

# Protect Your Online Reputation

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Google yourself. You might be surprised to see what comes up.

That's right. Open up a web browser and type "Dr. Jane Smith" in the search box.

Do you like what you see? Does it make your blood boil? Is there anything there? If your name is not that unique, do the results actually refer to *you*?

Chances are physician ratings sites dominate the first page of search results. We Googled the names of the six current officers of the Texas Medical Association and the nine at-large board members; on average, each search returned five ratings sites on the first page. Those sites include basic information about each physician — training, specialty, location, office hours — as well as written patient reviews and rankings on a one-to-five scale. Some of these sites actively work with the rated physicians, allowing them to add their own messages — or even to accept online appointments.

Those ratings services are *very* popular; that's why they turn up at the top of the list. [Yelp](#), which rates all types of businesses, gets about 138 million visits each month. Since it launched in 2004, Yelp reports it has collected 61 million customer reviews, about 6 percent of them in the health care sector.<sup>1</sup> Other sites specialize in physician ratings. [Healthgrades](#), the biggest and oldest, says it receives nearly 1 million visits a day. Its two largest competitors, [Vitals](#) and [Zocdoc](#), report one-fourth and one-eighth as much daily traffic, respectively.<sup>2</sup>

The ratings can have a significant but not overwhelming influence on consumer choice of physicians. A March 2014 article in the *Journal of the American Medical Association (JAMA)* reported that 35 percent of prospective patients chose a physician based on good reviews from a ratings site; about the same number went somewhere else based on negative reviews. Even more — 43 percent — say they don't trust those sites and prefer recommendations from friends and family.<sup>3</sup>

## Yelp, I Need Somebody!

In 2011, a former patient wrote some scathing comments about Los Angeles neurosurgeon Aaron Filler, MD, on RunningForums.com. Livid, Dr. Filler filed a defamation of character lawsuit against the patient. It didn't go so well. Fourteen months later, the judge had thrown out the suit and ordered Dr. Filler to pay more than \$50,000 of his former patient's attorneys' fees. He has continued to take legal actions to recover his reputation; none has been successful so far.<sup>4</sup>

"Lawsuits are the last answer when it comes to responding to online posts," said Kevin Pho, MD, a leading physician blogger and author of *Establishing, Managing, and Protecting Your Online Reputation: A Social Media Guide for Physicians and Medical Practices*. "That's because they take time, money, and are only rarely successful. More

commonly, doctors suing patients leads to extensive media coverage, which can make a bad online situation even worse.”<sup>5</sup>

So if a lawsuit isn't the place to turn for relief, what *do* you do if a patient slams you and your practice on Yelp? First of all, if the complaints even hint that the patient is considering legal action, your first stop should be your attorney and your medical liability insurance company, the Texas Medical Liability Trust urges.<sup>6</sup> Anything you say in response to the noxious post could come back to haunt you in court.

Otherwise, consider these steps<sup>78</sup>:

1. **Examine the complaint closely.** Can you determine directly or indirectly who wrote it? Is it really from a patient — or could it be a disgruntled former employer? Are there any details that help you recognize a specific patient or incident?
2. Once again, **be very wary of responding directly.** HIPAA requires physicians to protect the identity of their patients. According to an article from the *Dallas Medical Journal*, “privacy laws in health care will not allow physicians to defend themselves in the same manner. The fact that even a patient’s identity is protected information directly hinders the physician’s ability to refute a complaint. Simply acknowledging publicly that the complaining party is a patient breaches confidentiality and violates HIPAA laws.”<sup>9</sup>
3. **Contact the site owner.** Some review sites allow you to flag reviews as inappropriate and then will consider removing them. Others will respond to a level-headed note asking them to decide if the post complies with the site’s terms of use policy.
4. **Take the conversation offline.** If you can positively determine who wrote the post, contact him or her as quickly as possible by phone or schedule an appointment to discuss it. (Stay away from email, since that could easily get copied and pasted into further online complaints.) Find out exactly why the patient is upset. Just as you would in dealing with other legitimate complaints about your practice, you should show good customer service and work to resolve this one. Apologize, explain, or offer a refund if any of those options is appropriate. But take care of the problem quickly. Patients who do not get a response using social media initially are likely to continue to discuss the issue online until there is a resolution. If you help the patient, he or she very well may follow up with a positive post to share the good news.

