

Marketing on a Budget – Internal and External Marketing Strategies

Webinar Questions answered by The Aesthetic Society lawyer, Robert H. Aicher, Esq

1) [What HIPPA considerations apply to social media, such as Facebook?](#)

Technically, HIPAA only applies when electronic means are used to transmit patient identifiable information for the purpose of either confirming or inquiring about insurance coverage for the patient. So HIPAA doesn't apply to social media. However, normal rights of privacy do apply, so before a doctor can reveal patient info, the doctor must first have the patient's permission. Even if the patient puts their condition at issue by negatively blogging a surgeon, that doesn't give the surgeon permission to slam the patient by blogging confidential medical information.

2) [Can you put before and after photos on Facebook?](#)

As mentioned from above, it's the same for before and after photos: they can go on Facebook if the person posting them has the patient's permission. The permission likely won't say "Facebook", but it might say "internet" or "any electronic means" or something like that.