

**Review and Consideration of Proposed Changes to
Position Statement 15.29,
*Professional Boundaries including Use of Social Media by Nurses***

Summary of Request: The Board's position statements are reviewed annually to determine if updates are needed to reflect changes in national practice trends. Though Board position statements do not carry the force of law, they provide guidance for nurses on relevant practice and licensure issues. The annual review of Board position statements allows the opportunity to accurately parallel their content with advances in practice, the Nursing Practice Act, and Board Rules.

Proposed changes to the Board's positions statements, including Position Statement 15.29, were considered by the Board at its January 2022 regularly scheduled meeting. Following the discussion by Board members regarding the proposed changes to Position Statement 15.29 at that meeting, the Board requested Staff to re-evaluate the proposed changes consistent with its discussion and deliberation and resubmit the position statement for Board consideration at its April 2022 meeting. Staff's proposed changes are included in Attachment "A" in red highlight.

Board Action: Move to approve the proposed changes to Position Statement 15.29, *Professional Boundaries including Use of Social Media by Nurses*, as attached in Attachment "A".

Attachment “A”

15.29 Professional Boundaries, including Use of Social Media by Nurses

The purpose of this Position Statement is to provide guidance to nurses regarding expectations related to professional boundaries, inclusive of social media, and to provide nurses with guidance to prevent boundary violations.

The Texas Board of Nursing (~~BON~~ Board), in keeping with its mission to protect the public health, safety, and welfare, holds nurses accountable for knowing, recognizing, and maintaining professional boundaries of the nurse-patient/client relationship [22 TAC §217.11 (1)(J)]. The term professional boundaries is defined as: the appropriate limits which should be established by the nurse in the nurse/client relationship due to the nurse's power and the patient's vulnerability. Professional boundaries refers to the provision of nursing services within the limits of the nurse/client relationship which promote the client's dignity, independence, and best interests and refrain from inappropriate involvement in the client's personal relationships and/or the obtainment of the nurse's personal gain at the client's expense [22 TAC §217.1(29)].

The National Council of State Boards of Nursing (NCSBN) defines professional boundaries as the spaces between the nurse's power and the patient's vulnerability. The power of the nurse comes from the nurse's professional position and access to sensitive personal information. The difference in personal information the nurse knows about the patient versus personal information the patient knows about the nurse creates an imbalance in the nurse-patient relationship. Nurses should make every effort to respect the power imbalance and ensure a patient-centered relationship.

Common to the definition of professional boundaries from the ~~Texas Board of Nursing~~ and from the NCSBN is that a nurse abstains from personal gain at the client's expense and the nurse refrains from inappropriate involvement with the patient or the patient's family.

Duty of a Nurse in Maintenance of Professional Boundaries

There is a power differential between the nurse and the patient. The patient depends on the knowledge of the nurse and relies on the nurse to advocate for the patient and to ensure actions are taken in the patient's best interest. The nurse has a duty to protect the patient, including establishing and maintaining professional boundaries in the nurse-patient/client relationship. Under or over involvement can be harmful to the patient and may interfere with the nurse-patient relationship. Visualizing the two ends of the spectrum may assist the nurse in knowing, recognizing, and maintaining the professional boundaries of nurse-patient relationships.

Patients each have their own unique needs and abilities. The boundary line for any one particular patient may change over time and may not be the same as the boundary line

for another patient. It is up to the nurse to assess the patient and recognize the patient's needs, adjusting the nursing care accordingly. Every nurse is responsible for knowing, recognizing, and maintaining the professional boundaries of the nurse-client relationship [§217.11(1)(J)].



Patient-centered care occurs within the therapeutic nurse-patient relationship.
Too much or too little involvement can be a violation of professional boundaries

Boundary Violations

A violation of professional boundaries is one element of the definition of "conduct subject to reporting" [Tex. Occ. Code Sec. 301.401(1)(C)]. A professional boundary violation is also considered unprofessional conduct [22 TAC §217.12 (6)(D)]. Some of the specific categories of professional boundary violations include, but are not limited to: physical, sexual, emotional, or financial boundary violations.

