PHOTOGRAPHY, VIDEO RECORDING, AUDIO RECORDING OR CINEMATOGRAPHY OF A PATIENT AT LSUHSC

Purpose:

To provide specific criteria for obtaining permission to document a patient digitally, on film or audio tape while being treated at LSUHSC-S.

Policy:

1. A HIPAA Authorization Form (S/N 1023) for Media Purposes must be signed by the patient (or in the case of a child or incompetent patient, by a parent, guardian or any person authorized to give consent for medical treatment) before photography, videography, audio or cinematography recording of the patient will be permitted. During regular working hours (Monday - Friday) the HIPAA Authorization Form shall be obtained from Hospital Administration. After regular working hours, the Administrative House Manager shall be contacted for the form.

2. When LSUHSC-S Video Services/Telehealth is videotaping on behalf of LSUHSC-S employees, an additional talent release form (S/N 6760) provided by Video Services and Telehealth shall also be completed and signed by the patient or parent/guardian, before videotaping commences. Video Services/Telehealth may be contacted at extension 55268.

In an emergent situation, Medical Communications/Video Services /Telehealth will take the pictures but those pictures will only be processed after they receive the completed and signed release forms. If valid release forms are not produced, the images will be destroyed by Medical Communications and Video Services.

3. Where photographs, video, or audio recordings are requested by news media, television production crews or others for the purpose of publication or broadcast to public audiences, such requests shall be referred to the Office of Information Services, extension 55408. After hours, nights and holidays, ask the hospital switchboard to contact the Director of Information Services. HIPAA forms as well as media consent forms specific to the use intended are obtained by the Office of Information Services. A copy of the signed forms are kept on file in the Office of Information Services.

4. The signed HIPAA authorization form, as well as any other media consents, shall be filed in the patient’s medical record as part of the designated record set.

5. Recording equipment of any type, including cellphones, is not allowed unless authorized under one of the conditions above and will be monitored by the University Police Department. In the event that LSUHSC staff are made aware of photography/video recording involving a patient without prior authorization, staff shall request the person doing the recording delete all images. Should the individual refuse, their name, and any relevant information (relationship to the patient,
role/reason for being at the bedside, etc) shall be reported to Legal Affairs. If the person doing
the recording is a responder (fire, EMT, or police officer) the appropriate agency shall be notified
by Legal Affairs of the incident. A variance shall also be completed.

6. Patients may withdraw consent for recording, photographing, et cetra, at any time and such will
immediately cease.

7. Any equipment that will touch the patient or his/her bed, bedside tables or immediate environment
must be wiped with a hospital approved disinfectant before and after use, or be appropriately
processed for the setting, (i.e.: sterilization or high level disinfection of video equipment used in
the surgical setting). Unit specific policies must be followed.

8. The photographer or videographer must use aseptic technique appropriate for the setting (i.e.: OR, ER, nursing unit) and sanitize their hands using soap and water or alcohol gel prior to and
after contact with the patient or the patients’ immediate environment.

9. Any employee in violation of this policy and hospital procedure regarding the photography/video
recording of a patient may be subject to the disciplinary process.

_______________________
Administrator

_______________________
Date

Clinical Board Approval: 3/18/03, 3/21/06, 2/20/07, 3/16/10, 2/19/13
Written: 9/90
Revised: 8/95, 11/97, 2/00, 3/03, 3/06, 12/06, 2/10, 1/13