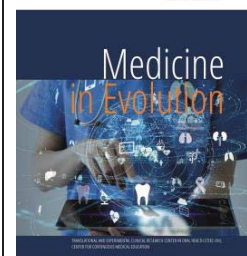


Legal Considerations Regarding the Responsibility of the Mass Media on the Veracity of Medical Information Disseminated to the Public



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Abstract

The responsibility of mass media is a subject of real interest for practitioners from the health system and for media trusts. Background/Objectives: Numerous situations have occurred regarding the damage of professional and public image of the medical staff from Romania as a result of the transmission of false or erroneous information regarding the medical practice. Methods: This observational-prospective study evaluated the patients' opinion regarding the degree of influence over the medical staff's professionalism, as a result of the information transmitted in the mass media. Results: Most of the patients have the opinion that there is a very high risk that the image and professional prestige of the medical staff will be affected when the information transmitted through the mass media is not in agreement with reality. This indicates the need of solid legal levels through which press trusts can be held accountable when commit such slips. Conclusions: The main conclusion focuses on the legal identification and sanctioning of mass media every time there is a violation of the legislation and ethics nature regarding the transmission of false/erroneous information related to the professional activity of the medical staff.

Keywords: mass-media, medical staff, patients, news, professional prestige, right to image

INTRODUCTION

The representation of medical activities in mass media has a long history, being justified by the broad interest of the population [1]. Gradually, this interest of the public became more and more accentuated, reaching a real invasion of medical news in written and audio-visual media, especially in television [2].

The abundance of medical information in the press or on the Internet allows everyone interested to form more or less scientifically based opinions. The interference of medical activities with audio-visual and written media is particularly complex [3]. The effectiveness of medical treatments also significantly depends on the trust that patients have in medical professionals and health institutions. In this regard, nowadays, the role of audio-visual and written media is overwhelming [4]. In many cases, the rights of medical personnel are often violated by written publications, radio or television stations. Televisions seem to be particularly interested in the news through which a series of information with negative impact because massively increase the audience among the public [5]. Even if the media coverage of negative situations occurring in medical practice can contribute to their quick remedy, the tendency to generalize can cause a decrease in patients' trust in the healthcare system [6].

In certain situations, the news broadcast in the mass media related to the professional activity of the medical staff have as starting point, completely invented information which is then taken over and processed to become as credible as possible [7]. Other times, articles published by some personalities who have different theories than those of the majority of the scientific community are taken with the intention of sowing distrust in official healthcare. The incomplete presentation of these opinions without being signalled and the contrary opinions favour the disorientation of the public [8-9]. The efficiency of the dissemination of medical information through the mass media is correlated with a number of factors including: the credibility, accessibility or usefulness of the news [10]. The medical information propagated through the audio-visual media have a favourable impact on the public that receives it and is necessary to follow very strict rules, but those who make these materials seem not to know or not to apply [11]. Non-compliance with these rules in the mass media leads to the birth of a high degree of scepticism among the population, which eventually ends up losing confidence in the medical staff [12-13].

The role of the audio-visual media is a overwhelming source of information these days, but the mass media has the duty to disseminate only those truthful information, which can be demonstrated [14-15].

Aim of the study

This study focuses on evaluating the opinion of patients in Romania regarding the way and degree in which the mass media contribute through the news they promote to influencing their opinion regarding the activity carried out by the medical staff.

MATERIAL AND METHODS

The material and method of this study is an anonymous questionnaire consisting of 10 closed questions with yes or no answers that were focused on analyzing the patients' opinion regarding the way in which the mass media contribute through the news they promote to influence their opinion regarding medical profession.

The questionnaire was distributed in written format to a group of 60 patients in different dental offices in Timiș County, both in urban and rural areas. The questionnaires

completed by the patients were anonymous. The subjects were asked for their consent in order to participate in the conducted study, the purpose of this study being explained to them. Also, before completing the questionnaire, patients were invited to ask any question they considered necessary regarding the study. The patients' participation in the study was voluntary and they had the right to withdraw at any time, without being manipulated or influenced in any way. For all the questions were only two answers, 0-NO and YES-1.

