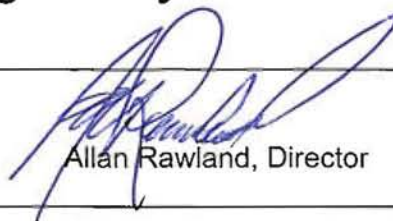


**County of San Bernardino
Department of Behavioral Health**

Sound and Photographic Recordings Policy

Effective Date 07/01/96
Revision Date 04/18/08



Allan Rawland, Director

Policy It is the policy of Department of Behavioral Health (DBH) not to use, share, or publish any sound and photographic recordings without permission of the person pictured and/or recorded.

Note: The term "photographic recordings" as used herein includes video or still photography, in digital or any other format, and any other means of recording or reproducing images.

Purpose This purpose of this policy is to:

- protect DBH from legal claims;
- protect the privacy of individuals; and,
- provide DBH staff with written guidelines.

Definitions **Consent** is a document signed and dated by the individual that a covered entity obtains prior to using or disclosing protected health information to carry out treatment, payment or health care operations.

Authorization is a valid document providing an individual's permission to a covered entity to disclose the individual's Protected Health Information (PHI). An authorization limits the amount of PHI a covered entity may release to that which is relevant to the purpose of the disclosure.

Guideline for Written Permission Written permission is required from anyone pictured in any sound and/or photographic recordings taken by DBH staff.

Exceptions to Required Permissions Written permission is not required for the following recordings:

- Scenery
- News Releases (i.e. Open House, New Facility, etc.)
- County Buildings
- DBH Employees

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**County of San Bernardino
Department of Behavioral Health**

Sound and Photographic Recordings Policy, Continued

Forms and Recordings

The following form(s), as appropriate, must be completed to grant permission for use of sound and photographic recordings of any format:

- The [Consent for Sound and/or Photographic Recordings](#) is needed for clinical purposes.
- The [Consent to Record and/or Photograph and Authorization For Use or Disclosure](#) is needed for dissemination outside of clinical settings (i.e. to a third party).

Storage and Destruction:

- Consents and Authorizations are maintained on file with the:
 - DBH Program that requests permission
 - Office of Program Planning and Development
 - Medical Record.
- Sound & Photo recordings will be destroyed (shredded or deleted electronically) following its use or as noted on the consent and/or authorization.

Monitoring:

- The DBH Office of Compliance will monitor consents and authorizations to ensure sound & photo recordings are destroyed as indicated on forms.
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Reference

- California Hospital Association Consent Manual 2008
 - 45 CFR § 164.508
 - California Office of HIPAA Implementation
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