

## 425 SOCIAL NETWORKING

EFFECTIVE DATE: October 1, 2019

REFERENCES: 42 CFR 438.10 and 438.104; 45 CFR 164.500 et seq; ACOM Policy 425 - Attachment A, Social Networking Attestation Statement; Section F3, Contractor Chart of Deliverables

DELIVERABLES: Communications Administrator (Name and Contact Information); Social Networking Administrator (Name and Contact Information); Social Networking Applications Listing with URLs; Social Networking Attestation

This policy applies to the Division's Administrative Services Subcontractors (AdSS). The AdSS may choose whether to engage in Social Networking activities; should they choose to participate this policy and its requirements apply. This policy establishes the requirements for the Division's AdSS regarding social networking activities.

### **Definitions**

- A. Broadcast - Video, Audio, or text transmitted through Social Networking Applications, via internet, cellular or wireless network for display on any device (e.g., comments, podcasts, blogs).
- B. Friends/Followers - Persons who choose to interact through online social networks by creating accounts or pages and proactively connecting with others.
- C. Marketing - Any communication from a AdSS to a member of the Division who is not enrolled with that AdSS that can reasonably be interpreted as intended to influence enrollment in that particular AdSS, or to not enroll in, or to disenroll from, another AdSS.
- D. Social Networking Activities - The use of Social Networking Applications, the development of AdSS-specific Social Networking Application sites/ pages, and Broadcast activities.
- E. Social Networking Application - Web based services/platforms (excluding the AdSS's State mandated website content, member portal, and provider portal) for online collaboration that provide a variety of ways for users to interact, such as e-mail, comment posting, image sharing, invitation and instant messaging services - collectively also referred to as social media (e.g., Facebook).
- F. Tags/Tagging - Placing personal identification information within a picture or video. Tags generally are presented as hovering links to additional information about the individual identified.
- G. Username - An identifying pseudonym associating the author to messages or content generated.

### **Social Networking Activities**

- A. AdSS must participate in Social Networking Activities to support learning and engagement.

- B. All Social Networking material must comply with the requirements of this Policy, as well as the requirements for member information as outlined in AdSS Operations Manual, Policy 404. Any changes or amendments to previously approved member informational materials used in Social Networking Activities must be resubmitted to the Division in accordance with AdSS Operations Manual, Policy 404.
- C. The AdSS is responsible for reviewing and continuous monitoring of its Social Networking Activities to ensure adherence to Division policy including, but not limited to, marketing restrictions, member information guidelines, and adherence to HIPAA Privacy Rules and provisions regarding safeguarding of Protected Health Information (PHI) [42 CFR 438.104, 42 CFR 438.10, 45 CFR Part 164, Subpart E].
- D. The Division reserves the right to monitor the activities of the AdSS, including but not limited to, AdSS's oversight of its Social Networking Activities, to ensure ongoing compliance with this policy. The Division may perform audits as deemed necessary.

### **Social Networking Requirements**

The AdSS must adhere to the following requirements when engaging in Social Networking Activities. The AdSS must:

- A. Address programs and services of the Division program in support of the mission and delivery of services.
- B. Safeguard member privacy information from unauthorized use or disclosure, which includes the security of Protected Health Information (PHI) and adherence to all HIPAA Privacy Rules, Division policies and contractual requirements.
- C. Designate a Social Networking Administrator who is responsible for policy development, implementation and oversight of all social networking activities.
- D. Use all available security features to prevent fraud and unauthorized access.
- E. Ensure all connections must be initiated by the external user and not the AdSS.
- F. Ensure all Social Networking Application sites and Broadcasts are clear, direct, professional, accurate, and presented in a well-organized manner. The AdSS should make every effort to maintain the information at a 6th grade reading level as measured on the Flesch-Kincaid scale.
- G. Comply with copyright and intellectual property law and reference or cite sources appropriately.
- H. Have a presence on Social Networking Application sites and must include an Avatar and/or a Username that clearly indicates what company is being represented.
- I. Develop an internal company policy, based on the requirements of this policy, for the use of Social Networking and Broadcasts with regard to the Division's lines of

business. The policy must include a statement of purpose/general information explaining how the AdSS uses Social Networking and Broadcasting and how the AdSS continuously monitors Social Networking Activities. The AdSS must ensure applicable staff receives instruction and/or training on the Division and AdSS social networking policies before using social networking applications and broadcasts on behalf of the AdSS.

### **Social Networking Restrictions**

The AdSS must adhere to the following restrictions regarding Social Networking Activities:

- A. Social networking applications and broadcasts for the purposes of Marketing are prohibited.
- B. The AdSS must not solicit feedback from members via social networking applications or broadcasts.
- C. External user-generated content (comments/posts) is not permitted unless the AdSS has an intermediary review process in place in which the AdSS ensures all postings are appropriate and are in compliance with this policy.
- D. The AdSS must not post information, photos, videos, links/URLs or other items online that reflect negatively on any individual(s), members of the Division enrolled with the AdSS, AHCCCS, the Division, or the state.
- E. The AdSS is prohibited from tagging photographic or video content and must promptly remove all tags placed by others upon discovery unless written consent by those tagged has been obtained.
- F. The AdSS must not identify members by name, or post, share, or publish information, including a member photo, that may lead to the identification of a member unless written consent has been obtained by the member.
- G. The AdSS is prohibited from posting ads, whether targeted or general, on Social Networking Application platforms.
- H. No affiliate/referral links or banners are permitted. This includes links to other non-Medicaid lines of business that the AdSS or a corporate affiliate is engaged in. When using any Social Networking Application which may automatically generate such linkage, recommendation, or endorsement on side bars or pop-ups (e.g., Facebook), the AdSS's Social Networking Application page must contain a disclaimer message prominently displayed in the area under the AdSS's control stating that such **items, resources, and companies are NOT endorsed by the AdSS, the Division, or AHCCCS.**
- I. The use of the Department of Economic Security logo, AHCCCS logo, or State of Arizona seal is prohibited.
- J. The use of materials that are inaccurate, misleading, or that otherwise make misrepresentations are prohibited.

### **AdSS Reporting Requirements**

The AdSS must submit ACOM 425 Attachment A-Social Networking Attestation Statement, as specified in Section F3, Contractor Chart of Deliverables. Attachment A must include a listing of all Social Networking Applications used in the contract year with associated URLs.