

## Administrative Policy No. 2.12

**Subject:** Photography and Video Imaging at DSHS Facilities

**Information Contact:** Office of Communications  
MS 45100  
(360) 902-7829

**Authorizing Source:** DSHS Secretary

**Effective Date:** June 27, 2016

**Revised:**

**Approved By:** Original signed by Dan Phelps  
Acting Assistant Secretary, Services & Enterprise Support

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### Purpose

To define allowable purposes for obtaining film and digital photographs and video images or recording at all facilities operated by the Department of Social and Health Services without violating the privacy rights of patients/clients under DSHS care. This includes all film, digital photographs and audio/video recordings created using a camera or other device at all DSHS facilities including Western and Eastern state hospitals, the Child Study Treatment Center, Fircrest, Rainier School, Lakeland Village and Yakima Valley School, Echo Glen Children's Center, Naselle Youth Camp, Green Hill School, Maple Lane Competency Restoration Center, Yakima Competency Restoration Center and the Special Commitment Center.

### Background

DSHS is committed to maintaining open communication with all media partners while still respecting and protecting our clients', patients', families' and staff's privacy. DSHS welcomes media interviews on a broad range of topics. However, it is our policy not to release or disclose personal information on staff members without their prior notification.

In compliance with federal Health Insurance Portability and Accountability Act, HIPAA, regulations and federal and state confidentiality laws, DSHS is unable to disclose information on patients, residents or clients at these facilities or those receiving mental health or substance use disorder services through programs funded by state and federal dollars or operated by DSHS. Interviews and/or photo requests related to patients, residents and clients may be granted with their prior written consent or the consent of their parent or legal guardian.

## **Scope**

This policy relates to the public release, through the media, of confidential or identifying information of those served by DSHS and staff at all DSHS-run or DSHS-funded facilities throughout the state.

## **Definitions**

**Press or media** mean a newspaper, magazine, broadcast or film enterprise, citizen journalist, blog or other entity providing news or information to the public.

**Media representative** means reporter, photographer, technician, blogger or other media employee.

## **Policy Requirements**

DSHS works toward a transparent and open press policy at its facilities. Every effort is made to accommodate media access, but failure by media representatives to follow DSHS rules and regulations under this policy will result in immediate departure from and the potential denial of future return to the facility.

### **1. Media Access**

- Request for media access to residents, patients, clients, staff, or facilities should be made directly to the DSHS Headquarters Office of Communications (OOC). A Media Relations Manager assigned to the particular administration under which the specific facility falls, will work with that administration to facilitate the request. Requests for media access should be made at least five business days before a visit. Media representatives must be accompanied by a member of the DSHS OOC or assigned media contact for any interview at any of DSHS facility. This includes interviews that may have been arranged through parents, guardians or other client/patient/staff representatives.
- DSHS staff will do their best to accommodate all interview requests; however, interviews are not guaranteed.
- Proof of written consent from parent/guardian/patient/resident/client is required for any interview at a DSHS facility. Interviews cannot take place until the Office of Communications receives written consent.
- Some exceptions to the five days may be made due to extenuating circumstances such as breaking news. In those cases, the OOC may designate pool coverage.
- Some facilities may require a background check for which the media representatives must provide their legal name, date of birth, Social Security number. In some cases you may be asked to provide photo identification. It is the responsibility of the media representative to ensure they have all needed permissions/documents prior to the interview/shoot.

### **2. Media Contact Person**

- The OOC will work with facilities to designate a media contact person.

- The media contact person will ensure the media representative is aware of and follows all requirements of this policy; work with the facility to ensure any background checks necessary have been conducted.
- Once access is approved, the media contact person will make arrangements, including notification, agreement and planning to include notifying and coordinating with the facility Superintendent, Chief Executive Officer, Region Administrator or their designee as required.
- The media contact person will work with the facility Superintendent, Chief Executive Officer, Regional Administrator or their designee to ensure all personnel are aware of arrangements/coordination of the visit.
- The media contact person must escort media representatives at all times. This includes the required round-trip boat crossing between Steilacoom and McNeil Island to the Special Commitment Center.

### **3. Interviews**

- Media representatives must be aware that residents other than those who have given permission to be interviewed/filmed live in DSHS facilities. All considerations must be taken to ensure other clients are not disrupted due to the presence of media.
- Before interviews can take place, DSHS staff from the OOC as well as the facility must ensure that all agreements and permissions have been signed by the DSHS patients, residents and clients and when required, their parents, guardians or attorneys.
- All images captured during the interview or during any tour of a facility must be viewed by the media contact person to ensure that there are not recognizable images of anyone who has not given consent to be photographed. The media contact person has the right to ask that photographs depicting residents not approved for interviews or photographs be deleted before leaving the facility.

### **4. Photography and video**

- Video and still photography outside of the designated interview areas will be limited to protect the privacy of other DSHS clients, patients and residents who have not consented to be photographed or filmed.
- DSHS has no control over photo or video of a facility taken off facility property. For example, photographs taken from across the street of the Western State Hospital.

### **5. Filming for Commercial/Entertainment Purposes**

- Requests for permission to film or photograph at a DSHS facility for entertainment or commercial purposes should be made directly to the [DSHS Office of Communications](#). A Media Relations Manager assigned to the administration under which the specific facility falls will work with that administration and the DSHS Office of Capital Programs (OCP) to facilitate the request.
- DSHS reserves the right to refuse permission to film or photograph at any of its facilities for commercial or entertainment purposes for any reason including, but not limited to, potential disruption of clients', patients', or residents' care; damage to or

alteration of DSHS/state property; disruption of traffic or parking; or potential safety hazards; or if DSHS deems such request not in the best interest of those living, working or receiving services at a facility.

- Our DSHS facilities serve as homes to some clients. Certain locations on DSHS property are available to film on a case-by-case basis and require prior approval.
- At least 10 days prior to the desired filming date, a representative of the production company requesting to film must walk through the locations with a representative of the OOC.
- Permission to film does not include a license to use the name or logo of DSHS or any of its administrations. No mention is to be made of, or recognition given to, DSHS or any of its administrations unless specifically authorized by the OOC.
- Production company will work with OCP to enter into a Location Agreement with DSHS. A location agreement defines:
  - Approved film scope and locations.
  - Producer's Grant of Rights, Limitations, Obligations
  - Condition of Location
  - Road Access, Parking & Building Restrictions
  - Term of Agreement
  - Financial Obligations - Expenses associated with the filming or photography will be the responsibility of the requesting agency or production company.
  - Billing & Payment process
  - DSHS obligations
  - Property Management – Condition at End of Use, Damage & Destruction and Treatment of Property
  - Required Insurance
  - Indemnity / Hold Harmless clause
  - Breach and Termination clauses
  - Non-disclosure agreement
- When working or filming at a DSHS facility, the agency or production company is expected to take appropriate precautions to ensure that filming does not interfere with facility operations and client, patient or resident care.

## **6. Emergencies**

- In the event that an emergency arises at a DSHS facility during a media visit, media personnel will be escorted out of the facility by DSHS staff as soon as possible. At the Special Commitment Center on McNeil Island, media personnel will be escorted to await a boat and travel back to the mainland as quickly as possible.