



SOUTHCOAST
H E A L T H S Y S T E M

ADMINISTRATION

POLICY: Response to Media Request for Patient Information

DATE EFFECTIVE: August 1998

APPROVED:

Keith A. Hovan
President & CEO

PURPOSE: To establish a process to respond to media inquiries while protecting legitimate patient confidentiality.

POLICY: The guidelines listed in this policy are to direct inquiries from the news media or other requesting organizations/individuals to the proper persons within the hospital. In addition, the policy provides guidelines for handling media inquiries under mandates set forth in the Health Insurance Portability and Accountability Act of 1996 (HIPAA). Finally, the guidelines are set forth here also for the purpose of obtaining mutual understanding of the hospital's responsibilities to its patients and the responsibility of the news media to its public.

1. Responsibility of Southcoast Health System (Southcoast): It is the responsibility of Southcoast to provide for the care and welfare of the patient, including the safeguarding of the patient's right to privacy and confidentiality. Any information requested by the news media concerning the patient's condition (other than information addressed by this policy) shall be regarded as confidential unless permission is granted in writing.
2. Responsibility of the News Media: There is a responsibility by the news media to report matters of general and public interest as quickly and accurately as possible, realizing that Southcoast's primary responsibility is patient care and protecting the privacy and confidentiality of the patients and patient information.

PROCEDURE:

1. **Handling Media Inquiries**
All personnel shall treat all members of the news media as courteously and cooperatively as circumstances permit. Southcoast is cognizant that time is an important factor in news gathering and reporting; therefore, a reporter should be given the requested information by authorized Southcoast spokespersons only (provided the requested information meets policy guidelines) or referred to the Marketing & Public Relations

Department within 30 minutes of the initial inquiry or as expeditiously as possible under the circumstances.

Monday through Friday between the hours of 8 a.m. and 5 p.m. media inquiries shall be referred to the Marketing & Public Relations Department's Public Information Officer (PIO). If the PIO is unavailable, the PR person on-call will cover.

Between 5 p.m. and 8 a.m. weekdays, all day weekends and holidays, media inquiries regarding patient condition shall be referred to the Administrative Supervisor doing house coverage, who shall respond to the caller according to these guidelines. The PIO should be contacted when there are unusual or complicated inquiries concerning patients or if the supervisor has any questions or concerns. The supervisor will need to determine whether the notification can wait until the morning or needs to be made immediately. Non-urgent matters can also be communicated in a summary email to the Public Information Officer or the PR person on call or by text paging.

Any media arriving on site should be reported to Security and told to leave hospital property. The Public Information Officer should be notified immediately.

Cameras and/or reporters are not allowed in any Southcoast facility without prior approval from Marketing & Public Relations and must be accompanied by PR staff when on Southcoast property. This includes private photographers or camera crews that are not associated with a **news** media outlet (i.e. for educational purposes, schools wanting to take photos of interns, patients, family members, etc.).

2. **Guidelines for Issuing Patient Condition and Information:**

Patient confidentiality is the primary concern and responsibility of Southcoast. No one is allowed to invite the media onto Southcoast property or speak about a patient's care to a media outlet without receiving proper authorization through Public Relations, including employees, physicians, visitors and staff. Personnel should contact a supervisor and/or Public Relations immediately. The following guidelines shall be used when patient information is requested by the media:

Southcoast's policy is that only information contained in the hospital's patient directory (related to patient's condition and location in the facility) may be released only if the inquiry specifically contains the patient's first and last name. Employees should never volunteer patient names or provide a list of patient names to the media or the general public.

- A. One-Word Condition: The approved Southcoast spokesperson may acknowledge the treatment or admission of a patient to the Hospital or other Southcoast facility, as well as the following information about all inpatients or Emergency Department patients who have not

“opted out” of Southcoast’s patient directory: (Though the hospital, under HIPAA, is allowed to release the location of the patient, Southcoast maintains the location of the patient shall not be given out as a general rule.)

1. Confirmation of name, and
2. One of the following one-word descriptions of a patient’s general condition:
 - **Undetermined:** Patient awaiting physician assessment.
 - **Good:** Vital signs are stable and within normal limits. Patient is conscious and comfortable. Indicators are excellent.
 - **Fair:** Vital signs are stable and within normal limits. Patient is conscious but may be uncomfortable. Indications are favorable.
 - **Serious:** Vital signs may be unstable and not within normal limits. Patient is acutely ill. Indicators are questionable.
 - **Critical:** Vital signs are unstable and not within normal limits. Patient may be unconscious. Indicators are unfavorable.
 - **Treated and Released:** Received treatment but not admitted.
 - **Treated and Transferred:** Received treatment. Transferred to a different facility. The facility the patient was transferred to should not be disclosed.

The term “stable” should not be used as a condition. Furthermore, the term “stable” should not be used in combination with other conditions, which by definition, often indicate a patient is unstable.

- B. Beyond The One-Word Condition: If a patient or authorized representative desires that additional information be provided to the media, the patient or authorized representative shall approve information and sign a patient information release form available through the Marketing & Public Relations Department (Please see pictures, television coverage and interviews below).
1. Minors: No information about a minor (individuals under the age of 18) shall be given to the media without written consent of the minor's parent(s) or guardian. This includes acknowledgment of treatment in the Emergency Department or admission to the Hospital.
 2. Death of a Patient: The death of a patient can only be confirmed if the deceased is still within the facility and if the next of kin have been notified. No information on the cause of death can be given without approval from the deceased legal representation or next of kin. Therefore, the hospital cannot share information

with the media on the specifics about sudden, violent or accidental deaths, or deaths from natural causes without the permission of the decedent's next of kin or legal representation. The hospital may not disclose a patient's date or time of death to the media.

