



- Tips from Medical Marketing & Reputation Manager
- Tips from Medical Business Consultants
- Tips from AHPRA

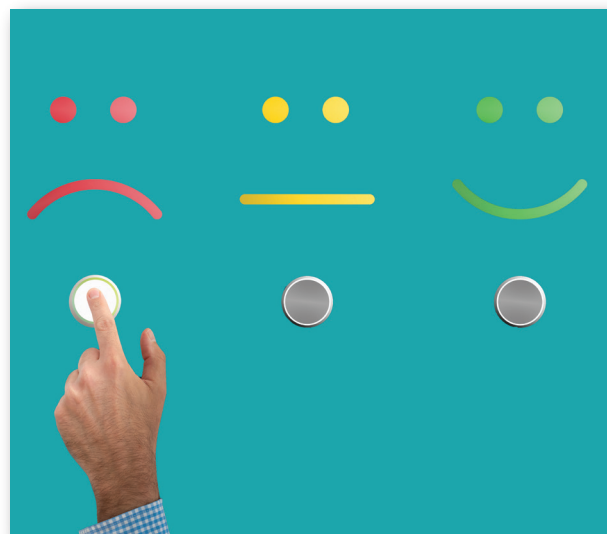
Being a doctor in a digital world isn't always easy, so we've provided top tips from DigiMed's Marketing experts, as well as medical practice growth consultants, along with advice from AHPRA.

• Verify the review is "real"

First, find out if the reviewer is a real patient or not. If you cannot find their profile name on your data base, politely reply:

Dear (insert name),
 "Unfortunately, we have no record or recollection of any patient experience fitting this account, nor can we verify anything about your identity in our records.
 If you were a patient at our practice, we would like to investigate this issue further, so please contact our reception so that we can address any genuine issues."

And if it is real complaint – don't air the dirty laundry in public. "Other patients do not want to read long, complicated disputes and the patient's privacy of course must be respected at all costs. So outside of an initial response it is recommended to take the engagement offline," says DigiMed's Jane Worthington. "Clinicians must still always be aware that there are laws about patient confidentiality for a reason and responding to negative reviews needs to be done cautiously as even a suburb or first name may be identifying."



• Don't ignore it.

"Firstly, keep in mind the public will also see your reviews and your responses – and they are looking for doctors to respond in a professional, empathetic and prescriptive manner, rather than using "canned or on-size-fits-all" marketing responses that often only invoke more ire," says HBN medical practice growth strategist Russell Lee OA.

He says ideally it is important respond to a negative review within 24 to 48 hours.

"Not to respond to a negative review may imply that you aren't concerned about your reputation, or worse, if there's no response, some readers will conclude the comments are accurate.

"Also keep in mind that smaller businesses don't get as many reviews generally, so just one or two negative reviews can taint the real picture of the typical customer journey."

• Walk in the patient's shoes

Is there a nugget of truth in what has been said? Before getting angry, ask other staff involved what went on, and create a clear timeline of the facts. And if there was a mistake, aim to make amends by apologising for how they felt about their experience.

Asking a patient to remove a review of a legitimately genuine negative experience not only has possible legal ramifications but from a branding perspective, but patients expect negative reviews.

In fact hundreds of "all perfect reviews" may appear suspicious, something known as the Pratfall Effect. "This suggests that it's good for brands to show their flaws occasionally and respond professionally, to engender trust," says Jane.



There have been recent high profile cases where "cosmetic cowboys" pay patients to remove negative reviews. But all positive reviews don't always engender trust.

Source: The Pratfall Effect on Brands



Approved



Analysis



Medical checkup



Online reviews



Patient satisfaction



Clinician reviews



Suggestions



Social Media
Interaction



Survey

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• Watch out for fake reviews

"Increasingly fake reviews are penned by competitors, trolls, ex-spouses, previous medical students, or unethical operators and competitors," says Jane.

"In some cases, these reviews are not only unfair, but untrue - resulting in devastating psychological consequences for the doctor or health professional." In other cases, they are written by real patients.

"There may be a kernel of truth in one part the complaint, but much of the complaint potentially ticks the boxes for defamation," she says.

"Whilst it often takes decades to build a reputation, that can all be destroyed in the blink of a digital eyelid, especially when 80% of patients use the Internet for doctor-finding health searches^{*1}.

"Multiple negative reviews that are vicious, or your believe meet the criteria for defamation (see below), along with fake or targeted reviews, may benefit from advice from your professional body, marketing manager or lawyer."

Source: 1* Why doctors need a strong online presence – 80% search rate

*** 2: Washington post – fake reviews making it hard to seek medical help**

• Understand when a review may be defamatory

Whilst a negative experience is one thing, defamation is another entirely," says Jane.

