



LAST REVIEW DATE: **4/20/10**

REVISION DATE: **4/20/10**

SUBJECT: PHOTOGRAPHING OF PATIENTS FOR EDUCATIONAL/PERFORMANCE IMPROVEMENT PURPOSES

PURPOSE

To respect the patient’s right to give or withhold informed consent to produce or use recordings, films, or other images of the patient for educational and performance improvement purposes.

POLICY

CHRISTUS Santa Rosa Health Care (CSRHC) shall obtain the written consent of the patient or his/her legal representative for producing and/or using recordings, films, or other images of the patient for educational or performance improvement purposes prior to producing and/or using the recordings, films, or other images. The term recordings, films, or other images refer to photographic, video, electronic, and audio media. Consent for recordings, films, or other images obtained for research purposes are documented through the research informed consent process. The dignity and modesty of the patient is considered at all times by CSRHC. The recordings, films, or other images must be limited to the specific areas consented by the patient for the educational and/or performance improvement purpose identified.

PROCEDURES

Informed Consent

1. The patient’s physician and/or CSRHC Associate who will be making the recordings, films, or other images is required to provide information to the patient or his/her legal representative regarding the production and/or use of recordings, films, or other images. Informed consent shall be documented by the physician and/or CSRHC Associate in the patient’s medical record prior to making the recordings, films, or other images.
2. Written consent of the patient or his/ her legal representative is obtained on the Consent for Recordings, Film, or Other Images for Educational or Performance Improvement Purposes (form #0039859). The patient’s or his/her legal representative’s signature on the consent form shall be witnessed by a CSRHC Associate who is not requesting authorization for recordings, films, or other images. The witness’ shall sign the consent form. The executed consent is placed in the patient’s medical record.
3. Consent given for recordings, films, or other images remains valid throughout the hospitalization or outpatient visit unless and until the patient or his/her legal representative withdraws or restricts consent.
4. A new consent form shall be required for each hospitalization or outpatient visit.

Revocation of Consent

1. The patient shall be informed of his/her right to request cessation of the production and/or use of the recordings, films, or other images.
2. Verbal or written revocation of consent for recordings, films, or other images is immediate upon the patient or his/her legal representative making a request of any CSRHC Associate to do so. The revocation shall be documented to include date and time of revocation on the consent form in the patient’s medical record and the appropriate physician/CSRHC Associate will be informed of the revocation.

Making of Recordings, Films or Other Images Prior to Consent



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1. When a patient or his/her legal representative is unable to give informed consent prior to the production of recordings, films, or other images, the production may occur provided that the intended use of the recordings, film, or other images is for educational and/or performance improvement purposes.
2. When the patient or his/her legal representative is unable to give informed consent prior to the production of recordings, films, or other images, the recordings, films, or other images shall remain in CSRHC possession and shall not be used for any purpose until and unless informed consent is obtained.
3. When informed consent cannot be subsequently obtained, CSRHC shall destroy the recordings, films, or other images.

Requests for Recordings, Films, or Other Images for External Use

1. If a request is made for the production or use of patient recordings, films, or other images for external use, the requestor is required to make the request through the Ethics Committee.
2. The Ethics Committee, or representative thereof, after review of the request shall either approve or deny the request for external use.
3. If production and/or use of patient recordings, films, or other images is approved, informed consent shall be obtained by CSRHC prior to the making the recordings, films or other images. The informed consent shall include an explanation of how the recordings, films, or other images will be used and shall be documented in the patient’s medical record.
4. Prior to the production of recordings, films or other images of the patient for external use, the requestor shall sign a confidentiality statement to protect the patient’s identity and confidential information. The executed confidentiality statement is to be placed into the patient’s medical record.

COMPLIANCE

Production and/or use of recordings, films, and other images for purposes other than education and performance improvement with out the expressed consent of the patient or his/her legal representative shall subject an individual to disciplinary action up to and including termination of employment and the reporting to the appropriate licensing boards and/or agencies.

RESPONSIBLE POSITION

Director, Ethics Services

HISTORY

This policy is a revision to the 2005 policy.

REFERENCES

CHRISTUS Health Management Directive 004, Guidelines for Release of Patient Information to the News Media.

For policy on news media photography, see Policy #CO-PM-04-2, Release of Information to News Media. TJC Standard RI.01.03.03



CHRISTUS SANTA ROSA
Health Care

PRIMARY FUNCTION: **PT. RIGHTS - Ethics**

POLICY#: **CO-PM-01-32**

EFFECTIVE DATE: 10/05

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APPROVALS

Pat Carrier – President/CEO

Katherine Bullard, RN, MS, NEA-BC – VP/CNE

Rosie Perez – VP/Mission Integration and Outreach Svcs.

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CONSENT FOR RECORDINGS, FILMS OR OTHER IMAGES FOR EDUCATIONAL OR PERFORMANCE IMPROVEMENT PURPOSES

I understand that by signing below, I am giving consent for educational and/or performance improvement recordings, films or other images to be made of me. I understand that the term recordings, films, or other images refer to photographic, video, electronic and audio media. It has been explained to me that CHRISTUS Santa Rosa Health Care will consider my dignity and modesty at all times when making recordings, films, or other images of my body and that the recordings, films, or other images will only be made of the specific areas of my body for which I have given consent. I further understand that my refusal to have recordings, films, or other images made of me will in no way affect my care.

It has been explained to me that education and performance improvement recordings, films, or other images may be used for teaching and publication purposes and for CHRISTUS Santa Rosa Health Care performance improvement initiatives. It has also been explained to me that my identity will not be published in any manner or form without my explicit additional written consent.

I understand that CHRISTUS Santa Rosa Health Care will retain the ownership rights to my recordings, films, or other images.

I understand that I have the right to request cessation of making, producing and/or using recordings, films, or other images by notifying my caregiver or any CHRISTUS Santa Rosa Health Care Associate. I also understand that publication and/or use of my recordings, films, or other images may have occurred prior to my rescinding my consent.

By signing this Consent, I confirm that this Consent has been explained to me in terms that I understand, that I have had an opportunity to ask questions, and that all of my questions have been answered to my satisfaction.

I, the undersigned, hereby agree to the making of recordings, films, or other images of _____ for educational or performance improvement (circle one or both) purposes.

Patient/Legal Representative

Signature: _____ Date: _____

Printed Name: _____

Relationship, if not signed by Patient: _____

Witness: _____ Date: _____