

Warren County



USE OF INTERNET CODE OF ETHICS IN RELATION TO HIPAA

VISION STATEMENT

The Internet is changing how people receive health information and healthcare. Warren County must, when using the Internet for health-related purposes, contribute to an environment of trusted relationships to assure high quality information and services, protect privacy, and enhance the value of the Internet for both our clients as well as other providers of health information, products, and services. The goal of the “e-Health Code of Ethics” is to ensure that our clients can confidently, and without risk, realize the full benefits of the Internet to improve their health.

INTRODUCTION

Health information has the potential both to improve health and to do harm. Our clients who use the Internet for health-related purposes must be able to trust that the sites they visit adhere to the highest ethical standards and that the information provided is credible.

Because health and healthcare are critically important to people, Warren County, which provides health information on the Internet, has a special, strong obligation to be trustworthy, provide high quality content, protect users’ privacy, and adhere to standards of best practices for online commerce and online professional services in healthcare.

DEFINITIONS

Health Information – Information for staying well, preventing and managing disease, and making other decisions related to health and healthcare. It includes information for making decisions about health products and health services. It may be in the form of data, text, audio, and/or video. It may be subject to frequent changes due to the updating of websites or user-provider interactivity.

GUIDING PRINCIPLES

1. Candor and trustworthiness:
Guiding Principle: When Warren County provides health information, products, or services on the Internet, we have an obligation to candidly disclose:
 - A. Those factors that could influence content; and
 - B. The potential risks of providing personal information on the Internet.

Principle Part (A): Content

Our clients who use the Internet to access Warren County's Web Site for health-related purposes must have sufficient information to make fully informed decisions about the integrity of content and the potential for bias. Thus Warren County, when offering health information, products, or services on the Internet, has an obligation to:

- A. Prominently, clearly, and accurately indicate:
 - a. Ownership of the site or service;
 - b. The purpose of the site or service;
 - c. How to contact the owner and the party responsible for the site or service; and
 - d. Any relationship, financial or other, that a reasonable person would believe might influence the user's perception of the information, products, or services offered.
- B. Clearly distinguish advertising from educational or scientific content.

Principle Part (B): Risk

Our clients may not realize that personal information may be collected when they use the Internet. And they may not understand that declining to provide personal data may affect the information or services that they receive. Thus Warren County, when offering health information, products, or services on Warren County's Web Site, has an obligation to:

- A. Alert users to the potential risks to the privacy of personal information on the Internet (for example, that third parties may be collecting information without the site's knowledge).
- B. Provide clear, complete, and accurate information regarding:
 - a. What information is being collected and by whom;
 - b. To what uses information will be put;
 - c. The possibility that information will be distributed to/acquired by third parties;
 - d. The choices available to the individual regarding use and distribution;
 - e. Steps to insure data quality and access.
- C. State Warren County's commitment to data security.
- D. Clearly disclose the consequences, if any, of refusing to provide personal information
- E. Clearly describe the accountability mechanism used by the organization or site and how to contact the responsible party.

2. Quality:

Guiding Principle: Warren County, when offering health information, products, or services on its Internet Web Site, has an obligation to:

- A. Provide high quality information, products, or services; and
- B. Provide means for users to evaluate the quality of health information.

Principle Part (A): Quality

Clients, when using the Internet for health-related purposes need credible, well supported information in order to make prudent decisions. Warren County, when offering health information, products, or services on the Internet, has an obligation to provide information that is:

- A. Culturally appropriate and easy to use
- B. Accurate and unbiased
- C. Up to date information
- D. High quality health information:
 - a. Uses language that is culturally appropriate for intended users
 - b. Presents information in language that is easy to read
 - c. Presents information in formats that accommodate the needs of special populations (for example, large type for users who are visually impaired)
- E. High quality health information should:
 - a. Be rigorously and fairly evaluated
 - b. Be consistent with the best available evidence
 - c. Distinguish “experience-based” information from information that has been formally evaluated scientifically
 - d. Present all reasonable side of controversial issues
- F. High quality health information should clearly display:
 - a. Publication date and version number (if appropriate)
 - b. Date last reviewed
 - c. Date when substantive changes were last made

Principle Part (B): User Evaluation

Clients who use the Internet for health-related purposes need to be able to judge the credibility of content. Warren County, when offering health information, products, or services on the Internet has an obligation to:

- A. Clearly and accurately:
 - a. Disclose the sources of information
 - b. Disclose how the site evaluates information
 - c. Indicate when there have been substantive changes in the information
 - d. Provide tools for feedback from users about the quality of content and usability of the site

3. Informed Consent, Privacy, and Confidentiality

Guiding Principle: Warren County, when providing health information, products, or services on the Internet, has an obligation to:

- A. Safeguard users’ privacy
- B. Obtain users’ informed consent when gathering personal information

Principle Part (A): Privacy and Confidentiality

The personal information that may be gathered by Warren County's health-related site is often intimate and highly sensitive. Clients must be able to trust that any personal information they provide will be kept confidential and secure. Thus Warren County, when providing health information, products, or services on the Internet, has an obligation to:

- A. Prevent unauthorized access to personal information
- B. Assure users' access to their personal information
- C. Assure users rights to review personal information and to amend it as appropriate or necessary
- D. Provide mechanisms for tracing use of personal information (for example, audit trails)

Principle Part (B): Informed Consent

To make prudent decisions about whether to provide personal information online, especially information about their health status, clients need to know what information is being gathered and why. Thus Warren County, when providing health information, products, or services on the Internet, has an obligation to:

- A. Prominently and clearly describe:
 - a. What information is being gathered
 - b. How that information will be used (for example, for individual healthcare, research, or commercial purposes)
 - c. With whom information will be shared
 - d. How and where information will be stored and for how long it will be stored
- B. Verify that users have given their voluntary informed consent to collect and use personal information in the ways described.

