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**EFFECTIVE DATE:** *September 24, 2018***PROCEDURE TITLE:***Participation in Social Media*

*To be reviewed every three years by:  
Executive Vice President, Growth, Strategy and Innovation*

**REVIEW BY:** *October 1, 2021*

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**PROCEDURE**

This Procedure is intended to foster the appropriate use of Social Media and to encourage Trinity Health Colleagues to participate in Social Media in a mission-driven manner by providing required actions and standards. This Procedure applies to Trinity Health or Ministry-sponsored Social Media pages, and non-Trinity Health Social Media networks in which the Colleague's affiliation with Trinity Health or any of its Ministries is known, identified, or presumed and a reasonable reader may assume that the Colleague is speaking on behalf of Trinity Health. This Procedure is intended to provide managers and others in a position to make employment-related decisions with guidance on appropriate behaviors regarding the use of information originating from Social Media sources; and to mitigate legal and employee relations risks to Trinity Health that may be associated with the use of Social Media.

Notwithstanding any provision in this Procedure that could suggest a contrary application, nothing in this Procedure will be interpreted to limit or interfere with an individual's rights to discuss the terms and conditions of their employment or other rights under Section 7 of the National Labor Relations Act.

**TRINITY HEALTH SITES**

1. **Trinity Health Sites.** Whether hosted, sponsored, funded, sanctioned or branded social media site representing Trinity Health and its Ministries ("Trinity Health Site") which may be accessed and interacted with by Trinity Health Colleagues for business-related purposes subject to the restrictions set forth in this Procedure and related policies. These restrictions are intended to ensure compliance with legal and regulatory restrictions and privacy and confidentiality agreements. Social Media includes, but is not limited to, items such as blogs, podcasts, discussion forums, and social networks.
2. **Using Social Media.** Colleagues are encouraged to visit and interact with Trinity Health sites at the local, regional and system levels. In doing so, Colleagues are expected to adhere to Trinity Health compliance requirements and all Trinity Health policies when using or

participating in Social Media. All the rules that apply to other Trinity Health system activities and standards of conduct apply here, including: respecting patients, residents, customers, competitors, vendors, and affiliates; protecting confidentiality, privacy and security; safeguarding and proper use of Trinity Health or Ministry assets; and deferring all work-related contact with media outlets to Trinity Health's Communications staff either at the local, Ministry-level or at the system level.

3. **Be Respectful.** Colleagues may not post any material that is obscene, defamatory, profane, libelous, threatening, intimidating, or that might constitute harassment or bullying to another person or entity when posting on Trinity Health sites or when using a personal site that reasonably identifies them as an employee of Trinity Health.
4. **Trinity Health Blogs.** Trinity Health blogs must focus on subjects related to the organization and reflect the organization's position, when applicable.
5. **Abide by the Law and Respect Copyright Laws.** Colleagues may not post content or conduct any activity that fails to conform to any and all applicable state and federal laws. For Trinity Health's and our Colleagues' protection, it is critical, for example, that everyone abide by the copyright laws by ensuring that they have permission to use or reproduce any copyrighted text, photos, graphics, video or other material owned by others.
6. **Obtain Pre-Approval Before Establishing an External Site or Profile Representing Trinity Health.** Colleagues, through their supervisor, must obtain approval from Marketing and Communications prior to establishing any external site or work-related Social Media profile representing Trinity Health.

