

Creating Organizational Policies It is important to inform residents and families of your organization's written policy regarding photos – that is, when they can be taken, who can take them and how they can be utilized. When drafting your photographic documentation policy, be sure to include these important provisions:

- **Delineate the consent process** for photographic documentation, being sure to take into account relevant state laws. The American Health Information Management Association has recommended model consent language, which can be incorporated into your facility's admission forms.
- **Clearly state the process for viewing and copying photos.** Remember that residents have the right to view photographs of themselves.
- **Keep all original photographs in the facility** and provide copies only upon written request.

In general, it is necessary to obtain the resident's or legal representative's written consent before undertaking photographic documentation.

Risk-reducing Strategies These risk management principles can help your facility obtain more useful photographs and minimize exposure during the wound healing process:

- **Conduct initial admission skin assessments** to ensure that wounds already present are appropriately and fully documented in the medical record. This will help protect against possible later allegations that the wound was acquired in your facility.
- **Carefully consider whether to photograph the wounds of residents who have a circulatory or renal disorder** that may impede the healing process. It may be difficult to explain in court why a graphic wound never healed.
- **Document photos thoroughly,** as they are more likely to be admitted into evidence than textbook pictures of wounds. When necessary, explain why a wound was difficult to prevent or treat.
- **Depict the depth of wounds accurately.** Failure to do so may result in a wound that appears worse than it actually is.
- **Ensure that the medical record reflects all written and oral communication of wound status** to the resident, family members and the primary care physician.

