

J. Michael Locke

Musings

#213: Musing February 25, 2023

Big Supreme Court case for big tech was argued this week. Platforms like YouTube, Twitter, Facebook etc. have been protected from any liability for what users post under Section 230 of the Communications Decency Act of 1996 which generally provides immunity for website platforms with respect to third-party content. This has been called the “Magna Carta” of the internet. The challenge is that Section 230 has eliminated the “ego and superego of content moderation” and we are left with the “Id” supercharged by recommendation algorithms. The worst of our society gets amplified to drive engagement under the advertising business models of most firms. A family sued whose kid was killed in the Parisian attacks by a terrorist radicalized by YouTube videos. Interesting legal argument is that 230 doesn’t protect YouTube (owned by Google) because it wasn’t just about hosting the videos but that their algorithm recommended their viewing by presenting them to the developing terrorist. The logic of this argument is that the algorithm moves the platform from a conduit of information to a publisher. [supreme-court-google-twitter-section-230](#). Twitter also had a case before the court related to aiding and abetting a terrorist and was arguing it was protected by Section 230. As a society, I believe we need more governance of social media and can’t just have the “Id free for all”, so support modifications to Section 230.

Left unchecked, social media is dramatically harming our youth. Good NPR story on the topic: [10-things-to-know-about-how-social-media-affects-teens-brains](#). Here are the 10 takeaways for parents:

1. Social interaction is key to every child's growth and development.
2. Social media platforms often traffic in the wrong kind of social interaction.
3. It's not all bad.
4. Adolescence is a "developmentally vulnerable period" when teens crave social rewards, but don't have the ability to restrain themselves.
5. "Likes" can make bad behavior look good.
6. Social media can also make "psychologically disordered behavior" look good.
7. Extreme social media use can look a lot like addiction.
8. The threat of online bullying is real.
9. It's hard not to compare yourself to what you see in social media.
10. Sleep is more important than those "likes."

I am increasingly starting to believe that the hybrid work model doesn’t work. Tough to maintain the “middle”. It limits your available labor pool to regionally around the office, turns off those who want full remote and generally the office is still dead. I don’t think it is great for culture or productivity, but I am starting to think the new norm is to allow fully remote which then opens up the whole country for recruiting talent. Companies need to put more focus on their recruitment capability and figure out how you identify and attract talent on a national (and potentially even international) basis.

Study released in UK endorsing the four-day work week. The majority of companies who tried it as part

of the study are going to keep doing it. [after-testing-four-day-week-companies-say-they-dont-want-to-stop](#). I just don't think it works unless you job-share and have two different people in same job. The velocity of business is increasing, and we are moving to a 24x7 world. Don't know how that works if an employee is off for three days. I would go more to six hours for seven days.

Watch your Glassdoor profiles. I often write about how consumers are moving to "referral purchasing" where they don't care about ads and don't trust the seller but rather want to hear about other customer experiences (Google reviews, Reddit, micro influencers). I think the labor market is going the same way and good employees (who have options and leverage) are going to check with others about working at a company and Glassdoor is the largest player right now.

Be careful of those who say "they have an open door policy." Every leader will have an "open door policy" but that neglects the reality that it takes a lot for someone "lower in the organization" to come through that door. Instead, leaders need to *seek out* information and feedback throughout the organization (and not just through their lieutenants) by walking around, asking questions, and having a personal relationship with members of the administrative team who usually know everything. A friend who served in the army told me how he would do "post mission reviews" by going to the warehouse and talking to drivers as they came back from their deliveries.

Always be looking for themes across data points. For instance, in a B2B business, looking for commonality in the people buying, the solutions being purchased or the context of the sale. It is a real advantage if you can get an early read on market trends by identifying these themes before others. An example in B2C is how Brian Chesky from AirBNB noticed early in Covid that people were renting places closer to their homes and changed his promotional algorithms to play to that change in behavior.

I got a lot of pushback for my position last week that good executives are well organized with an uncluttered desktop. The most common response was that clutter can be organized if you know where everything is. Here is a piece making that argument [21mess.html](#) (thanks Brad Frank). *"An anti-clutter movement is afoot, one that says yes to mess and urges you to embrace your disorder. Studies are piling up that show that messy desks are the vivid signatures of people with creative, limber minds (who reap higher salaries than those with neat "office landscapes") and that messy closet owners are probably better parents and nicer and cooler than their tidier counterparts. It's a movement that confirms what you have known, deep down, all along: really neat people are not avatars of the good life; they are humorless and inflexible prigs, and have way too much time on their hands."* Not sure I am a humorless and inflexible prig. You can be creative and messy as an individual contributor or member of a creative team but if you are having to manage hundreds or thousands of people and participate in a lot of meetings, travel etc., you have to be structured and organized IMO. You have to start and end meetings on time. Marissa Mayer (the Google executive who got hundreds of millions of dollars to fail as CEO of Yahoo) was notorious for making people wait hours in her reception area for their scheduled meetings. You can't lead that way.