3. When you should not release any information: If the patient has "opted out" of the hospital directory, if the confirmation of treatment at the hospital would endanger or embarrass the patient (such as room location or unit the patient is located on such as the psychiatric unit). Federal laws prohibit hospitals from releasing any information regarding a patient undergoing treatment for alcohol or substance abuse or psychiatric services.

3. **The Following Activities Require Written Authorization From The Patient:**

A. Pictures, Television Coverage and Video

No media photographs or video, for any purpose, may be taken of a patient in a Southcoast facility or vehicle (i.e. Southcoast Health Van) without clearance from the appropriate Marketing & Public Relations staff person and a written consent of the patient, or the guardian or authorized representative of an incompetent patient. This includes all media devices including but not limited to cameras, smart phones, video cameras, tablets and computers. This also includes photographs and video being taken by individuals who are not part of the media such as for personal use, education, internal hospital and documentation purposes. Once all clearances and consents are obtained, the scheduling of such photography or filming shall be coordinated with the appropriate Nurse Manager/designee. No photographs shall be taken that might cause embarrassment to the patient or Southcoast, or that might jeopardize the condition of the patient. A Southcoast representative must be present during photography or filming sessions. Photographs may not be taken of any patient who has not signed a release, even if they are in the background. Releases are not required from Southcoast employees.

B. Interviews

Before a patient may be interviewed by the news media or other authorized entities, consent must be obtained from the patient, clearance must be obtained from the attending physician and permission cleared through Administration and/or the appropriate Marketing & Public Relations staff person. A Southcoast Marketing & Public Relations representative shall be present at the interview to help protect the patient's well-being.

C. Media Release Forms

Release forms can be acquired through the Marketing & Public Relations department because Marketing & Public Relations must approve all media requests, a representative from this department

must be present while photographers or reporters are on the property or give approval to specific individuals to be present and authorized.

4. Matters of Special Circumstance:

A. Unusual Event / Disasters

Accidents, disasters or other unusual occurrences causing the admission of a public figure, the performance of a postmortem examination in a police case, which has received wide press attention, or an event inviting more than day-to-day news media interest (fire, explosion, riot, etc.) shall be reported immediately by the person aware of such event to the Marketing & Public Relations Department. Response to such events will be guided by the media provisions in the Southcoast Emergency Management Plan in coordination with the Administrator On-Call and others as appropriate.

B. Unconscious / Unidentified Patient

Southcoast may release a one word condition of an unconscious patient who may or may not be identified without receiving prior consent, if and only if, the patient (1) has not previously opted out of the hospital's patient directory (2) and is allowed to "opt out" as soon as he/she is conscious/recovers.

To assist authorities and the hospital in identifying a "John Doe" patient, Southcoast may release information describing the patient's general characteristics (i.e. age, gender, height, weight, color of hair) that would not be considered protected health information.

Southcoast may NOT release a photo of the patient, but can release a photo of the patient's personal items (i.e. backpack, coat, shoes) keeping in mind what would be in the patient's best interest. This should be done in collaboration with local authorities.

C. To Dispel Public Anxiety

In the event that a large number of casualties (i.e. school bus accident, explosion, etc.), or the major outbreak of a communicable disease, Southcoast may release general information to help reduce undue anxiety such as number of patients who have been brought to facility by gender or by age group (i.e. adults, children, teenagers). The hospital also defers to the U.S. Secretary of Health & Human Services guidelines regarding the suspension of HIPAA Privacy Rule during matters of national or public health emergencies under the Project Bioshield Act of 2004 (PL 108-276) and section 1135(b)(7) of the Social Security Act. Risk Management should be consulted before any action is taken.

(<http://www.hhs.gov/ocr/privacy/hipaa/faq/providers/hipaa-1068.html>)

D. Matters of Public Record

All media questions with regard to matters of public record should be referred to the overseeing public entity such as the coroner's office, police, fire or health department that receive such reports.

E. Celebrities / Public Figures

Celebrities, public figures and public officials are not subject to different standards and should be treated as any patient.

F. Court Arraignments

Southcoast will facilitate requests by the court for arraignments of a patient as long as the patient's physician confirms that the patient's medical condition will not be jeopardized. Southcoast will allow media to attend the arraignment under the direction of the judge proceeding over the case and within Southcoast Media Guidelines. (Media will be expected to pool cameras and audio in order to minimize disruption at the Hospital.)

G. Social Media

All aspects of the above policy apply to the release of information, pictures, video and other images or likenesses via social media outlets. The only social media outlets approved to represent Southcoast and release information are the "official" sites and services administered by the Southcoast Marketing & Public Relations Department. Under no circumstances should an employee post to a social media outlet about any situation that is occurring at a Southcoast facility. This includes but is not limited to information about a mass casualty, individual patients or work environments.

Social media outlets include, but are not limited to, Twitter, Facebook, YouTube, MySpace, LinkedIn, FriendFeed, BrightKite, Flickr, Pinterest, among many others.

H. Southcoast Media Policy

The hospital's full media policy can be found online at www.southcoast.org/news/policy.html.

Attachments

References

Cross-References

Dates Reviewed: 4/27/06

Dates Revised: 11/10/09, 06/03/13

Date Deleted/Superseded: ____/____/____

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