4. Best Commercial Practices

Guiding Principle: Warren County, when sponsoring, promoting, or selling health information, products, or services on the Internet, has an obligation to:

- A. Disclose any information a reasonable client would believe might influence their decision to purchase or use products or services
- B. Be truthful and not deceptive
- C. Engage in responsible business relationships and affiliations
- D. Guarantee editorial independence
- E. Disclose the site's privacy policy and terms of use

Principle Part (A): Transparency

Clients who use the Internet for health-related purposes need to be assured that commercial health or medical sites are trustworthy. They have a right to expect that material presented as scientific or educational in nature is accurate, timely, and objective, and to be assured that they will be able to choose, consent, and

control when and how they engage in a commercial relationship. Thus Warren County, when sponsoring, promoting, or selling health information, products, or services on the Internet, has an obligation to:

- A. Prominently, clearly, and accurately identify the business and/or site sponsors
- B. Clearly distinguish content intended to promote or sell a product, service, or organization from educational or scientific content
- C. Clearly disclose an financial or other incentives for providers who develop or present content

Principle Part (B): Truthfulness

Clients using the Internet for health-related purposes need to know that products or services are described truthfully and that information is accurate and reliable. Thus Warren County, when sponsoring, promoting, or selling health information, products, or services on the Internet, has an obligation to:

- A. Tell the truth; tell the whole truth; make sure it is the truth. Thus they must:
 - a. Be truthful and not deceptive in all content used to promote the sale of health products or services.
 - b. Clearly disclose information that if known by consumers would likely affect the consumer's purchase or use of a product or service.
 - c. Be truthful in any claims about the efficacy, performance, or benefits of products or services.

Principle Part (C): Business Relationships and Affiliations

Clients who use the Internet for health-related purposes must be confident that commercial sites select partners who adhere to the highest ethical standards. Thus Warren County, when sponsoring, promoting, or selling health information, products, or services on the Internet, has an obligation to:

- A. Make reasonable efforts to ensure that linked and partner sites comply with applicable law and uphold the same ethical standards as the site itself.
- B. Encourage users who believe that a site's commercial partners or affiliates may violate law or ethical principles to notify the site's webmaster.

Principle Part (D): Editorial Independence

Clients who use the Internet for health-related purposes must be able to clearly distinguish editorial content from content intended to promote or sell health products or services. Thus Warren County's health-related sites supported by advertising or other commercial sponsorship have an obligation to:

- A. Clearly separate advertising from editorial process.
- B. Assure that the site's editors have full authority for determining editorial content.

- C. Assure that the site's editors have sole discretion to determine the type of advertising that will be accepted and full authority to reject advertising of any kind.
- D. Assure that current or potential sponsors do not influence the way search results for specific information on key words or topics are displayed.

Principle Part (E): Privacy

See item 3. Privacy, above.

- 5. Best Practices for Provision of Health Care on the Internet by Health Care Professionals
Guiding Principle: Warren County, when providing health information, products, or services on the Internet, has an obligation to:
 - A. Adhere to the highest standards of professional practice.
 - B. Help clients to understand how the Internet affects the relationship between professional and client while adapting the highest professional standards to the evolving interactions made possible by the Internet.

Principle Part (A): Professional Standards

Warren County has fundamental ethical obligations to its clients. Thus all healthcare professional who work for or on behalf of Warren County, that provide information, products, or services pertaining to a client's healthcare on Warren County's Internet Web Site, have an obligation to:

- A. Serve clients' best interest.
- B. Protect clients' confidentiality (by adhering to the principle of privacy discussed above).
- C. Conscientiously assess clients' needs and local resources in order to recommend or provide appropriate health information or services.
- D. Abide by the ethical codes governing their professions as practitioners in face-to-face relationships.
- E. Obey the laws and regulations of the relevant jurisdiction.

Principle Part (B): The Professional-Client Relationship

The Internet can be a powerful tool for helping to meet our clients' healthcare needs, but it also has limitations. Thus Warren County's healthcare professionals who practice on Warren County's Internet Web Site have an obligation to:

- A. Clearly and accurately describe the nature of the online relationship:
 - a. Identify themselves, their location, and their professional credentials.
 - b. Stress that it is important for clients to identify themselves and describe their healthcare needs as clearly as they can.
- B. Clearly and describe the constraints of online diagnosis and treatment recommendations (for example, that the professional cannot prescribe certain medications online).

- C. Describe the nature of information being provided (for example, whether based on expert consensus, personal professional judgment, or other sources of evidence).
- D. Help “e-clients” understand that although not every aspect of healthcare requires a face-to-face interaction, online consultation should not take the place of an ongoing relationship with a healthcare provider in every situation.
- E. Clearly disclose any sponsorship, financial incentives, or other information that might affect the professional’s role or the services offered.
- F. Clearly disclose how payment for services is to be made.