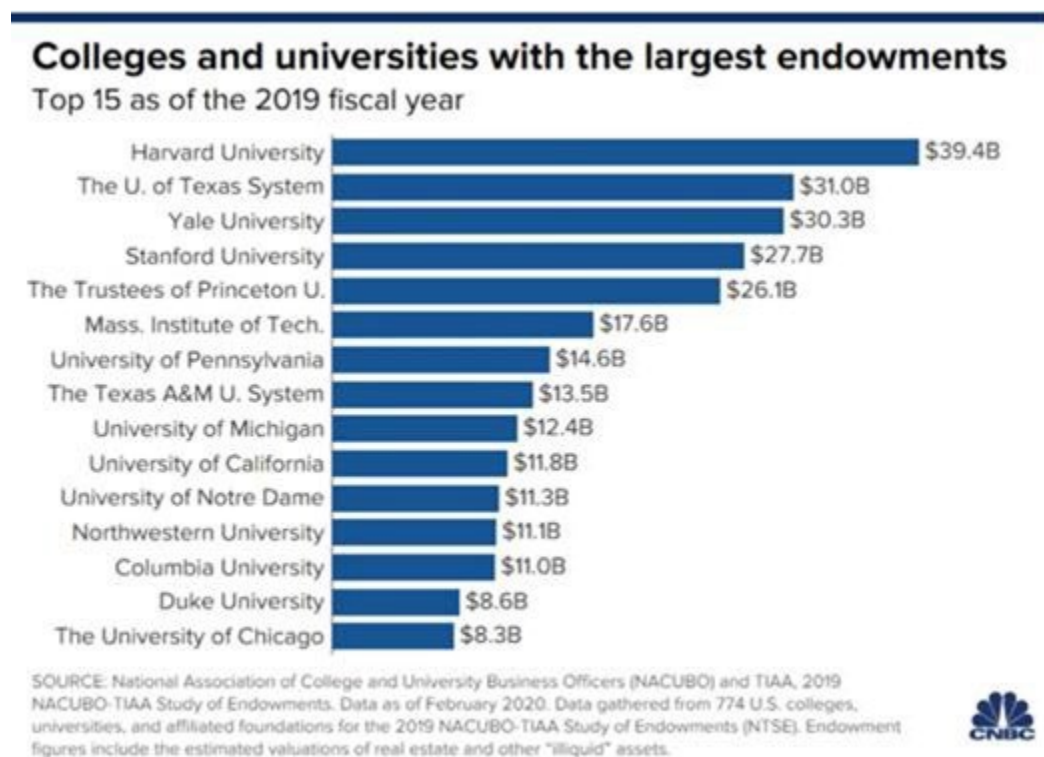
Interesting article where ChatGPT is asked how AI should be regulated (thanks Barbara Kandemir). [how-should-government-regulate-ai-we-asked-a-robot](#).

Always leave an organization graciously and treat everyone respectfully. The business world is much smaller than you would think and often things come around and you interact with a person again.

New one for me: Sentiment Analysis. Software is measuring call center agents and customers tone,

pitch and cadence to judge the “relationship” the agent is building with the caller and ability to keep negative emotions minimized.

I have always found higher education endowments to be a curious thing. Why do people feel such a drive to donate to their alma mater compared to other causes? The size of some of these endowments is breathtaking, leading one person to call Harvard “a hedge fund that runs a school” with its \$39 billion endowment, which is increasingly invested in alternative asset classes like hedge funds and private equity. They are following the “Yale Model” pioneered by Yale Chief Investment Officer David Swensen (who died last year). Swensen focused on the limited needs for liquidity and thus the ability to invest majority of an endowment in illiquid, higher returning asset classes. With all of this money (see chart below), it is hard to rationalize the tax exempt nature of schools who pay no real estate taxes in their college towns.



Maybe Congress can actually function like a legislative body on the issues around healthcare training. Senate Committee had a hearing this week and some interesting comments and stats are printed below my initials. When Bernie Sanders and I agree on something, Congress should be able to get something done.

46% of Medicare recipients now get their Medicare benefits through private insurance companies via Medicare advantage plans rather than straight from the government.

If you want a good laugh, watch the South Park episode mocking Harry and Meghan.

Good commentary by Peggy Noonan on Super Bowl ads as a reflection on our society. *“What do we discern from them about how the nation’s ad makers see their country? That we’re a nation of morons, a*

people with fractured concentration, a people with no ability to follow even a 60-second spot, a people who need loud noises and obsess on media and respond only to movie stars playing movie stars spoofing movie stars. The feeling was one of exhaustion, of a culture folding in on itself."[america-longs-for-authenticity-nikki-haley-super-bowl-ads-will-smith-oscars-trump-presidential-campaign](#) I thought the Maya Rudolph M&M commercial may be one of the worst ever. The creators are "in their own world" and didn't realize audience had no idea what they were talking about.

You have to love when life gives you a great positive surprise — thanks Mac McClung — white men can jump.

