

Social Media Abuse in Long-Term Care

ATTENTION! A 2015 ProPublica article examined **47 instances** in which workers at nursing homes and assisted living centers have shared inappropriate, dehumanizing, and unauthorized digital content of residents [Ornstein & Huseman, 2015]. Nursing home employees misusing electronic devices and social media to record elder residents in compromising positions is a growing concern.

WHAT WE KNOW

Social Media Medium

 Snapchat: **22 of 47 cases**

 Facebook: **10 of the 47 cases**

 Instagram: **6 of 47 cases**

 Facetime: **1 of 47 cases**

Unspecified Social Media Medium: **8 cases**

Employees

In **7 of 47 cases**, employees [1 case involved up to 5 employees] created and/or shared content together.

Identified Employment Position



ACTION TAKEN

Reported Facility Response

Employees were terminated: **26 cases**

Employees were suspended: **3 cases**

Employees were counseled: **2 cases**

No disciplinary action taken: **2 cases**



Reported Legal Response

Employees were **criminally charged in 7 cases**:

- Charges included: invasion of privacy and conspiracy, using a computer to commit crime, elder or dependent adult abuse, taking a nude photo without consent, and voyeurism

Employees were **charged with a misdemeanor in 9 cases**:

- Charges included: willful violation of health laws, disorderly conduct and invasion of privacy through the use of surveillance device, battery, failure to report abuse, dependent adult abuse, secretly recording body of a person, unauthorized invasion of privacy, and distribution or exhibition of obscene matter

In **1 case**, a volunteer was **charged with invasion of privacy in juvenile court**.



WHAT CAN WE DO?

Employees must recognize that they have an ethical and legal obligation to maintain patient privacy rights and confidentiality at all times [National Council of State Board of Nursing, 2011].

Ways facilities can protect the privacy and dignity of elders:

1. Develop and implement specific policies that address hand-held devices and social media
2. Train staff, temporary staff and volunteers, on the policy:
 - Specify that cell phones, cameras, and other devices are never to be used to record residents
 - Inform all staff that taking and distributing any digital content without resident's consent is a privacy violation
 - Discuss potential employment and/ or criminal consequences of policy violation

Report suspicions of social media abuse:

If you know the location where the image or video was taken, know who is in the photo/video, or know who has taken the photo/video, contact the facility directly and/or your local Long-Term Care Ombudsman to report the incident.

To find an Ombudsman or other long-term care resources in your state or territory visit:

www.ltombudsman.org/get_help.

Join the #NameIt campaign!

The Elder Justice League invites you to join the **#NameIt** campaign, dedicated to bringing awareness to social media abuse in long-term care settings. The campaign encourages the public to “name it” for what it is: elder abuse.

Follow the hashtag **#NameIt** on social media for updates.

RESOURCES

U.S.A. National Consumer Voice for Quality Long-Term Care: **(202) 332-2275** or theconsumervoicework.org
National Center on Elder Abuse: **(855) 500-3537** or <https://ncea.acl.gov>
Eldercare Locator: **(800) 677-1116** or eldercare.gov
Centers for Medicare & Medicaid Services: Protecting Resident Privacy and Prohibiting Mental Abuse Related to Photographs and Audio/Video Recordings by Nursing Home Staff
<https://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/SurveyCertificationGenInfo/Downloads/Survey-and-Cert-Letter-16-33.pdf>

Canada General: <http://cnpea.ca/en>
Ontario: Ministry of Health and Long-Term Care [MOHLTC]: **(866) 434-0144**
Retirement Homes Regulatory Authority **(855) 275-7472**
Advocacy Centre for the Elderly [ACE]: **(855) 598-2656** or **(416) 598-2656**
Seniors Safety Line [Counselors available 24/7 in 150 languages]: **(866) 299-1011**

REFERENCES

National Council of State Board of Nursing [NCSB]. [2011]. *A nurse's guide to use of social media and networking for nurses*. [White paper]. Retrieved from https://www.ncsbn.org/Social_Media.pdf

Ornstein, C., Huseman, J., & Propublica. [2015, December 21]. Retrieved from <https://www.propublica.org/article/inappropriate-social-media-posts-by-nursing-home-workers-detailed>