## NON-TRINITY HEALTH SITES

1. **Proprietary Information.** Colleagues may not disclose any confidential or proprietary information of or about Trinity Health, its affiliates, vendors, or suppliers, or do anything that might reasonably create the impression that they are communicating on behalf of or as a representative of Trinity Health without the express permission of System Office or Ministry Communications. "Confidential Information" includes patient information; internal reports, policies and procedures, non-public financial information regarding hospital operations, and other internal business-related confidential communications such as updates on accreditation status or potential business affiliations.
2. **Patient/Resident Confidentiality.** Colleagues may not use or disclose any patient/resident identifiable information of any kind on any Social Media without the express written permission of the patient/resident. Even if an individual is not identified by name within the information you wish to use or disclose, if there is a reasonable basis to believe that the person could still be identified from that information, then its use or disclosure could constitute a violation of the Health Insurance Portability and Accountability Act (HIPAA) and Trinity Health policy.
3. **Self-Hosted Sites.** Colleagues must make it undeniably clear that the views and opinions they express related to Trinity Health and health care-related topics are their own.

4. This Procedure does not apply to content that is non-health care related or is otherwise unrelated to Trinity Health EXCEPT OR UNLESS the content is being accessed during a Colleague's working time or on Trinity Health equipment.
5. **Use of Emblems or Logos.** Colleagues must not use the logos or emblems associated with Trinity Health as any part of their self-hosted site's profile as it implies that they are speaking on behalf of Trinity Health.

## **MANAGEMENT RESPONSIBILITY**

### General Use of Information and Participation in Social Media:

1. It is not Trinity Health's intent to regulate protected off-duty conduct on non-Trinity Health websites. Managers, who become aware of information on non-Trinity Health Social Media sites that may be considered to be in violation of this Procedure, should consult with Ministry or System Office Human Resources before taking any adverse action, including, but not limited to: requesting a Colleague remove a posting, coaching/counseling a Colleague verbally or in writing regarding a posting, etc.
2. Managers may not access a restricted website or Social Media site without authorization from Ministry or System Office Human Resources (e.g., insisting a Colleague provide a password or other access to a private site or require that a Colleague provide any other private password information).
3. Managers may not approve, deny or limit leaves of absence on the basis of information on a Colleague's Social Media site without consulting with Human Resources.
4. Managers should not base any evaluations, recommendations or make any comments about a Colleague's job performance based on information found on Social Media sites. Managers should also refrain from making any comment relating to a Colleague's job performance on Social Media sites.

### Use of Information in the Hiring Process:

Managers engaged in hiring are prohibited from conducting Social Media background checks on their own. Instead, any such checks will be done by the designated Human Resources recruitment professional following the hiring policies and procedures. Use of social or professional networking sites to recruit candidates will be done in conjunction with a variety of other recruitment methods that encompass a broad range of sources.

### Management/Executive Social Media Commentary:

By virtue of their position, management level Colleagues must consider their unique role in the organization and consider whether personal thoughts they publish may be misunderstood as expressing Trinity Health's positions. Managers may have actual or apparent authority to bind the organization and should use exceptional judgment on both Trinity Health and non-sponsored Social Media sites.

## **VIOLATIONS OF PROCEDURE**

Any individual who violates this Procedure will be subject to appropriate remedial action; in the case of Colleagues, this may include discipline, up to and including termination.

## **SCOPE/APPLICABILITY**

This Procedure applies to all Colleagues, physicians, volunteers, non-colleague assistants/students, vendors, contract and temporary personnel, and other Colleagues of Trinity Health and its Ministries who are using Social Media on Trinity Health sponsored sites or on Trinity Health equipment, during working time, or in circumstances where the individual's Trinity Health affiliation is known, identified, or presumed and a reasonable reader may assume that the Colleague is speaking on behalf of Trinity Health (for instance because the post advocates for a medical device or opines on a new pharmaceutical).

## **EXCEPTIONS**

Ministries seeking to be excluded from this Procedure may seek an exception by completing the Social Media Policy Deviation Request Form, available from the Trinity Health Communications Department.

## **DEFINITIONS**

**Electronic Media** means a non-computing device, e.g., flash memory drives, CDs, DVDs, tapes, hard disks, internal memory, and any other interchangeable, reusable, and/or portable electronic storage media (1) on which electronic information is stored, or (2) which are used to move data among computing systems/devices.

**Executive Leadership Team ("ELT")** means the group that is composed of the highest level of management at Trinity Health.

