1. PURPOSE: To establish guidelines for photographing, video recording, or audio recording patients or employees of UAB Health System facilities and clinics.

2. PHILOSOPHY: It is our belief that any photographing, video recording, or audio recording of patients or employees be done in a manner consistent with individual privacy rights.

3. ASSOCIATED INFORMATION:
   3.1. Definitions:
   3.1.1. Subject - An individual being photographed, video recorded, or audio recorded. For the purposes of this standard, the individual may be a UABHS patient, a patient family member or visitor, or employee.
   3.1.2. Secure Location - An area or place with restricted and/or monitored physical access.
   3.1.3. Recording device – Any device that is capable of capturing and storing or transmitting still images, video, or audio.

3.2. Background Information: At times, it may be necessary to permit the photographing, video recording, or audio recording of the patients or staff members for various reasons, including teaching and marketing.

4. STANDARDS:
   4.1. When Permitted. Unless otherwise specified by UABHS policy, a subject may only be photographed, video recorded, or audio recorded by a UABHS physician or other UABHS representative for the purpose of:
   4.1.1. Patient/staff identification
   4.1.2. Patient treatment
   4.1.3. Student/staff education
   4.1.4. Research
   4.1.5. Medical journal/publication
   4.1.6. Marketing by UAB Health System Marketing Communications

   4.2. Consent.
   4.2.1. Consent shall be obtained prior to photographing, video recording, or audio recording a subject.
4.2.2. The physician or other UABHS representative requesting/initiating the photographing, video recording, or audio recording of a subject shall obtain the subject’s prior consent.

4.2.3. **General:**

4.2.3.1. For all photo, video, and audio activities, other than those in support of research and marketing activities, which are discussed below, the subject’s consent shall be documented on the Consent to Photograph, Publish or Video Recording form available on the SCR website.

4.2.4. **For Research:**

4.2.4.1. Photographing, video recording, or audio recording patients for research must be done pursuant to a research protocol reviewed and approved by the UAB Institutional Review Board (IRB).

4.2.5. **For Marketing/External Use and Involves Health Information:**

4.2.5.1. Photographing, video recording, or audio recording patients by media (UAB or external) and other external entities that involves disclosure of health information shall be permitted only when the UAB Health System Authorization for Use or Disclosure of Information form or Callahan Eye Hospital Authorization for Use or Disclosure of Information form has been executed (as appropriate) by the patient and approval has been granted by a Hospital administrator or their designee. (These forms are available on the SCR website.)

4.3. **Executed consent forms** shall be maintained by the department obtaining the recording in a secure location until all applicable recordings have been destroyed and are no longer in use by any UABHS entity.

4.4. The subject shall have the right to request cessation of recording.

4.5. A subject shall have the right to rescind consent for use of the photographs, videos, or audio recordings by submitting a written request to UAB. However, any actions taken by UAB with regard to use of the recording or film prior to the rescission will not be affected.

4.6. Staff/faculty shall contact UAB Media Relations whenever media requests access to faculty/staff/patients.

4.6.1. UAB Media Relations or their designee shall be responsible for obtaining patient Authorization.

4.6.1.1. Patient’s original Authorization form shall be maintained in patient’s medical record.

4.6.2. External media shall be accompanied by UAB Media Relations or designee.

4.6.3. UAB Media Relations or other administration representative shall obtain written agreements stating any limitations/restrictions on the use of recordings.

4.7. **Women’s and Infants’ Services.**

4.7.1. Photographing deceased infants in Women’s and Infants’ Services shall be performed only after written consent has been obtained from a parent or guardian and documented on the Women’s and Infants’ Services Bereavement Consent to Photograph form available on the SCR website.

4.7.1.1. Prepared prints/disk will be provided to mother or designated family member of the deceased, upon request, by the method of their choice which may include hand delivery or mailing via United States Postal Service.

4.7.1.2. Any film negatives, prints, or electronic recordings not in possession of the family will be kept in conformance with applicable UABHS policy (e.g. HIPAA Privacy/Security and Records Retention standards).

4.8. **Use of Recording Devices by Family and/or Friends of a Patient.**

4.8.1. All staff shall be vigilant for the presence of cameras/audio recorders within the institution.

4.8.1.1. Photographs, videos, or audio recordings of a patient by a family member or other individual for use by the patient/family shall not be permitted in
areas where the potential of capturing another patient, another patient’s visitor, or another patient’s protected health information exists.

4.8.1.2. Photography, video recording, or audio recording shall not occur during cardio-pulmonary resuscitation or other emergency or first-responder situations.

4.8.1.3. Cameras/audio recorders are not allowed on patient care units within the Center for Psychiatric Medicine.

4.8.1.4. Photography, video recording, or audio recording shall not occur during the course of vaginal or cesarean section deliveries.

4.8.1.4.1. Before and after the delivery of the infant, family members may record at the discretion of the caregivers and the physicians.

4.8.1.4.2. Photographs or videos that expose the patient's perineum, abdomen, or breast shall not be allowed.

4.8.1.5. Photography, video recording, or audio recording shall not occur during invasive procedures such as circumcisions or epidural placement.

4.8.1.6. Patient care must not be compromised in order to permit recording.

4.9. **Law Enforcement.**

4.9.1. UAB Health System shall fully cooperate with law enforcement officers acting in the course of an official investigation to include photographing, video-recording, or audio recording.

5. **REFERENCES:** None

6. **SCOPE:** This standard applies to all areas of the UAB Health System.

7. **ATTACHMENTS:** None.

   All forms referenced in the standard are available on the SCR website.

   [Consent to Photograph, Video, or Audio Record](Click Here)
   [UAB Health System Authorization for Use or Disclosure of Information](Click Here)
   [Callahan Eye Foundation Hospital Authorization for Use or Disclosure of Information](Click Here)
   [Women’s & Infants’ Services Bereavement Consent to Photograph](Click Here)

   **INTERDISCIPLINARY COLLABORATION**

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<thead>
<tr>
<th>Committees / Councils</th>
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<tr>
<td>Information Security &amp; Privacy Committee</td>
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<tr>
<td>William Vaughn, MD, Interim Chair, Ethics Committee</td>
<td>01/17/13</td>
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<tr>
<td>Kathleen Kauffman, Legal Counsel</td>
<td>12/11/12</td>
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<td>Patricia Pritchett, Legal Counsel</td>
<td>12/11/12</td>
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**Tracking Record**

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Supersedes: Consent to Photograph, Videotape, Audiotape or Film , 10/21/02, 09/06/04, 05/02/05, 02/01/10

File Name: Consent to Photograph, Video, or Audio Record # 510r4

REVISIONS: Consistent with Joint Commission Standards, this standard is to be reviewed at least every 3 years and/or as practice changes.
approved. Thank you

Will Ferniany, PhD
Chief Executive Officer
UAB Health System
Suite 408
500 22nd Street South
Birmingham, AL 35233-3110
Phone: 205 975-5362

From: Elease Cates
Sent: Wednesday, January 30, 2013 2:09 PM
To: Will Ferniany
Cc: Elease Cates; Lisa Perez
Subject: Request for Approval Signature
Attached you will find standard (s) for your review and electronic approval. Please review and approve by replying to this email. The e-mail will serve as your official legal signature.

Consent to Photograph, Video, or Audio Record  I#510r4