Use of Social Media and the Protection of Health Information

The use of social media and other electronic communication is expanding exponentially as the number of social media outlets, platforms and applications available continue to increase. Nurses play a significant role in the identification, interpretation, and transmission of knowledge and information within healthcare. As technological advances continue to expand connectivity and communication, rapid knowledge exchange and dissemination can pose risks to both patients and nurses. While the Board recognizes that the use of social media can be a valuable tool in healthcare, there are potentially serious consequences if used inappropriately. A nurse's use of social media may cause the nurse to unintentionally blur the lines between the nurse's professional and personal life.

Online postings may harm patients if protected health information is disclosed. In addition, social media postings may reflect negatively on individual nurses, the nursing profession, the public's trust of the nursing profession, or the employer and may jeopardize careers. In a survey by the NCSBN, many of the responding boards reported that they had received complaints about nurses inappropriately using social media sites. The survey results indicated that nurses have been disciplined by boards, fired by employers, and criminally charged for the inappropriate or unprofessional use of social media (NCSBN, 2012).

To ensure the mission to protect and promote the welfare of the people of Texas, the ~~Texas~~ Board of Nursing supports both the guidelines and principles of social media use by the NCSBN and American Nurses Association. In accordance with the NCSBN guidelines and Board rules, it is the Board's position that:

- Nurses have an ethical and legal obligation to maintain patient privacy and confidentiality at all times. When using social media, nurses do not identify patients by name or post or publish information that may lead to the identification of a patient. Limiting access to postings through privacy settings is not sufficient to ensure privacy. Nurses must promptly report any identified breach of confidentiality or privacy [Board Rule 217.11(1) (E) and (K)].
- Nurses maintain professional boundaries in the use of electronic media. The nurse has the obligation to establish, communicate and enforce professional boundaries with patients in the online environment. Nurses do not refer to patients in a disparaging manner, even if the patient is not identified, or transmit information that may be reasonably anticipated to violate patient rights to confidentiality or privacy, or otherwise degrade or embarrass the patient [Board Rule 217.11(1) (J)].
- Nurses must provide nursing services without discrimination and do not make threatening, harassing, profane, obscene, sexually explicit, racially derogatory, homophobic or other offensive comments [Board Rules 217.11(1) (L) and 217.12 (6)(C), (D), and (F)].
- Nurses must be aware of and comply with all laws and rules, including employer policies regarding the use of electronic devices including employer-owned computers, cameras and use of personal devices in the work place. In addition, nurses must ensure appropriate and therapeutic use of all patient-related electronic media, including patient-related images, photos, or videos in accordance with applicable laws, rules, and institutional policies and procedures [Board Rule 217.11(1)(A)].

~~The use of social media can be of tremendous benefit to nurses and patients alike, for example dissemination of public safety announcements. However, N~~nurses must be aware of the potential consequences of disclosing patient-related information via social

media. Nurses must always maintain professional standards, boundaries, and compliance with local, state, and federal laws as stated in 22 TAC §217.11(1)(A). All nurses have an obligation to protect their patient's privacy and confidentiality (as required by 22 TAC §217.11(1)(E)) which extends to all environments, including the social media environment.

Referencesources

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National Council of State Boards of Nursing. (2014). *A nurse's guide to professional boundaries*. Retrieved from https://www.ncsbn.org/ProfessionalBoundaries_Complete.pdf

National Council of State Boards of Nursing. (2014). Social media guidelines for nurses. Retrieved from <https://www.ncsbn.org/347.htm>

National Council of State Boards of Nursing. (2011). *White Paper: A nurse's guide to the use of social media*. Chicago, IL

22 TAC §217.1(29) (2016).

22 TAC §217.11(1)(J) (2016).

(Adopted: 04/2012)

(Revised: 01/2013; 01/2014; 01/2017; 01/2018; 01/2019; 01/2021; 01/2022)

(Reviewed: 01/2015; 01/2016; 01/2020)