



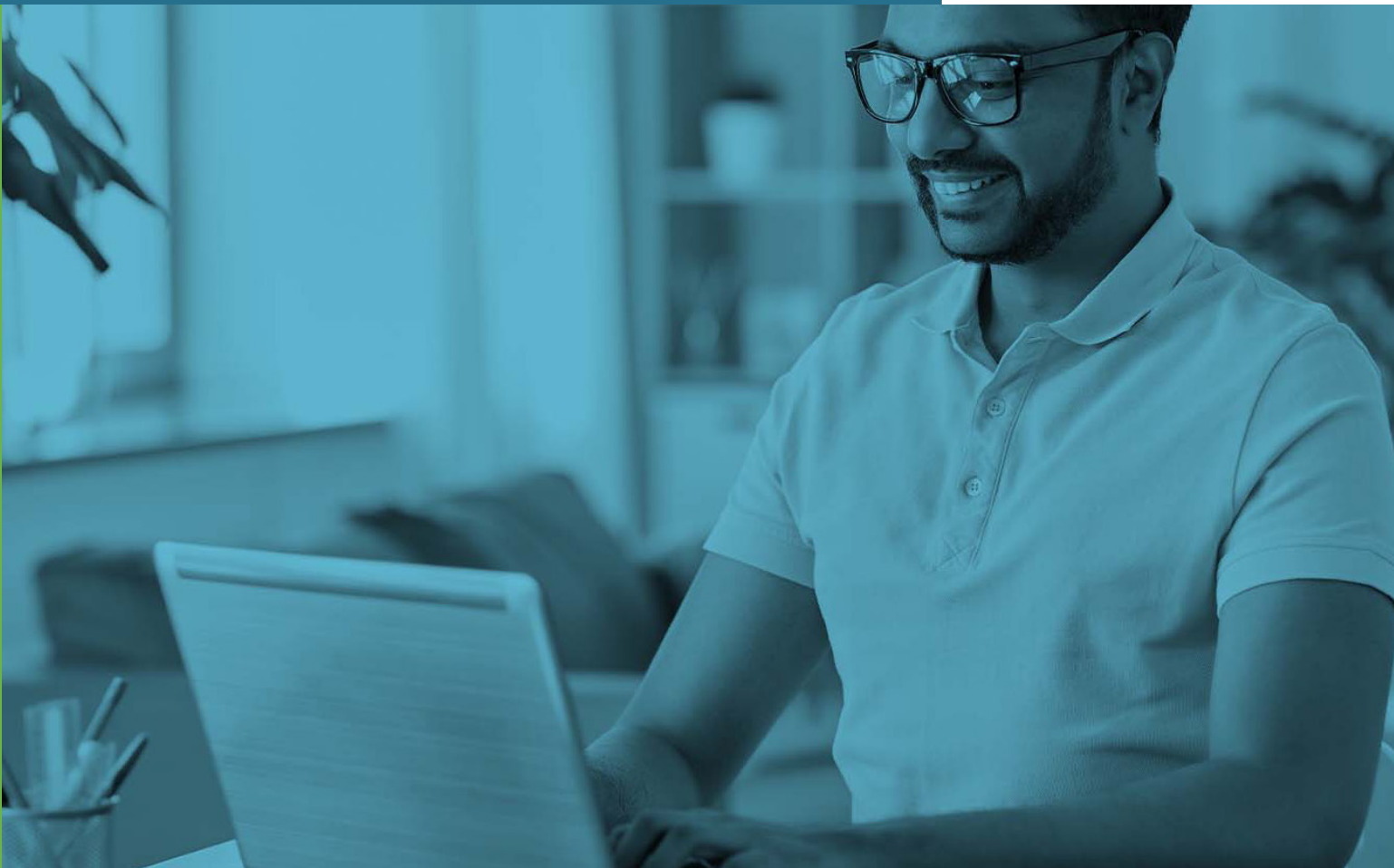
COLLEGE OF
PHYSIOTHERAPISTS
OF ALBERTA

Social Media Guide

for Alberta Physiotherapists

Updated June 2023

This document was created to provide guidance for professional social media use by physiotherapists. This guide will review the risks of an active social media presence and will provide information about how to adhere to the Standards of Practice, Code of Ethical Conduct, and professional responsibilities while engaging online.





