

Managing Negative Online Reviews



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Social media offers a powerful platform for your patients to post positive and negative reviews about you and your practice. Each can have a different but profound impact on your practice and professional reputation. Social media also provides an effective medium for you to promote your practice and reputation if managed properly.

My focus in this bulletin is how to effectively manage negative online reviews. If it hasn't happened yet, it will. When you get that first negative review, the urge to hastily respond with your side of the story can be overwhelming. You must take a deep breath and resist getting "into the weeds" with the reviewer.

Instead consider why a patient felt compelled to post a negative review. View this as an opportunity to explore and enhance your office protocols and communications, to reflect on whether changes can be made which would have avoided the initial complaint. In-house outlets for a patient's evaluation of their experience at your practice can sometimes eliminate public spats. You should know which patients are unhappy with the care they receive at your office before they resort to a public website to post a negative review. If you don't, there may be room for improvement in your office communication protocols.

If you feel you must respond—and it may be advisable due to circumstances such as imminent reputational harm or a patently false message—you need to understand the pitfalls of a hastily fashioned response. Even if a patient discloses their personal information online, a dentist is still generally prevented from doing so without that patient's written consent.

When a patient posts Protected Health Information (PHI), it begs the question of whether such items should be given applicable HIPAA protections, thereby prohibiting a provider's response. Although one could argue that self-disclosure by the patient on a public website is a waiver of their privacy rights in a particular situation,¹ it is better to avoid this quagmire. Honor your legal duty to protect the patient's health information regardless of their self-disclosures.² Public back-and-forth squabbles online are probably a no-win situation.

Here are some ways to take command of the situation without potentially violating state and federal privacy laws.

- Wait at least a day before responding. This should help flush out the subjective, emotional response you wanted to deliver when you first read the negative review.
- Have a policy in place prohibiting office personnel from responding without your permission and review.
- It may be best to disregard the negative review all together and instead encourage fans of your dental practice to share their views online to overwhelm the negative review.

If you feel the need to respond, do so in a general way without acknowledging the person was a patient of your practice or disclosing other protected information.

For example, a patient posts about an experience they had at your office “Had a 2 p.m. appointment with Dr. Doctor today. I walked out of the office at 3 p.m. after waiting 1 hour past my appointed time—still not being seen, no one even cared.” Your response might read, “We respect our patient’s time and always strive to keep on schedule, but because of emergency situations and particular patient needs we sometimes, but rarely, get behind in our schedule.” You have provided the reader with the reasons why you sometimes cannot keep on schedule without identifying the patient. If possible, send a private response to the patient that is professional and addresses their concerns.

Another strategy is to move the conflict offline from the start. If you can identify the individual based upon their posting (screen name), call them and invite them into the office to resolve your differences. If you can mutually resolve the issue privately, then perhaps ask if they would take down the negative posting.

Resolved or not, the office can then absorb all that was learned from the response to the posting and the patient feedback. Discuss it as a team and learn from the experience going forward.

¹ Andersen N, JD, LLM. Patient Blogs, PHI and HIPAA—Social Networking and Patient Self-Disclosures as Waiver of PHI. *Health Law Perspectives*, November 2008, [https://www.law.uh.edu/healthlaw/perspectives/2008/\(NA\)%20blog.pdf](https://www.law.uh.edu/healthlaw/perspectives/2008/(NA)%20blog.pdf), accessed August 9, 2018.

² As of the writing, I am unaware of any waiver language in the federal statute that creates an exception allowing disclosure of PHI under this situation. It is beyond the scope of this piece to address this subject under each and every applicable state law.

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