The first question analyzed to what extent they allowed themselves to be influenced or manipulated in a negative sense by the information transmitted through the media regarding the medical staff and the activity undertaken by them. The purpose was to observe to what extent patients allow themselves to be influenced by the news propagated in the mass media or choose to build their personal opinion regarding the activity carried out by the medical staff, compared to the direct interaction with them.

The second question aims to analyze the degree to which the prestige and image of the medical staff are affected once a series of distorted, untrue news or information is disseminated in the mass media. We wanted to find out the patients' opinion on this subject, considering that they often turn to a certain doctor, who was previously recommended to them, and there are positive references regarding the activity provided by him.

Third question evaluate the opinion of the patients regarding an extremely important topic, namely if they found that recently it is chosen to propagate the news with negative impact on the medical system, and less the positive aspects that contribute to increasing patients' trust in the medical act.

Fourth question aim of analyze to what extent patients consider it beneficial that those cases in which the medical staff committed certain professional errors due to negligence or imprudence should be publicized in the press, so that on future to become much more responsible in the relationship with patients. We wanted to assess to what extent patients believe that in this way, possible professional errors in medical practice are prevented in the future.

Question number five analyzes to what extent the rights of medical personnel are effectively protected within Romanian legislation when it comes to the relationship with the mass media, so that there are no situations in which the interests of those working in the health system are harmed due to the fact that the legislation does not protect them sufficiently.

As for the sixth question in the questionnaire, it aims to debate the population's accessibility to information related to the medical act. The accessibility of patients with regard to all the information that interests them also depends on the means through which it ends up being communicated to them within a reasonable time. For this reason, we wanted to evaluate the patients' opinion regarding the role of the media in terms of disseminating information to the population as quickly as possible.

Question seven analyzes the degree of knowledge possessed by the patients participating in the study regarding the legislation in Romania that regulates the conditions under which the mass media can and has the right to transmit related news about a specific patient treated in a health facility. We wanted to observe whether patients are informed about the fact that their consent must be requested before information about their health condition is transmitted in written or audio-visual media.

The eighth question in the questionnaire also analyzes the level of knowledge of the patients regarding the conditions stipulated at the legislative level in which the media has the right to transmit certain images of them undergoing treatment in health facilities. We want to assess to what extent patients know their rights stipulated at the legislative level, so that they can protect themselves when they are violated.

The ninth question considers a numerical evaluation of the cases in which the mass media were sanctioned for prejudicing the rights and interests of medical personnel, by transmitting false information in bad faith, with the aim of harming the professional image and prestige of medical specialists.

The last question brings into discussion an important topic these days, namely the use by patients of various online platforms through which they choose to report certain acts committed by the medical staff. The question that arises is to what extent these online platforms would represent a real threat to medical personnel, considering that most of these sites are anonymous, anyone can enter and comment on various aspects related to the professional activity performed by medical personnel.

RESULTS

The data collected from the patients participating in the study were centralized and analyzed statistically by reference to their environment of origin, respectively urban or rural, being rendered in the form of figures.

Question 1: Has your opinion been negatively influenced regarding the work carried out by medical personnel, given certain information that you have become aware of through the media? The results showed that of the total of 60 patients who agreed to participate in this study, 27% of them from the rural environment and 43% from the urban environment believe that their opinion was not negatively influenced in terms of the activity carried out by the medical staff, as a result of the information transmitted through the media in the press. 8% of rural patients and 22% of urban patients stated the opposite, namely that their opinion was negatively influenced after different information was disseminated in the media regarding the activity carried out in different public or private health facilities by the medical staff (Figure 1).

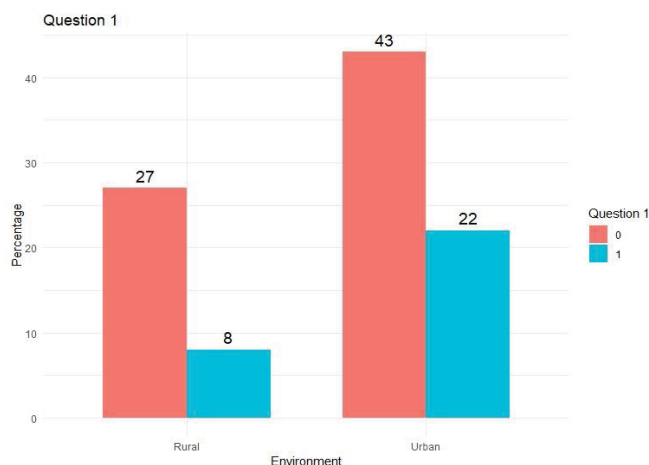


Figure 1. Influencing the opinion of patients regarding the activity carried out by the medical staff as a result of the information transmitted in the mass media