The College of Physiotherapists of Alberta developed this guide to help ensure the College of Physiotherapists of Alberta's practice standards are met and that Albertans receive competent, ethical, quality physiotherapy care.

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Introduction

This current edition of the Social Media Guide was created to reflect the College of Physiotherapists of Alberta's mandate to serve and safeguard Albertans through the regulation of physiotherapy. Use of social media is consistently on the rise and platforms are constantly evolving and altering how people interact online. This guide will review how physiotherapists can interact on social media while maintaining professionalism and adhering to the Code of Ethical Conduct and Standards of Practice.

The use of social media platforms while using professional title is a College matter because of the effect that such use can have on the public's perception of the profession, risks to the public (including the risks from false advertising and the spread of misinformation), and challenges to the public's perception of and trust in the health system and in physiotherapists in particular.

The most common identified uses of social media in physiotherapy are listed below:

- Education of the public
- Education of peers and other health professionals
- Sharing research
- Online networking and discussions with peers
- Advertising and promotion either of a place of work or an individual physiotherapist
- Garnering reviews and testimonials

There are risks to the public, the physiotherapist, and the physiotherapy profession when participating on social media and engaging in discussions publicly on these platforms. Not only is it the responsibility of those managing the social media account, but it is also the responsibility of each individual physiotherapist to be aware of the content produced on accounts that may be associated with them and how this may impact a client or the general public. The spread of misinformation, the potential for a breach of privacy, or the erosion of the public's trust are all potential negative effects.

As is demonstrated in the case studies found in Appendix A, unprofessional use of social media could lead to disciplinary action by the College of Physiotherapists of Alberta for a violation of the Code of Ethical Conduct or one of the Standards of Practice. A physiotherapist could also be held accountable for their actions through legal action in civil court, depending on the situation.⁴ Given the potential ramifications to the public and the physiotherapist from unprofessional conduct on social media, it is worth taking an intentional approach to its use.

Definitions

Social Media: The term social media is broadly defined and constantly evolving. The term generally refers to internet-based tools that allow individuals and communities to:

- Gather and communicate
- Share information, ideas, personal messages, images, and other content
- In some cases, to collaborate with other users in real time.¹

e-Professionalism: Attitudes and behaviors reflecting traditional professionalism paradigms that are manifested through digital media.² This may include behaviours that occur in private settings such as chat groups or via email. e-Professionalism can also be described as the way you engage yourself online in relation to your profession, including your attitudes, actions and your adherence to relevant professional codes of conduct.³

e-Professionalism

Traditional professionalism involves meeting the expectations set out in the Code of Ethics and Standards of Practice, legislation relevant to the profession, and the profession's expected behaviour. The term e-professionalism is intended to convey the importance of meeting the same expectations and demonstrating the same behaviours when using social media or other electronic communication.

The Code of Ethical Conduct states the physiotherapist's responsibility is to "conduct and present themselves with integrity and professionalism," and to "commit to maintaining and enhancing the reputation and standing of the physiotherapy profession, and to inspiring the public trust and confidence." The Standards of Practice provide more concrete direction on how to meet the expectations established in the Code of Ethical Conduct. Taken together the Code and Standards make clear the requirement to use professionally appropriate, clear and honest communication in all interactions, including when using social media, and to safeguard private information at all times.

Challenges to e-Professionalism

A study conducted in 2010 showed most students in the health professions knew what was "right" but frequently admitted to participating in inappropriate use of social media. It is often a case of someone who "knows better" but still fails to restrict their actions. There can be many reasons why this occurs but, in the end, as professionals the expectation is to not only know but to act better.⁵

Perceived Anonymity

The internet can provide a false belief of anonymity and safety. Most users underestimate or fail to comprehend the number of eyes a message or comment can reach and the speed with which it can spread online. This can cause individuals to say more than they would during a personal interaction in public. Prior to posting, take a moment to reflect on whether or not you would make the same comment in person or to a much larger group, if not, you should not say it on social media.

Posting a comment from the comfort of one's home, or the security of a private office can create a sense of anonymity, when in fact a considerable amount of information about a person can often be found online. Do not assume that comments you make under the veil of anonymity cannot be discovered and attributed back to you.

