

Most negative online posts aren't defamation

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(HealthDay)—Few negative online posts about doctors reach the level of defamation, according to an article published Oct. 10 in *Medical Economics*.

Lee J. Johnson, J.D., a health law attorney in Mount Kisco, N.Y., offers guidance on how [physicians](#) should respond to a situation in which a former patient is "bad mouthing" them on websites that review physicians.

Johnson says that most online posts do not reach the level of defamation, meaning that there is proof the statement is false and proof of damages. Whether a reasonable person would understand a statement to be an opinion or fact is the typical legal standard for defamation. The defense against a defamation claim is the truth. If the claim is, "he has been found guilty of Medicare fraud," and he has, there is no case for defamation. Statements of opinions like "the doctor did not listen" are open for debate. Johnson suggests physicians consider reaching out to

the patient to try to fix the problem and to start a "positive campaign" by asking loyal patients and respected colleagues to post opinions online too.

"While hurtful and damaging, most posts usually do not contain facts that can be proven true or false," Johnson writes.

More information: [More Information](#)

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