Question 2: Do you consider that at the present time the medical staff suffers because of the information that is transmitted in a distorted way in the press, being affected by their professional image and prestige? Compared to the second figure, as it also appears from its content, of the total of 60 patients included in the study, 10% from the rural environment and 12% from the urban environment do not consider that at the present time the medical staff is affected because of the information that is transmitted in a distorted way in the press (Figure 2). On the contrary, the majority of those who completed the questionnaire had the opposite

opinion, namely 25% of those from rural areas and 53% from urban areas stating that the image and prestige of doctors is affected due to the transmission through the media of erroneous and false information regarding the activity provided by them in the medical field.

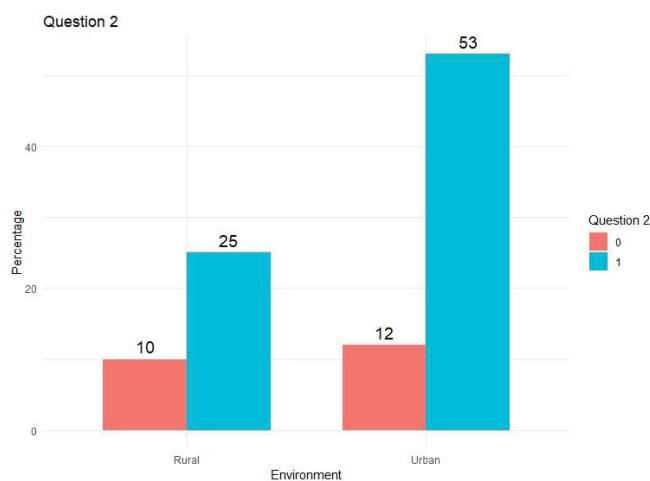


Figure 2. The degree of damage to the professional image and prestige of the medical staff as a result of the information erroneously transmitted through the media

Question 3: Do you think that currently, in most cases, the media promotes information and news with a negative impact on the medical system in Romania, minimizing the positive aspects regarding the activity of the medical staff? The results showed that 5% of the patients from the rural environment and 12% from the urban environment do not believe that currently the mass media mostly promotes information and news with a negative impact regarding the activity of the medical staff carried out within the health system from our country (Figure 3). On the other side were the patients who had an opposite point of view, namely 30% of the patients from the rural environment and 53% of those from the urban environment, being of the opinion that most of the news broadcast in the mass media put the emphasis on information with a negative impact on the activity carried out by the medical staff in Romania, minimizing the positive aspects related to the health system.

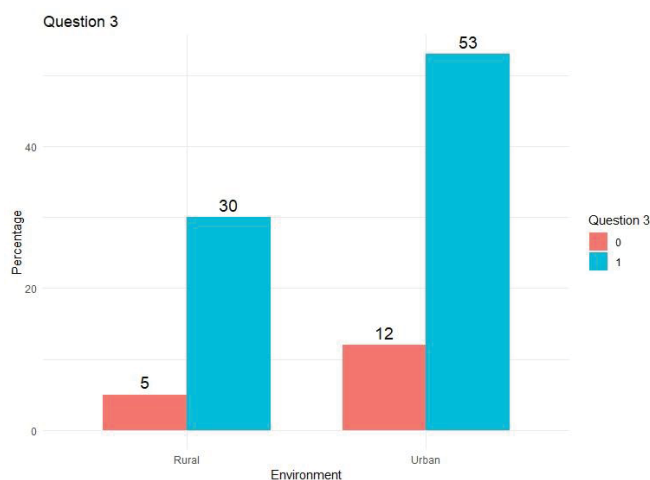


Figure 3. Patients' opinion regarding the promotion of information and news with a negative impact in the mass media regarding the activity of the health system in Romania