Immediacy of Your Actions

Communication online occurs so easily, and platforms are constructed to make it that way. There are very few barriers within platforms and they don't contain an "are you sure you want to send this" button that forces you to pause before posting. However, it is typically well worth it to pause for a few minutes or perhaps hours or even days to consider how you wish to interact with someone online.

All electronic communications can be misread for tone and intent, so it is worthwhile to consider the potential outcome of your comments or posts and the potential for them to be misread, particularly by someone who either does not know you, or who is already unhappy with you. The pressure to respond to something immediately might be considerable but it is much wiser to respond once you have weighed the potential consequences of how your message might be received by other parties.

It is best practice to take the time to edit and reword your content before sending. Although potentially less professional you could consider using emojis to help the reader decipher the meaning behind what you write.

Reach and Longevity

The internet is vast and videos and posts commonly go "viral". It is important to consider the potential reach of what you are placing in the digital landscape. It is common to see deleted comments or posts resurface at a later date, posted by someone who was able to capture an image of a now deleted post. It is important to consider that once you have hit the send button the information can be assumed to be both public and permanent. Privacy legislation dictates that physiotherapists are required "to retain and discard information in a manner that protects privacy and confidentiality."¹³ Social media platforms create a very challenging situation in which it is very difficult to discard any patient information contained in a social media post.

Off-duty Conduct

The connectivity, global reach, and nature of asynchronous communication enabled by social media platforms means that it is difficult to separate personal and professional identities. What you decide to post on your personal page must be scrutinized as much as your professional page as clients and members of the public may go looking for both personal and professional profiles.

While you may post a comment after hours or while on vacation, your audience may not recognize the context in which you posted the comment and may attribute your posts to your professional self. This guide will help to maintain professional boundaries and avoid unintended consequences.

As regulated professionals, physiotherapists abide by a Code of Ethical Conduct and have an expected level of professional behaviour whether at work or not. Off-duty conduct that causes harm, whether on social media or not can still be linked back to your professional responsibilities including instances where you may not have identified yourself as a physiotherapist. Context does matter, but unprofessional behaviour on social media can still lead to complaints to the College and the potential for disciplinary action. You can read the Strom case in Appendix A to gain more information on this topic, but it is important to understand that you are considered a physiotherapist whether you are on-duty or off-duty.

Standards of Practice and Code of Ethical Conduct Expectations Related to Social Media Use

Physiotherapists are expected to adhere to all the expectations articulated in all the Standards, at all times. In this section we will review expectations found in the Standards of Practice and Code of Ethical Conduct that relate closely to social media use, followed by a closer look at the risks to adherence to these expectations.

Standards of Practice

- **Privacy and Record Retention:** The physiotherapist must be aware of the privacy legislation by which they practice and must have safeguards in place to maintain a client's privacy and confidentiality according to that legislation.
- **Professional Boundaries:** This is also covered in the Code of Ethical Conduct but the physiotherapist must act with honesty and integrity and must maintain appropriate professional boundaries with clients, colleagues, students, and others.
- **Communication:** In all roles and responsibilities the physiotherapist must communicate clearly, effectively, and professionally to understand and be understood by the client or those involved in their care. Communication with colleagues, students, and the general public must be consistent with the Standards of Practice.
- **Advertising:** The physiotherapist must be engaged in advertising practices that are truthful, accurate, and verifiable and does not use advertising or promotional activities that are deceptive or misleading.
- **Evidence-informed Practice:** Evidence-informed practice is not a suggestion but a requirement. Information must be accurate, verifiable, and true. All aspects of physiotherapy practice should be supported by critically appraised evidence. The Standards of Practice and Code of Ethical Conduct refer to the use of evidence-informed practice. Physiotherapists are advised to refrain from promoting information that is not grounded in scientific, peer reviewed and physiologically plausible evidence.

Code of Ethical Conduct

- Maintains professional boundaries that honour and respect the therapeutic relationship with clients.
- Communicate openly, honestly and respectfully with clients at all times.
- Respect the confidentiality, privacy, and security of client information in all forms of communication.
- Use electronic communication and social media and other forms of digital technology professionally and respectfully, conforming to confidentiality guidelines.
- Conduct and present themselves with integrity and professionalism.
- Commit to maintaining and enhancing the reputation and standing of the physiotherapy profession, and to inspiring public trust and confidence by treating everyone with dignity and respect in all interactions.