**Ministry** means a first tier (direct) subsidiary, affiliate, or operating division of Trinity Health that maintains a governing body that has day-to-day management oversight of a designated portion of Trinity Health System operations. A ministry may be based on a geographic market or dedication to a service line or business. Ministries include Mission Health Ministries, National Health Ministries, and Regional Health Ministries.

**Patient/Resident Identifiable Information (PRII)** means any individually identifiable information regarding a patient/resident of Trinity Health collected, received, created, transmitted, or maintained in connection with his/her status as a member or patient, such as protected health information. PRII includes, but is not limited to, information about a patient/resident's physical or mental health, the receipt of health care, or payment for that care, patient/resident premium records, enrollment and disenrollment information; name, address, Social Security Number, account number, security code, information from or about transactions, driver's license number, financial or credit account numbers, phone numbers, ISP and Internet domain addresses, and other personal identifiers. PRII does not include individually identifiable information in Trinity Health employment records; however, it may be subject to other state and federal privacy protections. PRII does not include individually identifiable information (such as a cell, home or business phone

number) that a workforce member obtains, transmits, or maintains about another workforce member in connection with a personal or employment-related relationship with that person.

**Podcast** means a collection of digital media files distributed over the Internet, often using syndication feeds, for playback on portable media players and personal computers.

**Policy** means a statement of high-level direction on matters of strategic importance to Trinity Health or a statement that further interprets Trinity Health's governing documents. System Policies may be either stand alone or Mirror Policies designated by the approving body.

**Procedure** means a document designed to implement a policy or a description of specific required actions or processes.

**Proprietary Information** means and includes plans, formulas, practices, processes, designs, instruments, patterns, or compilations of information which are not generally known or reasonably ascertainable, by Trinity Health can obtain an advantage over competitors or customers.

**Protected Health Information (PHI)** means individually identifiable information (oral, written, or electronic) about a patient/resident's physical or mental health, the receipt of health care, or payment for that care. PHI includes individually identifiable member/ patient payment, dues, enrollment and disenrollment information. Individually identifiable health information in Trinity Health employment records is not PHI; however, it may be subject to other state and federal privacy protections.

**RSS Feeds or Syndication Feeds** means a family of different formats used to publish updated content such as blog entries, new headlines or podcasts and "feed" this information to subscribers via e-mail or by an RSS reader. This enables users to keep up with their favorite Web sites in an automated manner that is easier than checking them manually (known colloquially as "really simple syndication").

**Social Media** means, and includes, but is not limited to, blogs, podcasts, discussion forums, on-line collaborative sites and publishing systems that are accessible to internal and external audiences, microblogs such as Twitter and Yammer, RSS feeds, video sharing, consumer ranking sites such as Yelp, and social networks such as Facebook and Myspace.

**Standards or Guidelines** mean additional instructions and guidance which assist in implementing Procedures, including those developed by accreditation or professional organizations.

**Subsidiary** means a legal entity in which a Trinity Health Ministry is the sole corporate member or sole shareholder.

**Trinity Health Sites** means and includes, but is not limited to, internet, blog or social media sites branded by either the System Office or system, or any of its Ministries or facilities.

**Web Log, or Blog** means a site that allows an individual or group of individuals to share a running log of events and personal insights with online audiences.

**Wiki** means a website that allows users to create, edit (add/modify/delete) content in collaboration with others.

## **RESPONSIBLE DEPARTMENT**

Further guidance concerning this Procedure may be obtained from the Communications Department.

## **RELATED PROCEDURES AND OTHER MATERIALS**

- Communications Policy No. 1 – Social Media Use
- Communications Standards No. 1.1 – Standards For Use Of Social Media
- Trinity Health Organizational Integrity Program
- Trinity Health Code of Conduct

## **APPROVALS**

**Initial Approval:** September 24, 2018

**Subsequent Review/Revision(s):**