willful violation of HIPPA. The nurse did not just take one phot, she took multiple and some of them were in compromised positions of undress which is unethical and again, violates HIPPA. The pictures she took also involved pictures of the patient's home address, phone number and other demographic information. This violates patient privacy and undermines

the patient-nurse confidentiality. After taking the pictures, the nurse then posted the pictures on social media for all her followers to see. This is the ultimate violation of privacy. When patient's come to the hospital they are under the belief that their private information is going to be kept safe. Only those directly involved in patient care who have a "need to know" basis should be allowed access to the patient information. Patients are vulnerable and trust healthcare professionals. When medical practitioners violate these privacy rights, they are undermining that sensitive and vulnerable relationship between patient and nurse/doctor. It is vital that medical professionals understand the benefits of smartphones but also know the dangers of using them inappropriately. Smartphones can enhance communication and improve quality of patient care. When used incorrectly, smartphones can serve as a distraction and possibly harm patient outcomes. Medical professionals need to read their specific hospital's policy on use of smartphones in the field. They also need to ensure that their device is protected by a password, their cloud is protected by a password and they must obtain consent before taking photos. It is important for healthcare professionals to understand the advantages and disadvantages of smartphones. They need to know when it is appropriate and inappropriate to use social media. Last but not least, medical professionals need to know the different ways to violate HIPPA, and act in a manner that protects patient privacy.