

## **COMPLIANCE 9.1 FACILITY SURVEILLANCE VIDEO CAMERA RECORDING**

**Scope:** All subsidiaries of Universal Health Services, Inc., including facilities and UHS of Delaware Inc. and their personnel.

**Purpose:** To provide direction for retention of video surveillance recordings in the facility, as well as, for the destruction of same.

### **Procedure:**

- A. Video footage from surveillance cameras at a facility should be maintained and copied to a DVD, flash drive or other appropriate storage device under any of the following circumstances:
- i. If such footage is related to a Probable Claim Report (PCR) matter and/or for liability claims, as warranted;
  - ii. For an incident resulting in potential employment/employee disciplinary action;
  - iii. For significant patient injuries as a result of a restrictive intervention, as warranted;
  - iv. For any allegations of rape, assault or other physical altercations involving patients or residents; and
  - v. At the direction of the Assistant Corporate Risk Manager

Absent these circumstances, video from surveillance cameras is not required to be maintained and may be reused or destroyed in accordance with normal video surveillance practices of the facility.

- B. Video footage from surveillance cameras shall be retained and secured if a claim is made by a patient and/or their representatives. Such video footage will be maintained by the facility until the case is resolved. Upon request from the Director of Claims, UHS Insurance Department, a copy of any such video footage will be sent to the UHS Insurance Department. The UHS Insurance Department shall notify the facility when a claim has been concluded so the video footage may be destroyed at that time.
- C. Video footage from surveillance cameras, other than related to a third party claim or litigation related matter referenced above, should be retained according to the following timeframes:
- For matters associated with a PCR where no claim has been filed, video footage shall be maintained for a period of two (2) to three (3) years following the date of incident, based on the statute of limitations in that State.
  - For matters associated with a PCR involving a minor, video footage shall be maintained for a period of two (2) to three (3) years following the date of incident, based on the statute of limitations in that State. Video footage

shall not be destroyed until the Corporate Claims Department has been notified.

- For matters addressed in subsection 3(A) above, video footage shall be maintained for a period of one (1) year following the date of incident.
- In the event the facility receives notification of a Legal Hold based upon a potential claim, investigation, regulatory action or litigation, all relevant video footage shall be retained until notified by the UHS Legal Department that the Legal Hold is no longer in effect.

D. The facility should maintain a log of all secured and retained video footage from surveillance cameras to include:

- The name of the patient, incident date, reason video is being retained (i.e. PCR, employment matter, etc.) and a description of the incident.
- The facility Risk Manager and Human Resource Director should review the video retention log, at a minimum, each quarter and destroy videotape that has passed set expiration times. The log shall be updated to reflect video footage which has been destroyed and the date of destruction.

E. In order to ensure compliance with all privacy laws and regulations and to avoid liability associated with any potential improper retention, duplication or unintended dissemination of retained video footage, any copies of such footage retained in accordance with this policy should be destroyed in such a manner so the copy is not accessible or viewable.. No copies of the video footage should be maintained nor distributed to anyone either inside or outside of the facility beyond the guidance and instructions in this policy. Additional guidance on the use photographs and/or recordings of patients can be found in UHS Privacy 13.0 *Photographs, Videotapes, and Other Recordings*.

F. Inappropriate retention or dissemination of video footage in violation of this policy can result in disciplinary action taken against the responsible party or parties including but not limited to immediate termination.

**Related UHS Policies:**

UHS Privacy 13.0 *Photographs, Videotapes, and Other Recordings*

UHS Privacy 16.0 *Disclosures for Law Enforcement Purposes*

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