Common Concerns with Social Media Use by Physiotherapists

Regardless of purpose for which you use social media, there are inherent risks to being active on social media that may compromise adherence to the Standards of Practice and Code of Ethical Conduct and these risks can be lessened through an intentional approach.

Breach of Privacy

The ease of information sharing and the pressure to post content can result in private information being shared on social media. It is important for both the physiotherapist and their clients to realize that anything existing in the digital space can be saved, shared, or modified from its original intended purpose. A breach of privacy can come in many forms and exists on a spectrum of severity. Privacy legislation exists to protect private information from unauthorized disclosure and, in this context, it speaks directly to the privacy of clients that physiotherapists assess and treat, as well as the privacy of those involved in their care.

It is imperative to understand that express consent for sharing client information is a requirement established in privacy legislation. In the context of social media disclosure of personal information, if a physiotherapist is seeking client consent to share personal information on social media, the physiotherapist must inform the client of additional risks posed by social media, such as reputational harm, intentional misuse, alteration, or unauthorized use. Consent must be voluntary, ongoing, informed, and the person providing consent must have the capacity to provide informed consent.

Unintentional disclosure of personal information may constitute a privacy breach, and in some situations may trigger a mandatory report to the Office of the Information and Privacy Commissioner. Two real-life scenarios encountered by the College in the past include:

1. Client revealing personal or health information online

Posting on a social media platform discussing your knowledge and experience with specific injuries, treatments, and research can lead to interactions with the public where a person discloses their injury history, past-treatment details, and other private information online. Testimonials and online reviews are another method by which clients can reveal their personal health information.

Physiotherapists and businesses use these methods to increase the reach of their advertising and increase exposure to create an influx of new clients. Clients could volunteer their health information in this manner to let other people relate to their experience at the clinic or with the physiotherapist.

Even though physiotherapists do not have control over the client's actions and what they choose to disclose online, it is still the physiotherapist's responsibility to educate the client about privacy risks, and if possible, remove any private information disclosed online.

2. A physiotherapist or someone in the practice setting sharing personal or health information online

Physiotherapists debating or discussing topics such as specific interventions, treatment preferences, or recent research can also lead to disclosure of health information as most physiotherapists feel the need to provide context for their choices or opinions. As details are provided to create the context for a discussion, it is possible to disclose too much information, rendering the client identifiable. This also holds true when managing online reviews from patients, which is discussed in more detail in the section "Online Reviews and Testimonials." In either instance any disclosure of health information that can lead to the client being identifiable is a breach of privacy.

Due to the risks of posting client testimonials, pictures or videos of treatments, or sharing client stories, these practices are discouraged by the College of Physiotherapists of Alberta.

If you choose to engage in these activities, providing a thorough explanation to the client of the potential risks involved with posting their information and clearly indicating the purpose for sharing their information are paramount to reducing risk.

The client must be informed of:

- How the information will be shared digitally
- How it will be stored either in clinic or online (which platform or website)
- How long it will be retained and in use by the clinic as well as disclosing the potential for information to exist online in perpetuity
- The limits of the physiotherapist's control of information posted online, and must agree to all aspects of this

In the event that a physiotherapist or clinic unintentionally discloses information about a client without their consent, the situation must be managed and may require reporting of the privacy breach to the Privacy Commissioner, depending on the situation. You can find out more about privacy breaches from the Office of the Information and Privacy Commissioner at www.oipc.ab.ca and the [Privacy Guide for Alberta Physiotherapists](#).

Blurred Professional Boundaries

Being active on social media leads to easy access to your professional and personal accounts by clients, peers, and potential employers. This can be accentuated by physiotherapists blending their personal and professional lives online. In some instances, marketing and communications professionals may even encourage physiotherapists to "humanize" their social media accounts by posting personal content.

However, hosting both professional and personal information on one account allows clients to access the professional content you wish to share along with personal content that may be better kept private. Blurred professional boundaries can result between the physiotherapist and a client, a co-worker, or someone with whom the physiotherapist has a supervisor-supervisee relationship. "Friending" a client or someone you supervise blurs the professional boundaries that exist and can impact the nature and quality of the therapeutic or supervisory relationship. Pictures of your weekend in Las Vegas or promotion of political and personal beliefs found online could alter one person's personal or professional opinion of the other and lead to a poor therapeutic relationship. Awkward and potentially unprofessional situations can be avoided by keeping personal information and accounts private.