Question 4: Do you consider that the media presentation of news related to possible professional errors committed by professionals in the field will have a favorable impact on patient safety, because in this way the medical staff will be aware of the risks they are exposed to if they do not adopt a behavior that prevents future mistakes? From the total number of patients included in the study, 12% of them from the rural environment and 23% from the urban environment do not believe that the presentation in the mass media of news related to possible professional errors committed by professionals in the field will have a favorable impact on patient safety (Figure 4). They do not consider that by disseminating the cases of medical malpractice in the media, doctors will become aware of the risks they are exposed to if they do not adopt a behavior that prevents future mistakes. A higher percentage of patients, namely 23% from rural areas and 42% from urban areas, believe that, on the contrary, the behavior of the medical staff will be influenced as a result of the disclosure of malpractice allegations through the media, this awakens in the doctors' consciousness a greater degree of responsibility regarding the prevention of future mistakes in the medical act.

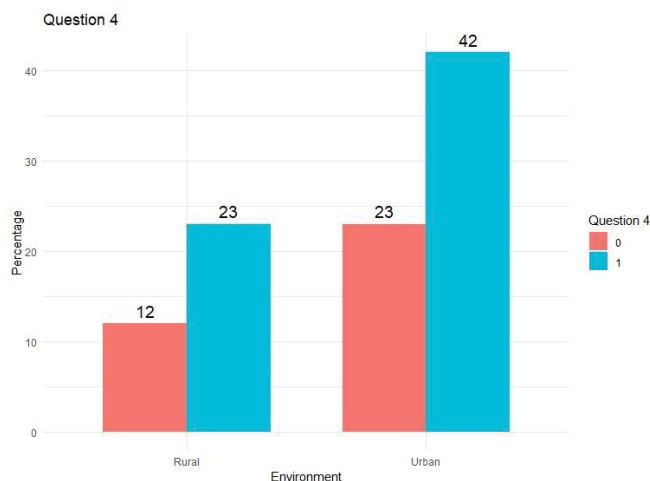


Figure 4. Patients' opinion regarding the degree of influence on the behavior of medical personnel following the presentation in the media of cases of medical malpractice

Question 5: Do you think that the rights of medical personnel should be much better protected within the Romanian legislation in relation to the mass media? The results showed that 10% of patients from rural areas and 10% of those from urban areas (a similar percentage regardless of the area of origin) do not believe that the rights of medical personnel should be better protected in relation to the mass media. On the contrary, the majority of patients, respectively 25% from the rural environment and 55% from the urban environment, stated the opposite, being of the opinion that the rights of medical personnel require increased protection in relation to those who work in the mass media (Figure 5).

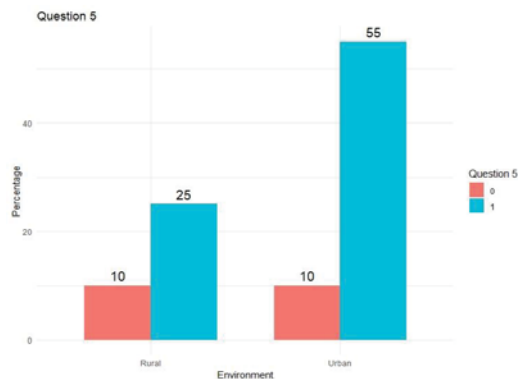


Figure 5. The opinion of patients regarding the increase in the degree of protection of the rights of medical personnel in the relationship with the mass media

Question 6: Do you think that the mass media contribute to the dissemination of information related to the activities carried out by medical personnel in a much shorter time, the population having access to the information they need in this way much easier? According to the results obtained, 10% of urban patients do not consider that the mass media contribute to the dissemination in a much shorter time of information related to the activities carried out by the medical staff. In rural areas, there was no patient who stated this. On the other hand, in rural areas, 35% of patients and 55% of those in urban areas stated that, on the contrary, the information transmitted through the media regarding the activity carried out by medical personnel reaches the entire population much faster, having access to easier this way (Figure 6).