"In one case a plastic surgeon was awarded \$530,000 by the Supreme Court of NSW after a patient posted two genuine negative reviews."¹

"In another case a patient posted a negative review on a doctor's website, complaining the doctor was late and that "the clinic down the road was 8x better, cheaper and actually cared about their patients".

"This potentially ticks the boxes for the major pillars of defamation in a single sentence," she says.

1 Firstly, there is a false statement purporting to be fact.

"8x better" is not fact. Nor is "they actually care for their patients."

2 Secondly, to constitute defamation it must be published which it was.

3 Thirdly, the plaintiff must identify damage or harm has been caused, and also that the alleged "fault" has amounted to negligence.

In this case however, being late is not negligence

^{*1 Source: Landers Legal Insights News}



• Recognise that more doctors are standing their ground against reviews.

"Third party review parties not under the doctor's control are also coming under more scrutiny in recent times, with doctors increasingly looking to keep credibility intact," says Jane.

Google was in 2020 ordered by an Australian court² to provide details of an IP address, while a Melbourne dentist was awarded significant damages³ after a patient left negative reviews on Google.

The Australian Journal of General Practice August 2022, Managing negative online reviews: Considerations for doctors has also recently reported: "In the context of a rising number of defamation cases (including perceived trivial actions and high damages payouts), amendments to the uniform defamation law occurred through the Defamation Amendment Act 2020.

"A key change is the inclusion of a serious harm threshold requiring that the publication of the defamatory material has caused or is likely to cause serious harm to the reputation of the person. Satisfaction of this threshold can be determined by a judge before the trial," the journal reported.

Source ^{*2} : Judge allows Melbourne dentist to try new tactic to more quickly unmask negative online reviewer, ABC News

^{*3} Judgment for negative dentist reviews. The Age 2021: \$170,000 bad Google review, dentist wins payout

• Flag the review with third party sites (e.g. Rate MD or Google My Business)

Although they don't generally remove negative reviews (the whole point of the site is for patients to report their experiences), there are times when you can flag content as being fake, defamatory, involving impersonation or being "demonstrably inaccurate" with third party sites.

For RateMD for instance, if you think the rating should be removed, click the 'flag' icon next to the rating and tell RateMD why it should be removed.

Reviews flagged for removal are reviewed by RateMDs and taken down if deemed inappropriate.

For instance, this could be because they contain demonstrably inaccurate or out of date information (to the extent that information was out of date at the time of the review), are libelous, or include accusations of unlawful activity, profanities or vulgarity, privacy violations, spam, or details that are not relevant or related to a patient's visit.

If the rating is flagged, and then re-approved, the flag disappears for that rating.

RateMDs does not remove reviews solely because a user claims the review is subjectively unfair.

Similarly Google removal of review procedures can be found here.



• Beware of positive Reviews on Facebook

Positive reviews can be problematic too and in recent years Facebook has allowed a disable comments on Facebook settings, which means doctors are now liable for reviews on their own pages which they could not remove in the past.

That's why one approach to avoid AHPRA compliance breaches is to disable reviews on Facebook especially if that site is not constantly monitored.

The upside to this is that while you may lose some positive reviews damaging negative reviews (or positive reviews, that breach AHPRA) do not have to be monitored or removed.

To remove positive reviews on Facebook medical sites.

- 1 Click on Settings on your Business Page
- 2 Click on Edit Page
- 3 Scroll down to "reviews" and click Settings
- 4 Move the slider from "on" to "off"
- 5 Save your new settings

A spokesman for AHPRA says AHPRA has published national guidance to help registered health practitioners meet their professional and legal obligations and these can be found within the advertising hub on the AHPRA website (see links at end of article).

Source: March 2021, The Guardian Facebook now lets users turn off comments on post.

• Also be wary of positive reviews on websites you don't control.

Currently you cannot disable reviews on Google My Business or RateMD.

However, if the review states something like: "the results were truly amazing and Dr X made me look 10 years younger," it is best not to reply.

Why? Because you need to ensure that you do not breach privacy or health practitioner regulations, regardless of what the patient has stated. Also, if you respond to a review confirming the positive nature of the patient's experience, you might be breaching the law.

AHPRA also has a clear position on this stating that: "Advertisers are not responsible for testimonials published on a third-party website that they do not control.

"However, advertisers should take care if they choose to engage with testimonials on third-party websites as they may be considered using a testimonial to advertise a regulated health service, which is prohibited."

While resources determine that AHPRA does not currently 'police' specific platforms such as review and ratings website on Google the spokesperson added: "if we receive a complaint and a practitioner is found to be in breach of the National advertising requirements, we will take the appropriate action."

If you need assistance on positive branded messages and how to achieve compliant feedback for your business digitally please call us today on 0403 824 833.

FEEDBACK