There is also the potential that the physiotherapist and client fail to prioritize the client's reason for accessing physiotherapy services and instead spend time discussing more personal topics. Rather than digging into their ongoing chronic ankle injury you may spend more time discussing the vacation pictures you posted on your social media account. This can lead to distraction of both the client and physiotherapist and interrupt the assessment and treatment process. This lack of focus due to more personal interactions during appointments can affect the quality of client services.⁶

Physiotherapists are advised to create professional social media accounts that are distinct from their personal social media accounts and to carefully curate who has access to their private social media accounts. It is common for clients to search for their physiotherapist's personal social media accounts, so physiotherapists must take steps to ensure their privacy or limit public access to their profile.

Offering Personal Health Advice Online

Offering health advice online is an activity that the College of Physiotherapists of Alberta strongly discourages as it can lead to client safety concerns and runs contrary to several Standards of Practice. Offering advice online via social media differs from offering virtual care or telerehabilitation. Let's get into further detail on why offering personal health advice online is discouraged by the College.

Social media is a platform in which it is difficult to confirm a person's identity. They can sign up as any number of names/personas/handles etc. and there is little interest on most social media sites to confirm anyone's identity. We also know that user's social media accounts get hacked, users fail to sign out, or accounts are accessed by other members of the family. There are too many potential issues around confirmation of identity to be able to implement safe care.

To confirm someone's identity via social media you would have to gather personal health information, which leads us into a discussion on privacy and confidentiality. Social media sites do not always offer explicit safety and protection of privacy guarantees when you sign up and most platforms do not allow secure encrypted private messaging. In collecting a person's information via social media you would have to recognize the immediate risk to the person's data being compromised, stolen, or hacked. Any personal information can lead to identity theft or any number of other compromising issues.

Failure to gather appropriate information means that you cannot appropriately assess a client's condition via social media, nor could you fulfill the College's expectation to provide safe, effective, quality care to a client. Generally, these interactions are a brief run down of their injury or condition using 500 letters or less. It would be inconceivable to be able to accurately diagnose an injury based on so little information, let alone consider any precautions or contraindications to any health advice offered. If you were to offer health advice whether it is education/exercise/self-management strategies etc. there is very little assurance that the person you are interacting with online is able to comprehend your information and apply it safely in their home.

Recommended practice is to remove any posts that contain confidential information (even if the subject of the post is the person who posted it), let them know you can't give advice online, and refer the client to your office or to another provider that is able to provide appropriate care.

Physiotherapists should consider, in advance, how they will handle social media requests for health advice in a manner consistent with the Code of Ethical Conduct and Standards of Practice.

Advertising Your Business on Social Media and Being an "Influencer"

Regardless of the mode of advertising that you are using (website, social media, emails) you must advertise in accordance with the professional expectations related to advertising from the Standards of Practice. Therefore, any advertising, promotion, or information you are publishing on social media must be accurate, verifiable, and true and cannot be misleading to the public. The information being published on your social media account must allow potential clients to make informed choices without undue influence.

1. Comparative or superlative statements about service quality, health providers, and products.

The expectation that physiotherapists refrain from making comparative or superlative statements regarding their practice or your practice location remains the same regardless of the advertising medium or format used. Superlative statements, such as referring to the physiotherapist, a product or service as "best, expert, or specialized," must not be used in any social media posts. This expectation remains the same if you are choosing to highlight client testimonials containing comparative or superlative statements on your website.

2. Inducements, incentives, or discounts

A physiotherapist must not offer inducements or incentives in order to generate business. This is clearly spelled out in the expectations found in the Advertising Standard of Practice and applies to social media and online advertising as well as more traditional forms of advertising.



3. Managing conflicts of interest

As physiotherapists and their businesses build their brands and number of followers it is inevitable that some will be approached to promote or endorse other professionals or products. It is important to realize that providing endorsements for a service or product for financial gain or other inducements is incompatible with the performance expectations related to managing conflicts of interest. There is an obvious conflict of interest when using your professional account or physiotherapist title to promote products or services in return for monetary gain or other benefit.

