



"Informing families, enriching lives, changing futures"

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## **HIPAA - Photographing, Video Recording, Audio Recording, and Other Imaging of Patients, Visitors and Workforce Members**

### *New Policy Purpose:*

1. To facilitate compliance with the Health Insurance Portability and Accountability Act (HIPAA) Standards for Privacy of Individually Identifiable Health Information (Privacy Standards), 45 CFR Parts 160 and 164, and any and all other Federal regulations and interpretive guidelines.
2. To establish guidelines for situations where patients and/or workforce members may or may not be photographed, video or audio recorded or otherwise imaged within Carolina Therapy Connection (CTC).

### *Definitions:*

1. **Audio Recording:** recording an individual's voice using video recording (e.g., video cameras, cellular telephones), tape recorders, or other technologies capable of capturing audio.
2. **Authorization:** a written form executed by the patient or the patient's legal representative, or CTC employee that meets the requirements in the Authorization for Uses and Disclosures of Protected Health Information policy.
3. **Consent:** the patient's or patient's legal representative, or CTC employee's written acknowledgment and/or agreement of the use and/or disclosure of protected health information for treatment, payment, or health operations purposes or other reasons permitted by the HIPAA Privacy Rule.
4. **Photography:** recording an individual's likeness (e.g., image, picture) using photography (e.g., cameras, cellular telephones), video recording (e.g., video cameras, cellular telephones), digital imaging (e.g., digital cameras, web cameras), or other technologies capable of capturing an image (e.g., Skype/FaceTime).
5. **Workforce Member:** employees, therapists, volunteers, trainees, and other persons whose conduct, in the performance of work for CTC, is under the direct control of CTC, whether or not they are paid by CTC.

*Policy Statement:*

**CTC shall take reasonable steps to protect patients, visitors, and workforce members from unauthorized photography, video or audio recordings, or other images. Patients, family members, and/or visitors are not permitted to take photographs of or audio record other patients or workforce members without consent.**

***Photographing/Audio Recording Patients by Workforce Members for Treatment Purposes:***

Written patient informed consent is required before workforce members may photograph or audio record a patient for patient care purposes.

Written consent is required before parents may photograph or audio record a workforce member for patient care purposes.

***Photographing/Audio Recording Patients by Workforce Members for Publicity Purposes:***

CTC must obtain written authorization from the patient/guardian prior to photographing/audio recording the patient for publicity purposes.

Parent must obtain written authorization from CTC prior to photographing/audio recording a workforce member for publicity purposes.

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**PRINT NAME**

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**SIGNATURE**

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**DATE**