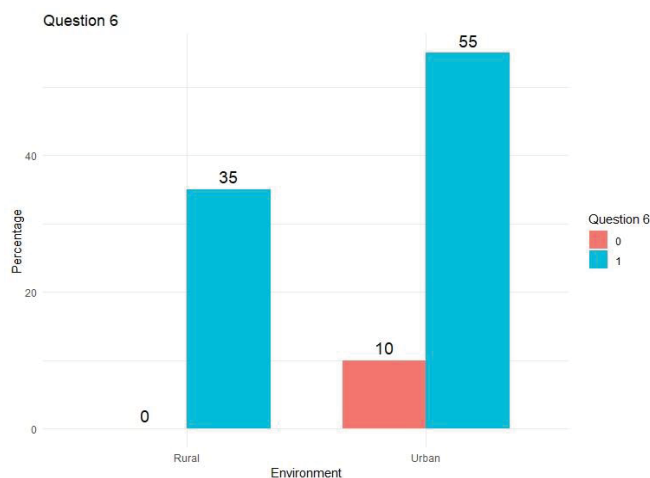


Figure 6. The speed of dissemination of information related to the activity carried out by the medical staff through the media

Question 7: Are you aware that information about the activities carried out within a health facility, public or private, involving both the doctor/medical staff and the patient can only be transmitted to the media with their consent? The results showed that 10% of patients from rural and 22% from urban areas do not know that information related to the activities carried out within a public or private health facility that involves both the doctor/medical staff and the patient is not can be transmitted in the mass media only with their consent (Figure 7). Most of the patients, respectively 25% from rural areas and 43% from urban areas, have knowledge and are informed about this rule.

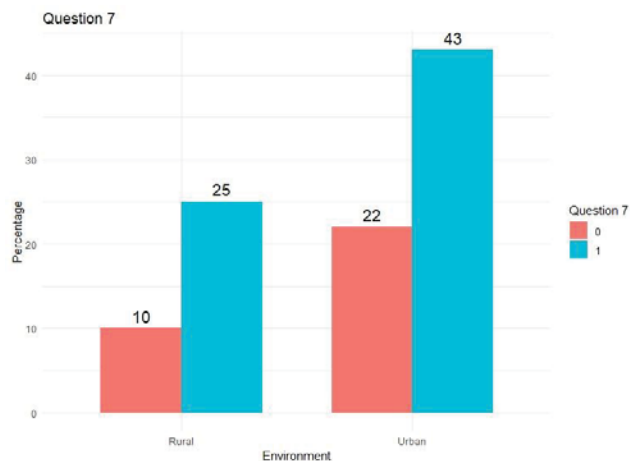


Figure 7. The degree of information of patients regarding the rule of expressing consent by them and the medical staff prior to the transmission by the mass media of information related to the activity carried out in public or private health facilities

Question 8: Do you know what is the legislation currently applicable in Romania that regulates the conditions under which the media has the right to transmit certain images of patients while they are being treated in various health facilities? To this question, 18% of patients from rural and 32% of those from urban areas do not have knowledge and are not informed about the legislation in Romania that regulates the conditions in which the mass media have the right to transmit certain images of patients while they are being treated in various health facilities (Figure 8). The difference compared to rural or urban patients who have knowledge of the content of the legislation that regulates the conditions under which the media has the right to transmit certain images of patients while they are being treated in different health facilities is not a notable one, with a percentage of 17% from the rural environment and 33% from the urban environment.

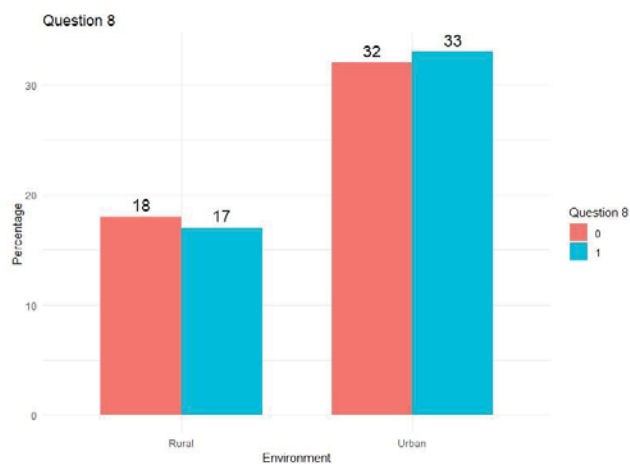


Figure 8. The level of information of patients regarding the legislation in Romania that regulates the conditions under which the media has the right to transmit certain images of patients while they are undergoing treatment in various health facilities