RIP Jimmy Carter. Not a great President but a great man. I am not particularly religious but really admired his dedication to his faith and helping others. He said *"My faith demands that I do whatever I can, wherever I am, whenever I can, for as long as I can with whatever I have to try to try and make a difference."* I also miss his brother's beer. https://en.m.wikipedia.org/wiki/Billy_Beer

Jml

Senate committee hearing titled, "Examining Health Care Workforce Shortages: Where Do We Go From Here?"

Chairman Bernie Sanders (I-VT):

Today we are holding a hearing to examine the healthcare workforce challenges that our country faces.....

We don't have enough doctors, nurses, nurse practitioners, dentists, dental hygienists, pharmacists, mental health providers, and other medical professionals.

And what is the impact of those health provider shortages? It means that nearly 100 million of our people live in a primary care desert where they are unable to gain timely access to a doctor when they need it. It means that nearly 70 million live in a dental care desert, unable to get dental care while teeth are rotting in their mouths. And it means that some 158 million Americans – nearly half the population – live in a mental health care desert at a time when this country is facing a major crisis in mental health.....

In my view, this reality is a contributing factor to the declining life expectancy we are seeing in many parts of our country, and the fact that our overall life expectancy is significantly lower than many other industrialized countries. Life expectancy is not simply a factor of healthcare access, but it is an important factor. If people do not get to a doctor when they should, if they cannot afford the prescription drugs their doctors prescribe they will die earlier than they should and suffer unnecessary, debilitating pain.

....A shortage of healthcare personnel was a problem before the pandemic and now it has gotten worse.

....According to the best estimates, over the next decade, our country faces a shortage of over 120,000 doctors – including a huge shortage of primary care doctors.

Over the next two years, it is estimated that we will need up to 450,000 more nurses.

Today, it is estimated that we need about 100,000 more dentists – right now.

And in America today, there is a massive shortage – many, many hundreds of thousands – of mental health service providers – psychiatrists, psychologists, social workers, counselors, addiction specialists and many more.

....,First, it is a no brainer to understand that, when over 10,000 medical school graduates are unable to find residency slots every year, we must significantly expand and improve the Graduate Medical Education program. Further, and in the jurisdiction of this committee, we must also greatly expand the Teaching Health Center program which will allow us to grow significantly the number of primary care physicians and nurses we desperately need.

.....Further, in terms of nursing, despite a major nursing shortage, we have the absurd situation that in many parts of this country, including Vermont, nursing schools are rejecting applicants because they don't have the nurse educators and facilities they need.

In Vermont, as an example, nurse educators earn about \$65,000 a year – nearly half of what nurses with similar degrees earn working in a hospital. We need to make sure that nursing schools throughout the country have the staffing and facilities to educate the number of new nurses that we will need. In my view, that means we also need to substantially expand and reform, the Nurse Corps and the Nurse Faculty Loan Program, among many other programs.

And let's be clear – the issues we are talking about today are just part of the problem. Our committee must also grapple with broader health care workforce challenges. Pharmacies across the country are having trouble hiring pharmacists. We don't have enough home healthcare workers. We don't have enough nursing home staff, etc., etc.

Ranking Member U.S. Senator Bill Cassidy, M.D. (R-LA):

Thank you, Mr. Chairman. The COVID-19 pandemic strained our health care system, placing a huge burden on health care workers. As we come out of the pandemic, this hearing is an opportunity to address workforce issues. Why are there still shortages post-pandemic? Which shortages are most pressing? Understanding this should precede moving to solutions.

Doctors and hospitals in Louisiana tell me they need nurses. Speaking as a doctor who had the good fortune to work beside incredibly talented nurses for decades, nurses are essential to the health care system.

There are different things we can do, for example—“upskilling,” or increasing nursing educational opportunities, to help certified nurse’s assistants to be LPNs, the LPN to be a certificate RN, and the certificate RN to be a bachelor's RN. Perhaps federal support can encourage entry and then upskilling. I once worked with Linda, who began working in our clinic as a medical assistant. She continued her studies and earned her LPN. She continued her studies to get a BSN, then a Masters of Nursing. Eventually, she was the nurse manager in the clinic she began in as a medical assistant. The power of education transformed her life and demonstrated for her children the power of education and of delayed gratification, and oh by the way, added to the nursing workforce.

Some has to be done on a state level. In my home state of Louisiana, education requirements for nursing educators are being examined to see how this impacts the supply of nursing faculty, which in turn impacts the number of nursing students. As a physician who practiced for over three decades: a good RN can teach a nursing student no matter if she has a masters or a bachelor's of nursing, and we need to be practical. States have to ask—what does that student need to know to effectively care for patients and whom can they learn it from?

That will be a way to remove a real choke point in terms of educating these nurses.

.....A study published just before the pandemic in the Annals of Internal Medicine found that physicians spent over 16 minutes per patient filling out electronic health records (or E-H-Rs). As a doctor, it's no wonder we are seeing huge rates of physician burnout when they are spending as much time, if not more, staring at a computer screen than into the eyes of the patients they want to help.....