

CONFIDENTIALITY IN THE AGE OF SOCIAL MEDIA AND TECHNOLOGY

AUGUST 2014

The safety of people receiving OPWDD services is of utmost importance and all measures possible must be taken to ensure they are free from harm. In this age of technology, staff must respect and protect the **privacy and confidentiality of individuals receiving supports**, especially when using cell phones, computers, mobile devices and social media. Training, supervision and following these basic guidelines will help prevent violations of privacy and help protect the people we serve:

- Read, understand and follow your organization's Security and Confidentiality Policies regarding computer usage and other electronic device usage, including any Social Media Policy your organization has adopted.
- Review and abide by the **Code of Conduct for Custodians of People with Special Needs** you pledged to uphold. You pledged to:
 - Respect an individuals' (person who receives supports) right to privacy and confidentiality
 - Promote the physical, emotional and personal well-being of any person who receives services
 - Protect individuals from abuse and neglect and respect their dignity
 - Promote justice, fairness, equality; and respect human, civil and legal rights for each person
- Use of social media to communicate with an individual receiving supports should only occur with the authorization of your agency using their procedures for review and approval of such communications. This use should occur in compliance with service plan guidelines. If you have questions, seek clarification through your supervisor.
- Understand that personal email and social networking media accounts are not "secure" This includes, but is not limited to: *Facebook, MySpace, YouTube, Linked-In, Twitter, Flickr, online communities and chat rooms, texting, instant messaging, blogs, wikis.*
- Posting confidential and/or inappropriate information about individuals receiving supports or agency information outside of the guidelines provided by your employer may lead to employee disciplinary action, criminal charges and other consequences. You are responsible for what you post on-line, so choose your postings carefully. Even off-duty use of social media may become a work-related matter, if the confidentiality of a person receiving supports or your employer is breached.
- It is never appropriate to take photographs, videos or audio recordings of people receiving supports, agency functions, program sites or activities in the community without Agency permission and oversight as well as the express permission of the individual or his or her representative, as appropriate. Again, seek clarification from your supervisor.
- Personal mobile devices are not secure and should not be used to transmit any information to, from, or about people receiving supports, except if needed to seek assistance in an emergency situation.

It is our responsibility to Respect Privacy, Safeguard Personal Data, and Enable Trust.

For further information:

HIPAA Notice of Privacy Practices: http://www.opwdd.ny.gov/news_and_publications/opwdd_news/hipaa-privacy-policy