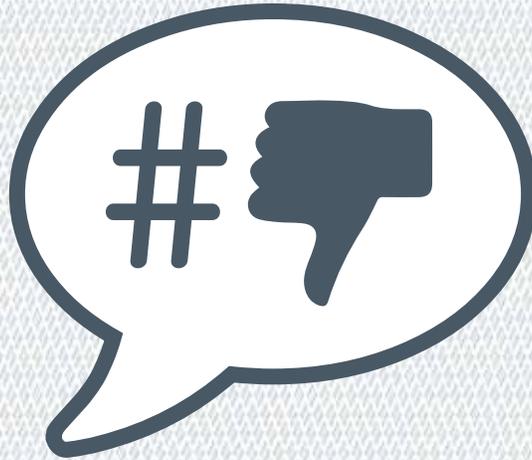


**SPECIAL
REPORT**



3 Steps To Responding To Negative Online Comments

The growth of online physician rating sites is causing a lot of physicians to feel like they're losing control of their reputations. When seeing negative comments online, it's natural for professionals to want to respond immediately to defend their reputations. But is that always the best course of action? In this special report, NORCAL's Risk Management experts discuss the pros and cons of responding to negative online comments and lay out three steps to developing a plan of action for responding to online comments.



NORCAL MUTUAL®

Considering Legal Action? Think Twice.

When physicians have attempted to use the legal system to stop online harassment, the courts have generally been less than accommodating to them. The following case demonstrates the courts' attitude toward physicians' attempts to protect their reputations.

Case Study: This case involved a neurologist who filed a lawsuit against the son of a former patient claiming defamation. The judge dismissed the case and stated, "The court does not find defamatory meaning but rather a sometimes emotional discussion of the issues." The case was widely publicized through newspaper, internet and television media outlets, and it resulted in a negative impact on the physician's practice.

If you're considering suing a reviewer, there are many potential issues you need to be aware of to avoid pitfalls and counter-suits. Consult with your attorney as soon as possible before taking any steps in that direction.

“ She did not listen to my concerns and did not answer my questions. While I was sitting in her office, she took two phone calls and on one, scheduled a presentation for her practice by a drug rep. I am getting my records and getting another doctor.”

Responding to the Challenge of Online Ratings

With the growth of social media and online marketing outlets, physicians are experiencing a not-so-new phenomenon—bad publicity—but in a new medium. New websites allow people to rate, review, or leave comments about their doctors, operating in much the same way as online services that help people find the best hotels or avoid plumbers who overcharge. A September 2016 study published in JAMA evaluated 28 physician ratings sites that allowed users to leave ratings and comments about physicians. Among physicians with at least one rating on any site, physicians had an average of seven reviews, while 34% had no reviews on any site.¹

With so few reviews for any given physician, a negative review may loom larger in a consumer's mind and weighs more on the physician's rating. And while the ratings are generally positive, some patients are using these sites to make serious and repetitive attacks on providers' reputations and competency. As a result, physicians may feel personally under attack, and some have claimed that the comments negatively affect them emotionally and financially. When these attacks occur, physicians may naturally want to go into a defensive mode in order to preserve their reputations, but they must still always maintain compliance with HIPAA and other privacy laws. Furthermore, if physicians respond immediately and impulsively, they may do more harm than good.

While this new reality may seem daunting, with a deliberate, reasoned approach, physicians can not only respond to negative online comments appropriately, but also enhance patient satisfaction by identifying and addressing any underlying issues that may have led to them.

NORCAL Mutual Risk Management Insight— 3 Steps to Responding to Negative Online Comments

Because online reviews can affect your practice—both positively and negatively—the issue certainly warrants a plan of action. Developing one can help prepare you for when you become the target of negative online comments and help you avoid an emotional response in favor of a more measured one. These steps can also help improve your online ratings, mitigate the effects of negative online comments and guide your response to negative ratings before you ever face a crisis.

Remember: Always maintain compliance with HIPAA and other privacy laws. Do not reference patient information, the medical record or other protected information in public forums.

01 Be Proactive: Develop a digital and social media plan for your practice. To proactively build your online reputation, consider monitoring online comments and requesting reviews from patients. Also, creating your own practice website and social media presence can help you control your message. Also consider the information and suggestions in this article to develop guidelines for responding to online reviews. Other helpful tools include office surveys and patient complaint processes to help you understand and address the needs and concerns of your patients.

.....

02 Don't Panic: Objectively assess the situation that led to the comments. Avoid an emotional, off-the-cuff response. Review the medical record for potential issues, but never reference the medical record in your response. If there are significant issues, contact your professional liability insurance carrier and inform a representative about the situation. If the issue directly affects patient care and you therefore have interactions with the patient, document all communication and follow-up in the medical record.

.....

03 Maintain Professionalism: Keep your tone professional and put the patient's needs first. If you decide to respond, remember your response becomes part of your online reputation. Follow group practice guidelines if you're part of a group practice. Always maintain compliance with privacy laws and don't directly or personally attack the individual posting the comment. Attempt to move the discussion to a private forum with a response like, "I'm sorry you had this experience. I'd like to discuss it with you. Please contact my office."

THE IMPACT OF ONLINE RATINGS ON PARENTS³

30% used online ratings to research physicians

67% chose or avoided physicians based on online ratings

87% say the online ratings accurately reflected their subsequent experiences

Mothers more likely than fathers to visit ratings sites

22%
FATHERS



36%
MOTHERS

This report is presented as a courtesy by NORCAL Mutual Insurance Company. Our Risk Management Specialists are always ready to help policyholders with risk issues and to support practice changes that lower risk and improve patient safety.

About NORCAL Mutual

Since 1975, NORCAL Mutual Insurance Company has been a policyholder-owned and physician-directed medical professional liability insurance (MPLI) carrier dedicated to ensuring the availability of affordable and relevant coverage. Including its subsidiary companies Medicus Insurance Company, FD Insurance Company, NORCAL Specialty Insurance Company, and its affiliate Preferred Physicians Medical Risk Retention Group, a Mutual Insurance Company, NORCAL Mutual is one of the top ten MPLI carriers in the nation, based on direct written premium, and holds an “A” (Excellent) rating by A.M. Best for its financial strength and stability.



NORCAL MUTUAL[®]

844.4NORCAL | NORCALMUTUAL.COM