

CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION
CALIFORNIA CORRECTIONAL HEALTH CARE SERVICES
Health Care Department Operations Manual

5.3.2 Camera Use

(a) Policy

California Correctional Health Care Services (CCHCS) staff shall ensure all CCHCS cameras, camera-enabled devices, and video monitoring equipment on state grounds are for health care purposes only including, but not limited to, taking photographs or conducting Telemedicine, Telepsychiatry, or Telepsychology encounters.

(b) Purpose

To safeguard confidential information and reduce opportunities for harassment, unauthorized disclosure and distribution, CCHCS regulates the use of electronic equipment used to capture or store images such as smart phones, video equipment, cameras, tablets, handheld scanners, and flash drives.

(c) Responsibilities

- (1)** The Hiring Authority, or designee, shall approve the use of state-issued cameras, camera-enabled devices, and video monitoring equipment in advance.
- (2)** The CCHCS Deputy Director of Communications and Institution Public Information Officer shall be consulted for the added supervision or security arrangement when media's use of cameras or video-enabled devices are to be accommodated.
- (3)** The Information Technology Services Division is responsible for managing the procurement, architecture, data communication network, implementation, access control, ongoing hardware and software support contracts and licensing for the camera-enabled audio or video systems.

(d) Procedure

(1) Usage

(A) CCHCS authorizes the use of cameras or video-enabled devices for:

1. Conducting state business;
2. Facilitating the delivery of health care related instruction;
3. Providing patients with access to care;
4. Monitoring and improving patient outcomes (e.g., wound care, Root Cause Analysis, Performance Improvement Work Plans).

(B) Employees shall not use cameras or video-enabled devices to create or convey offensive, harassing, vulgar, obscene, or threatening images or communications. Similarly, transmitting sexually oriented messages, videos or images at work using camera-enabled devices is forbidden pursuant to Department Operations Manual (DOM), Section 31010.5, Conduct Violations; and Section 31010.6, Sexual Harassment Violations. Camera-enabled devices on CCHCS premises or at state-sponsored events shall not be used to defame, embarrass, or disparage the state, employees, patients, customers, or vendors, or be used to video record or photograph privileged or confidential material.

(2) Guidelines

(A) All CCHCS mobile devices (includes laptops and tablets) shall be issued with the camera enabled as the default setting.

(B) Any photography or video recording within an institution, where patient images or videos may be captured, shall be handled pursuant to DOM Section 13010.17, Photographs, Films, and Videotapes.

(C) Cameras or video-enabled devices with lens covers shall remain closed when the camera is not in use.

(D) The staff working in clinical settings shall obtain written consent from the patient being photographed or video recorded.

1. The CDCR 7120, Informed Consent for Clinical Photography/Digital Imaging, shall be completed and scanned into the health record for each patient.
2. If the patient is unable to provide consent, staff shall document that on the CDCR 7225, Refusal of Examination and/or Treatment, for clinical documentation purposes.

(E) Employees shall report any violations of this policy to their supervisor in writing. Any images or videos taken on CCHCS property using CCHCS equipment are considered state property. Any images or videos found in violation of this policy are subject to confiscation. Violation of this policy may result in discipline, up to and including termination of employment.

(3) Unauthorized Disabling or Tampering

Unauthorized disabling of or tampering with installed cameras or video-enabled devices shall be cause for disciplinary action.

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References

- California Department of Corrections and Rehabilitation, Department Operations Manual, Chapter 1, Article 13, Section 13010, Public/Media Information
- California Department of Corrections and Rehabilitation, Department Operations Manual, Chapter 1, Article 13, Section 13010.17, Photographs, Films, and Videotapes
- California Department of Corrections and Rehabilitation, Department Operations Manual, Chapter 2, Article 12, Section 22030.12.1, Sensitive Property
- California Department of Corrections and Rehabilitation, Department Operations Manual, Chapter 3, Article 1, Section 31010.5, Conduct Violations
- California Department of Corrections and Rehabilitation, Department Operations Manual, Chapter 3, Article 1, Section 31010.6, Sexual Harassment Violations
- California Department of Corrections and Rehabilitation, Department Operations Manual, Chapter 4, Section 48010.5 – Acceptable Uses and Ethics
- Health Care Department Operations Manual, Chapter 3, Article 1, Section 3.1.20 – Clinical Photography Digital Imaging
- Health Care Department Operations Manual, Chapter 5, Article 3, Section 5.3.15, Acceptable Use

Revision History

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