4. Promotion of unnecessary services

One concerning trend are year-end posts encouraging people to “use up” their extended health benefits. Launching social media campaigns to encourage the public to come in for services that they may not need just to “use up” their remaining benefits constitutes a promotion of unnecessary services and may constitute health benefits abuse. Other actions, like promoting a gait assessment to an asymptomatic client to evaluate their need for, and encourage the purchase of, orthotics also fall into this category.

Online Reviews and Testimonials

It is basically unavoidable that you will receive reviews and testimonials if you have a website promoting your physiotherapy services. It is important to take into consideration the following guidelines for engaging with people who leave reviews or testimonials on your webpage or social media accounts.

1. Be respectful, polite, honest and transparent: These performance expectations are found in both the Standards of Practice and Code of Ethical Conduct. This is regardless of the content of the review. Responding to a positive review with a sincere thank you is acceptable. In the case of a negative review, it is best to thank the reviewer for their input and direct them to call you or the clinic to discuss the situation further, so you can come to a resolution privately.
2. Do not divulge any client information: If information is divulged by the client, you can ask them to edit their post or comment to remove the private information or you can take steps yourself to remove the information.

If you do divulge any information then you must recognize your error and take steps to correct the privacy breach. Depending on the situation, you may be required to report the breach to Alberta’s Privacy Commissioner. You can find out more about breach of privacy at www.opic.ab.ca or refer to the Privacy Guide produced by the College of Physiotherapists of Alberta.

3. You must not ask for, reward, or coerce clients into leaving testimonials or reviews on any social media: Asking a client, especially an active client, to provide a review or testimonial can put the client in an uncomfortable position leading to a negative effect on the therapeutic relationship. There should be no coercion, reward, or incentive to the client for providing a testimonial.

Erosion of Public Trust

This can occur via two main mechanisms – sharing misinformation and unprofessional behaviour.

Sharing poor quality information or purposeful misinformation has obvious implications for losing the public’s trust. Physiotherapy is an evidence-informed profession; therefore, the promotion of information that lacks scientific rigor can lead to loss of the public’s trust. This includes sharing physiotherapy-specific misinformation or other health-related misinformation.

Purposeful creation or sharing of misinformation by regulated professionals can result in harm to the public and can create distrust in the profession, the science that it is based on,^{7,8} and the broader health system. There have also been multiple instances of disciplinary action of health professionals related to spreading misinformation.^{7,8}

Unprofessional behaviour posted online (via personal or professional accounts) can alter the public’s perception of the profession. Unprofessional conduct can take many forms and there are ongoing discussions on what constitutes unprofessional behaviour⁷ and where to draw the line between on-duty and off-duty conduct. However, content including the following could be construed by the College of Physiotherapists of Alberta as unprofessional.

- Demeaning content about clients, peers, practice sites, or the profession as a whole
- Discrimination
- Bullying or harassment
- Substance abuse
- Nudity or sexually explicit behaviour

Individual and Organization-led Social Media Use

The following are some tips and recommendations for meeting your professional responsibilities.

The Basics

1. Identify your role on social media. This will help you to define how you will use social media and the types of content you will post.
 - Content generators create new information.
 - Curators review and share information with other physiotherapists and the public.
 - Business users advertise and engage with the public to promote their practice setting.
 - Personal or social uses not related to physiotherapy.
2. Privacy is rare.
 - Routinely review the privacy statements, policies and settings of the platforms you use.
 - Select settings consistent with your social media role.
3. Consider what to share.
 - Choose the strongest privacy settings available for personal social media activities.
 - Use extreme caution if sharing testimonials, pictures, or videos of your clients online. You must have client consent to do so, and the consent must be well informed as to the potential risks and issues that can arise when publishing content online.
 - Information posted digitally has the potential to exist forever and can be altered by others creating unwanted outcomes.
 - When getting consent from someone be clear that they recognize this risk. Its also important to note that social media platforms must make information available to law enforcement officials and other parties under certain conditions.
4. Keep business and personal social media activity separate.
 - Utilize different profiles.
 - Establish separate pages or accounts for professional or business social media activities.
 - Use measures so that private accounts are difficult to find or connect back to you and your professional role.
5. Pause before posting.
 - Do you want this information online?
 - Is there any identifiable client information included?
 - Does this contain any unprofessional wording or statements?
6. Be aware of and follow your employer or organization's policies and standards regarding social media use.
7. Be cautious when commenting or providing opinion online.
8. Unprofessional conduct on social media platforms can lead to disciplinary action by The College of Physiotherapists of Alberta.