Question 9: Are you aware of situations in which personnel working in the mass media have been sanctioned and held liable for transmitting untrue and undocumented information regarding the work of medical specialists? Regarding the penultimate question in the questionnaire addressed to patients, 23% of those from rural areas and 52% from urban

areas do not have information regarding cases in which personnel working in the media are sanctioned as a result of the transmission of false information regarding the activity carried out by the medical staff, damaging their image (Figure 9). A much smaller percentage, namely 12% of patients from rural areas and 13% of those from urban areas know of cases in which those employed in the mass media were sanctioned for such acts.

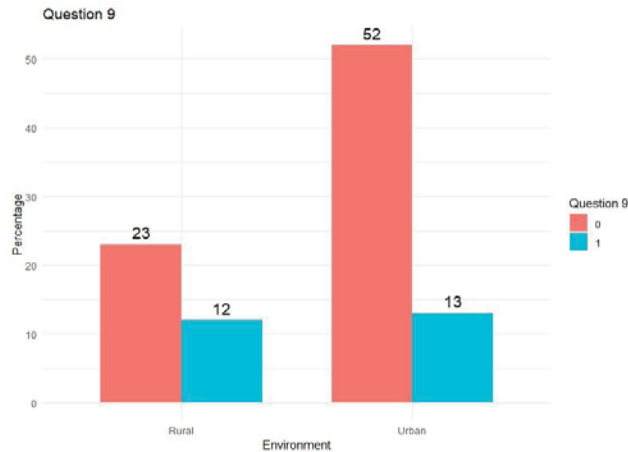


Figure 9. The degree of information of patients regarding the cases of legal liability of those who carry out their activity in the mass media as a result of the dissemination of false/erroneous information regarding the activity carried out by the medical staff

Question 10: Do you consider that currently the online platforms that promote the possibility for patients to complain about a number of aspects related to the activity carried out by the medical staff constitute a real threat to the professional prestige of the latter? The results showed that 13% of patients from rural and 25% of those from urban areas do not consider that currently the online platforms that promote the possibility for them to claim a number of aspects related to the activity carried out by the medical staff constitute a real threat for the professional prestige of the latter (Figure 10). On the contrary, 22% of patients from rural areas and 40% of those from urban areas expressed a completely opposite point of view, stating that there is an increased risk that the image and professional prestige of those working in the health system will be affected as a result of complaints made by patients online through different platforms.

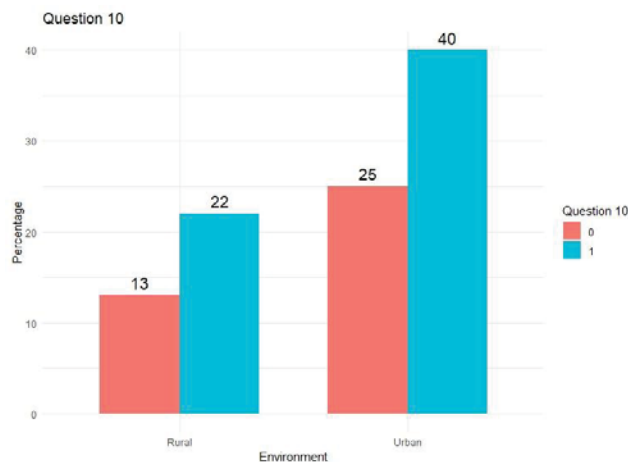


Figure 10. The degree of risk regarding the damage to the image and professional prestige of the medical staff as a result of complaints and reports submitted by patients through online platforms

DISCUSSIONS

We do not want to dispute the multitude of benefits brought to the population as a result of the involvement of the mass media in the transmission of information related to the medical system and the activity carried out by the staff within it, but in many cases it has been shown that doctors have suffered as a result of the transmission of false/erroneous information regarding their activity in the press, their image and professional prestige being affected. The medical system is extremely vulnerable at the present time, and unfortunately many patients form a wrong opinion about the activity carried out by the medical staff, referring only to what is circulated in the press, not passing through their own filter and not verifying the information [16]. In this context, we believe that there must be a series of mechanisms regulated at the legislative level through which the personnel working within the press trusts are aware of the importance of carrying out the activity in a legal, ethical and moral framework, and when they break certain rules to be held accountable.