Remember, too, to stay alert. What you don't know *can* hurt you. Not being aware and realizing it later might be too late if the damage is already done. Patients who are worried about what they find online will quickly seek out another medical professional.

Regardless of whether you want to be “on the Internet,” chances are you and your practice are being discussed online and your digital reputation is being established. Set up [Google Alerts](#) for your name, practice name, and any other possible way you could be found online. Google will send you free email alerts when you have been mentioned. This will trigger the next step of how to further engage with that post or review. Or it may make you aware of something you can easily change to improve your practice for all of your patients.

### **An Ounce of Prevention**

As in politics, football, and public health, a good offense is the best defense against online assaults. Use good customer service principles to prevent a simple misunderstanding from

blowing up into a digital disaster. Establish your own patient satisfaction surveys to monitor how well you're doing. Use the principles outlined in this book to build a positive online presence — and a positive brand image.

James Sabin, MD, a professor at Harvard Medical School and member of the AMA Council on Ethical and Judicial Affairs, cautions against the trend of physicians accepting as patients only those willing to sign a contract promising not to write about the practice on a ratings site. "The impulse to do this is entirely understandable, but for two reasons I have advised colleagues against taking this step," Dr. Sabin wrote. "First, it introduces an element of antagonism and distrust into the patient-doctor relationship. Second, it's highly unlikely that such a contract has legal standing."<sup>10</sup>

Remember, too, the Healthgrades of the world aren't just for complaints. The *Journal of Medical Internet Research* reported in 2012 that almost half of all physicians get a perfect ranking online.<sup>11</sup> As of late 2013, Yelp reported that two-thirds of all reviews posted there were four or five stars. Some of those positive comments were spontaneous, and some were cultivated.<sup>12</sup>

Since the vast majority of your patients should be pleased with the care and service they receive from you, it's definitely to your advantage to encourage them to share their experience online. Go back to the "Google thyself" exercise. Which rating sites show up at the top of the page? Consider a handout or poster that respectfully asks your satisfied patients to visit one of those top sites and post online reviews themselves. All of that will leave you with a healthy balance of positive to negative online ratings. Prospective patients surfing for information about you will encounter a much more complete picture of you and your practice.

*This is an excerpt from TMA's Get Social publication written by Steve Levine and Debra Heater. To purchase the entire book, visit the TMA Education Center at [www.texmed.org/getsocial](http://www.texmed.org/getsocial). The publication offers 1.75 Ethics and AMA PRA Category 1 Credits™.*

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<sup>1</sup> [www.yelp.com/factsheet](http://www.yelp.com/factsheet)

<sup>2</sup> [www.alexa.com/siteinfo](http://www.alexa.com/siteinfo)

<sup>3</sup> "Public Awareness, Perception, and Use of Online Physician Rating Sites." *Journal of the American Medical Association*, Feb. 19, 2014.

<sup>4</sup> Filler, et al. v. Walker, et al., Digital Media Law Project, July 31, 2012.

<sup>5</sup> *Establishing, Managing, and Protecting Your Online Reputation: A Social Media Guide for Physicians and Medical Practices*, by Kevin Pho, MD.

<sup>6</sup> "You've been criticized online - now what? Monitoring your online reputation." Texas Medical Liability Trust, Oct. 5, 2009.

<sup>7</sup> "Docs should make the most of online rating sites." *Modern Healthcare*, May 20, 2014.

<sup>8</sup> "Doctors Check Online Ratings From Patients and Make Change." *Wall Street Journal*, May 19, 2014.

<sup>9</sup> "Satisfaction Ratings: patients reporting on quality." *Dallas Medical Journal*, July 2008. 94 (7).

<sup>10</sup> "Physician-Rating Websites." *Virtual Mentor* (AMA Journal of Ethics), Commentary by James E. Sabin, MD, Nov. 11, 2013.

<sup>11</sup> "A Changing Landscape of Physician Quality Reporting: Analysis of Patients' Online Ratings of Their Physicians Over a 5-Year Period." *Journal of Medical Internet Research*, Jan-Feb 2012.

<sup>12</sup> [www.yelp.com/factsheet](http://www.yelp.com/factsheet)