Developing Social Media Policies for Your Organization

Typically, businesses use social media to promote their products and services. Any advertising, or marketing activities promoting you as a physiotherapist and the physiotherapy services you offer are your responsibility. Individuals who are employed by you or the business you work for to generate advertisements may not understand the expectations of the College. It is up to you to ensure that any social media or advertising related to you is reviewed and is consistent with the Standards of Practice.

One way to avoid trouble is to create social media policies for your organization that take into consideration the regulatory responsibilities that physiotherapists abide by. As you create your social media policies, you should think about including the following:⁹

- Intended purposes/goals of social media use
- Approved social media platforms
- Content guidelines consistent with the physiotherapist's regulatory responsibilities
- Identification of individuals authorized to post or respond to comments on the business's behalf
- Guidance on how to respond to negative reviews, comments, issues or crisis that arise
- Guidance on how to interact with clients via online messaging platforms and live online events
- How interactions are to be monitored to ensure they keep within regulatory guidelines
- Any business information that must be kept confidential and why
- Any rules relating to personal profiles or using personal profiles to promote the business
- Whether the organization monitors employee use of social media
- Any consequences that will arise if employees do not comply with policies
- An employee signature indicating that they are aware of the social media policy and any implications of failing to comply
- Mandatory training or education on privacy laws and regulatory expectations
- Guidance on who will be responsible for providing social media updates and what information will be shared in the event of a crisis

Appendix A: Case Studies - Social Media Use of Health Professionals

The Spread of Misinformation on Social Media

Pitter v. College of Nurses of Ontario and Alviano v. College of Nurses of Ontario, 2022 ONSC 5513¹⁰

Ms. Pitter took to Facebook to promote and support videos and content which promoted false information regarding vaccinations and masking. While Ms. Alviano appeared at a public gathering dressed in scrubs and a stethoscope to espouse beliefs that vaccinations caused cancer and affected reproduction rates.¹¹ The two nurses argued that The College of Nurses of Ontario were infringing on their Right to Freedom of Expression by restricting their ability to promote the misinformation. Both nurses were handed remedial action by the regulator and on appeal, the court decided that this was a reasonable infringement on those rights as the regulator must ensure protection of the public from misinformation.

Ms. Alviano's speech at the public gathering was directly linked to her role as a nurse as she identified herself as one, as well as dressed in a way that reinforced her identity as a health professional. Her case is a good reminder that any actions you take outside of work but while identifying yourself as a physiotherapist whether online or not, could lead to conduct findings.

It would appear these two cases are not isolated incidents nor are they alone in facing discipline from a regulatory body for his actions.

Off-Duty Conduct

Strom vs. Saskatchewan Registered Nurses Association, 2020 SKCA 112¹²

Off-duty social media conduct became a hot topic in health profession regulation due to the case of Strom, a Saskatchewan nurse who was initially disciplined for comments made on social media about the quality of care her grandfather received at a health-care facility. Although Strom was granted a successful appeal after initial findings by the disciplinary committee it is important to recognize the negative cascade of time, money, and stress that followed her actions, and the important role that context played in the ultimate court finding.

We have highlighted several key messages from this incident that pertain to the use of social media by health professionals when off-duty.

- Strom's posts were made while she was away from work on maternity leave and, therefore, was considered "off-duty." Off-duty conduct on social media can be linked to your professional responsibilities. Although Strom made the comments while off-duty she identified herself as a Registered Nurse which directly tied her comments to her profession.
- She decided to make her posts public after initially keeping them private between her friends on the social media platform. Although Strom made the comments initially to her friends, it was her choice to make those comments public and she linked her comments to the provincial Minister of Health furthering her voice and opinion. Even if her comments were kept private and ended up becoming public knowledge without her consent there would still be expectations around the content she is discussing. Physiotherapists must assume that anything put in digital format may become public knowledge.

- She identified herself as a Registered Nurse in the posts. Even if you do not identify yourself as a physiotherapist outright you could be participating on a platform or in a role where it is understood that you are a physiotherapist or people may know you to be a physiotherapist. Context does matter, but it is important to understand that you are a physiotherapist whether you are "on-duty" or "off-duty."

