

Case Study I. Privacy/Confidentiality

Mary, a 20-year veteran of the HIM department, began her career as a HIM Specialist. She has long been a strong supporter of the facility where she works, sharing her enthusiasm with friends and family by telling remarkable stories about her experiences, promotions within the department, and even about some notable patients. Recently promoted to supervisor over the EMR coordinators, she is clearly proud of this latest accomplishment in her career at the facility.

During a lunch break, she has a chance encounter with a patient at the facility, who happens to also be a well-known entertainer and longtime celebrity benefactor. Mary is so excited about meeting this media icon that she takes his photograph with her cell phone. She then shares the photos with her coworkers, and the next day posts them on her social media outlets. When a fellow co-worker learns of this, she contacts the facility privacy officer. Is there an ethical violation, dilemma, or concern?

In this particular scenario, there is definitely a concern. Any patient, regardless of and particularly of this stature, has the right to heal in an unobtrusive manner. This patient may feel that there is no place left to go to recover in peace. Although it is exciting to meet celebrities, it is also paramount that HIM practitioners remain professional and respect the individual's right to privacy.

1. What was the AHIMA member's actions that resulted in an ethics violation being brought forward?

By taking a picture of the patient and posting it on her social media outlets, she violated AHIMA's Code of Ethics. While this act may have been unintentional, the results may have inadvertently caused harm.

2. What AHIMA Ethical Code has been violated?

The principles this member possibly violated include:

Principle 1. Advocate, uphold, and defend the consumer's right to privacy and the doctrine of confidentiality in the use and disclosure of information.

Principle 3. Preserve, protect, and secure personal health information in any form or medium and hold in the highest regard health information and other information of a confidential nature obtained in an official capacity, taking into account the applicable statutes and regulations.

Principle 5. Use technology, data, and information resources in the way they are intended to be used.

3. *What is the potential harm to the organization as a result of the act?*

The potential harm can include, but not limited a violation of Office of Civil Rights privacy rules, damaged to the company's reputation, and since the patient is a benefactor, a financial implication.

4. *What is the status of the AHIMA member's training, education, and awareness of the AHIMA Code of Ethics?*

While it is not specified in the scenario, as a member of AHIMA, members are expected to be aware and adhere to the Code of Ethics.

Resolution: Each individual organization will have to shape policies, practices, and procedures consistent with its culture. For some, this means zero tolerance for any related activities, because this professional is in a position in which she should have known. For others, the approach may be that since this is an excellent employee with a stellar history, she should be redirected via education and training. Perhaps mandatory completion of a self-assessment tool such as this one, reading some literature on the subject, and adding routine ethical educational topics to the internal educational employee records are in order.