

Policy Title:	Photography and Recording
Keywords:	Photo, Video, Audio, Media Recording
Effective Date:	08/01/2025

I. PURPOSE

To establish clear guidelines for photographing or recording patients, workforce members, and hospital operations at Littleton Regional Healthcare (LRH). This policy protects patient privacy, staff confidentiality, and the integrity of LRH operations by regulating all photo, video, and audio activity within LRH facilities.

II. SCOPE

This policy applies to all workforce members, visitors, patients, and external media within any facility operated by LRH.

III. DEFINITIONS

Clinical Photography – An image captured to document the condition of a patient used in diagnoses or recording of condition for diagnosis or treatment (i.e., endoscopy, wound care).

LRH Facilities – All owned and leased spaces in the buildings and on the grounds.

Photograph – Any visual capture (still or video), taken using a phone, camera, or other recording device.

Recording – Any capture (audio or video), taken using a phone or other recording device.

Video Monitoring – The use of a camera as a means of viewing activity in a certain location that is not recorded.

IV. POLICY STATEMENT

- A.** It is unlawful to record any oral communication or telecommunication conversation without the consent of all parties to the communication under New Hampshire law.
- B.** Photos and videos of patients that are taken for healthcare related purposes are considered Protected Health Information (PHI) under Federal HIPAA law.
- C.** All LRH workforce members have the right not to be photographed or videotaped.
- D.** Patients or families are not permitted to capture photos/recording of any portion of their medical record including medical images.
- E.** It is unlawful to use any device to:
 - 1.** Photograph or record “images or sounds” in a place where there is a reasonable expectation of privacy (e.g., patient rooms, exam rooms, birthing suite).
 - 2.** Secretly photograph or record a person, regardless of whether the person has a reasonable expectation of privacy.
- F.** Approved Media Activity: Any approved media activity must follow specific consent and coordination requirements including written consent must be obtained before photography is used for advertising,

marketing, publications, public education, public relations or charitable purposes (regardless of the original intent for which the photography was captured).

G. Violations may result in disciplinary action, removal from premises, and/or legal consequences.

V. PROCEDURE

A. Patients and Visitors – Permission to Record

1. Permission to record/photograph may be granted on a case-by-case basis with the permission of all parties and must be approved in writing by hospital leadership for specific clinical or educational purposes.
2. Exceptions which require verbal permission only:
 - a) A patient/family member/support person recording a conversation with the provider regarding the plan of care that could be shared with other family members.
 - b) A patient/family member/support person recording a conversation with an elderly patient whose adult child is not present but very involved in the patient's care.
 - c) One parent recording so the other parent can listen.
 - d) A patient who has agreed to do a media interview or tell a personal story and is working with the Marketing & Public Relations Department taking part will have given approval to be recorded prior to the event).
3. Patients, visitors, and workforce members should be informed that their consent is voluntary and that they have the right to revoke their authorization at any time, with the understanding that their revocation is not retroactive but applies to any disclosure moving forward.
4. Consents for non-clinical photography of registered patients must be documented in the patient's medical record.

B. Photographs taken by Workforce Members

1. Workforce members are prohibited from using personal devices to take photographs or record videos in clinical or administrative areas except for exceptions, see **VI. Special Considerations**.
2. Hospital-provided secure photo/video devices may be used for clinical photo documentation in accordance with HIPAA and LRH privacy policies.
3. Any authorized photo, video, or recording captured by workforce members should not negatively impact the brand image of LRH.

C. Media and External Parties

1. All media and third-party recording requests must be coordinated through the Marketing & Public Relations Department.
2. Media must sign an agreement and obtain written patient and workforce member consent prior to any on-site recording.
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4. Media must sign an agreement and obtain written patient and workforce member consent prior to any on-site recording.
5. Any use of drones on the property requires approval through the Marketing & Public Relations Department.

VI. SPECIAL CONSIDERATIONS

- A. Clinical photographs may be taken by workforce members with their personal device using a secure Cerner application. Other exceptions may apply per supervisor’s approval.
- B. Security should be notified if knowledge is obtained that a person has violated this policy.
- C. Security has the authority to intervene and request deletion of unauthorized content.
- D. Any consent or media release forms should be maintained per compliance standards.

VII. REFERENCES

N/A

VIII. RESOURCES

LRH adheres to state law related to upholding citizens’ privacy per NH RSA Chapter 644, 9 of the Criminal Code which identifies violations of privacy that are against the law and NH RSA 570-A.

Document Owner/Lead Author	Chief Operating Officer
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Related Policies, Procedures, Protocols, Guidelines, Job Aids:	<i>HIPAA Privacy and Security Guidelines, LRH Media Release Authorization, Social Media Policy</i>