Although Strom was ultimately successful on appeal, the court held that the context surrounding the comments made was important and needed to be factored into the hearing tribunal's decision. Physiotherapists ought to recognize that context is a factor in all disciplinary decisions and that while Strom was successful on appeal, that does not mean that they would have the same outcome if posting comparable content. It is important to note that at the time of publication of this document no decision has been made by the Saskatchewan Registered Nurses Association on whether they will pursue an appeal to the Supreme Court of Canada.

Appendix B: Privacy Legislation

There are several pieces of privacy legislation that apply to physiotherapy practice in Alberta; however, the underlying principles are similar. Physiotherapists are required to:

- Collect the minimum amount of private information for an identified, specific, purpose.
- Use the information only for the purpose for which it was collected.
- Secure information against unauthorized access and use.
- Retain and discard information in a manner that protects privacy and confidentiality.¹³

What Information is Protected?

Physiotherapists can be subject to one of several pieces of privacy legislation, however regardless of the specific legislation in question personal information about an identifiable individual (including contact information, health and treatment information, client photos or videos) is protected under legislation meaning the physiotherapist must be able to identify which privacy legislation is applicable and the context to which it is being used.

In several cases on record, individuals have posted comments about clients after removing names and other unique identifiers, thinking that this was sufficient to safeguard client privacy¹⁴ However, the combination of information in a social media profile about the individual writing the post, and details of the client's characteristics and condition can be sufficient for individuals (especially the client and their family, or fellow health professionals) to identify the subject of the post. This constitutes a breach of client privacy and of privacy legislation.

Physiotherapists must recognize that posting any information about a client is a breach of privacy law. This is also potentially the case if "de-identified" information about a client is posted online.¹⁴

Sharing any information protected under privacy legislation through social media or any other mechanism constitutes a breach of legislation and could result in disciplinary or legal action.

References

1. Ventola CL. Social media and health care professionals: benefits, risks, and best practices. *P T*. 2014 Jul;39(7):491-520.
2. Vukušić Rukavina T, Viskić J, Machala Poplašen L, Relić D, Marelić M, Jokic D, Sedak K. Dangers and Benefits of Social Media on E-Professionalism of Health Care Professionals: Scoping Review. *J Med Internet Res*. 2021 Nov 17;23(11):e25770.
3. <https://www.ed.ac.uk/institute-academic-development/about-us/projects/digital-footprint/eprofessionalism#:~:text=e%2DProfessionalism%20is%20the%20way,relevant%20professional%20codes%20of%20conduct>.
4. <https://www.cpta.ab.ca/news-and-updates/webinars/professionalism-in-the-era-of-social-media/>
5. Chretien KC, Goldman EF, Beckman L, Kind T. It's your own risk: medical students' perspectives on online professionalism. *Acad Med*. 2010 Oct;85(10 Suppl):S68-71.
6. Peluchette JV, Karl KA, Coustasse A. Physicians, patients, and Facebook: Could you? Would you? Should you? *Health Marketing Quarterly*. 2016;33(2):112-126.
7. College of Physicians and Surgeons of Ontario v. Matheson, 2022 ONPSDT 27 <https://canlii.ca/t/jr1gc>
8. <https://www.nature.com/articles/d41586-020-01266-z>
9. https://www.priv.gc.ca/en/privacy-topics/employers-and-employees/mobile-devices-and-online-services-at-work/02_05_d_41_sn/
10. Pitter v. College of Nurses of Ontario and Alviano v. College of Nurses of Ontario, 2022 ONSC 5513 <https://canlii.ca/t/jshcj>
11. <https://doctors.cpso.on.ca/cpso/getdocument.aspx?flash=check&pdfid=F4moUf87HTI%3d&id=%2030719&doctype=PastFinding>
12. Strom v Saskatchewan Registered Nurses' Association, 2020 SKCA 112 <https://canlii.ca/t/j9z2w>
13. <https://www.cpta.ab.ca/for-physiotherapists/resources/guides-and-guidelines/privacy-guide/>
14. <https://www.cmpa-acpm.ca/en/education-events/good-practices/professionalism-ethics-and-wellness/privacy-and-confidentiality>



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