From our point of view, protecting the rights of medical personnel in the relationship with media trusts will contribute to the reduction of abuses in the health system, to the reduction of cases of damage to the image and prestige of those who work in the medical field in Romania, and to greater safety of them. We do not deny the importance and role of the mass media in the transmission to the population of news that presents a series of aspects that happened in the medical field that violate the legal norms in force, because these slips must be corrected and eliminated if they really exist, but we consider that the dissemination of information false, unproven/unproven, just for the purpose of increasing the audience is not an ethical, moral and legal attitude of those who are part of the media trusts. In this context, we believe that it is imperative that the rights of medical personnel are much more firmly protected by Romanian legislation in relation to press trusts.

CONCLUSIONS

The central conclusion of this study is that according to which, the degree of awareness of those who work in the mass media must be increased regarding the importance of complying with the legislation regarding the transmission of information related to the activity of medical personnel, and where a series of slippages must be acted upon firmly, applying drastic sanctions in order to prevent the occurrence of these cases in the future.

The activity carried out by the medical staff must be presented in a real way, without hiding the truth and without sending false/erroneous information in order to increase the audience among the media trusts in Romania.

Conflicts of Interest

The authors declare no conflict of interest.

REFERENCES

- [1] Goobie CG. Social media impacts on the dissemination of health-related information and patient/physician relationships. *UBCMJ*. 2020; 2(11): 6-8.
- [2] Petcu M. Mass media din România după 30 de ani. Editura Tritonic. București, 2020: 120-123.
- [3] Oprea B. Fake news și dezinformare online: recunoaște și verifică. Manual pentru toți utilizatorii de internet. Editura Polirom. București, 2021: 79.
- [4] Rutuja AS. The Role of Mass Media in Health Care Development: A Review Article. *Journal of Advanced Research in Journalism & Mass Communication*. 2018; 1-2(5): 39-43.

- [5] Catalán-Matamoros D. The role of mass media communication in public health. *Health Management Different Approaches and Solutions*. 2011: 90.
- [6] Naveena N. Importance of mass media in communicating health messages: an analysis. *IOSR Journal of Humanities and Social Science*. 2015; 20: 36-41.
- [7] Car J. eHealth in the future of medications management: personalization, monitoring and adherence. *BMC Medicine*. 2017; 15: 73.
- [8] Cavill N, Adrian B. Changing the way people think about health-enhancing physical activity: do mass media campaigns have a role?. *Journal of Sports Sciences*. 2004; 22: 771-790.
- [9] Antheunis ML, Tates K, Nieboer E. Patients' and health professionals' use of social media in health care: Motives, barriers and expectations. *Patient Educ Couns*. 2013;92(3):426.
- [10] Cheston CC, Flickinger TE, Chisolm MS. Social media use in medical education: a systematic review. *Academic Medicine*. 2013;88(6):893-901.
- [11] Moorhead SA, Hazlett DE, Harrison L, Carroll JK, Irwin A, Hoving C. A New dimension of health care: systematic review of the uses, benefits, and limitations of social media for health communication. *J Med Internet Res*. 2013;15(4):85.
- [12] Free C. The effectiveness of M-health technologies for improving health and health services: a systematic review protocol. *BMC Research Notes*. 2010; 3: 250.
- [13] Maftai I, Maftai Golopenția IM, Maftai Golopenția TV. *Drepturile cadrelor medicale*, Ed. Cermaprint, București; 2023:76.
- [14] Ardelean F, Laza I. *Mass-media sub lupa cercetătorilor și a practicienilor*, Editura Tritonic; București, 2024:80.
- [15] Coman M. *Introducere în sistemul mass-media*. Editura Polirom, București, 2016: 90
- [16] Badau HM. *Tehnici de comunicare în social media*. Editura Polirom, București, 2011: 65-70.