PATIENT PHOTOGRAPHY & RECORDING RESTRICTIONS

In accordance with Erlanger Policy 8316.1061, Photographing, Video Recording, Audio Recording, and Other Imaging of Patients, Visitors, and Workforce Members, the UT College of Medicine Chattanooga and its Faculty, Residents, Fellows, Medical Students, and Staff agree that Patient Health Information will be protected in accordance with Federal HIPAA and Tennessee State privacy regulations and that EHS corporate and proprietary information will be protected from unauthorized disclosure. Photographs and the use of photographic equipment and the use of audio or visual recording devices on EHS premises will be handled in accordance with the provisions of the Erlanger policy. Devices include but may not be limited to still cameras (digital and film), video cameras (digital and film, cell phones with built-in camera function, Personal Digital Assistants (PDA’s) or other hand held computers or devices that have built-in camera or recording function, and any other technology which may incorporate camera or recording functions.

In accordance with Erlanger Policy and Federal and State laws, photographs or recording of patients, patient information, documentation, physical conditions, test results, procedures or treatment may be taken and used for recognized medical teaching purposes and research if patient-identifiable information is completely removed, obliterated or masked before use. In addition, consent to use photographs, radiologic films, etc., should be obtained from the patient (or appropriate family member) using an Erlanger Authorization for Photography and Release from Liability form. These forms are available at each Nursing Station.

Attending Physicians, Residents and Fellows, and Erlanger employees involved in patient care may also take patient photos via camera or smart phone and send as text or email attachments among themselves so the Resident, Fellow, and Attending Physician can review and advise regarding immediate or acute patient care issues. In these cases, the Attending Physicians, Residents and Fellows must attempt to obtain verbal consent from the patient or relative (if the patient is unable to consent) to take the photo and send to the attending, and must document this in the medical record. Attending Physicians, Residents, Fellows, and any Erlanger employees involved should make every effort to delete the photograph from the electronic device as soon as is reasonable and patient care issues have been communicated between appropriate individuals.

Revised and Approved by the GMEC: October 25, 2011