



MedStar Health

MedStar Health, Baltimore Region Media Policy

PURPOSE

To coordinate the release of hospital information to the media and respond to media inquiries.

MedStar Health, Baltimore region hospitals (including MedStar Franklin Square Medical Center, MedStar Good Samaritan Hospital, MedStar Harbor Hospital and MedStar Union Memorial Hospital) will release information regarding patients in accordance with Maryland law.

This policy applies to all patients, both inpatients and outpatients, regardless of whether or not the case is a matter of public record.

POLICY

The Marketing and Communications Department at each hospital serves as the primary source for media coverage or in responding to media inquiries. The department is responsible for coordinating with administration all hospital information that is released to the media. The Marketing and Communications Department must be notified immediately if a media representative contacts any member of the hospital or appears on the hospital premises.

HIPAA Regulation

MedStar Health follows the Health Insurance Portability and Accountability act (HIPAA), a Maryland law that took effect July 1, 1991, strictly limiting the information from a patient's medical record that may be released without the patient's expressed consent. The law is aimed at ensuring confidentiality of medical record information and restricting authorized disclosure to all but those who need it for purposes of patient care or to comply with the law.

MedStar Health may not disclose the nature or extent of a patient's illness without the patient's permission, regardless of whether or not the case is a matter of public record. Patients must be given the opportunity to object to or restrict the use or disclosure of information released by the hospital. If a patient objects to the disclosure of their information, hospitals may not release any information about that patient. Hospital representatives will not be able to confirm or deny a patient's presence in the hospital.

If a patient does not object to this information being released, MedStar Health can confirm the presence of a patient in the hospital, if, and only if, the reporter already possessed the patient's name. The hospital also can provide a general one-word condition of the patient. These conditions include:

Undetermined (Patient is awaiting physician and/or 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; indicators 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.)

NOTE: *Stable* is not a condition. MedStar Health does not release a condition unless the patient's next of kin has been notified. The charge nurse or physician will determine condition. **Hospital representatives must get a consent form signed by the patient to be sure that a patient agrees to information being released.**

Hospital representatives may disclose that a patient was "treated and released." However, HIPAA does not allow personnel to release information regarding the date the patient was discharged or where the patient went upon release, without patient authorization.

The death of a patient cannot be shared with the media or other public entities until the next of kin has been notified. As long as the patient or family member has not previously opted out of the release of information, the hospital may confirm the death to the media once the next of kin has been notified. No additional information about the cause or time of death may be released.

If patients are admitted to the hospital but are unable to object or agree to the use of their information (i.e., if the patient is unconscious), the hospital must determine if the patient expressed a preference during a prior hospital stay (check with admitting for previous records to locate next of kin and obtain consent.) If no preference is known, the hospital can release this information only if it is determined to be in the best interest of the patient or the public. When the patient recovers sufficiently, the hospital must ask about information preferences.

If a crime is involved (shooting victims, child hit by car, violent crime, etc.), MedStar Health will not acknowledge the patient's presence or condition. **Reporters will be referred to the Baltimore City Police Department's public information officer at 410-396-2284 or Baltimore County's public information officer at 410-887-2210.** For events that involve the media, the ADN should dial the operator who will page the M&C staff to discuss communications.

In disaster situations where there are multiple casualties or local events of significance (i.e., school bus accident, train derailment), hospital personnel may release general information regarding the victims. For example, MedStar Health may state the number of casualties, the gender or range of ages (adults, children, teens). This information may be passed along to the Baltimore City Health Department or Red Cross, if there is a larger disaster

GUIDELINES

Media on hospital premises:

In the event that media will be entering the hospital, Marketing and Communications will notify Security, the information desk, the hospital president and appropriate MedStar PR leadership, if necessary, prior to media's arrival. Members of the media (including photographers and general video crews) should not enter or roam the hospital without an escort from Marketing and Communications.

When the media is in patient care areas, the patient's health and patient and family's right to privacy are of primary importance. Before engaging in the production of recordings, films, or other images of patients, anyone who is not already bound by the hospital's confidentiality policy signs a confidentiality statement to protect the patient's identity and confidential information.

Recording or filming (includes photographic, video, electronic or audio media):

Anytime someone requests the privilege of photographing a patient, such permission will be given only if the patient's privacy and confidentiality are protected. Patients have the right to rescind consent for use up until a reasonable time before the recording or film is used.

- A. A written release from the patient has been obtained. In the event that the patient is a minor, or is unable to consent for any other reason, all the general principles governing consent in such

- circumstances apply. Patient release forms may be obtained from the Marketing and Communications Department. The original patient release will be kept on file.
- B. The patient's condition will not be jeopardized.
 - C. Such activity will not interfere with the operation of the hospital or the privacy of the other patients and visitors.
 - D. If the patient becomes uncomfortable, he has the right to request cessation of recording or filming at any time during taping.

PROCEDURE

Personnel receiving calls from media representatives should direct them to the Marketing and Communications Department. Marketing and Communications personnel, working with administrative and medical personnel to obtain the necessary information, will then coordinate the hospital's response.

During regular business hours (weekdays, 8:30 a.m. to 5 p.m.): All calls from the media must be transferred to the Marketing and Communications Department.

On weekdays after 5 p.m. and on weekends: The hospital operator should transfer reporters' requests to the director of media relations or the assistant vice president of marketing & communications. If neither is available, the operator should attempt to reach the assistant director of nursing or administrator on call.

For the purpose of this policy, incidents that generate or have the potential to generate media interest may be classified as either minor or major:

Minor incidents refer to those that may be specific to the hospital, but do not have potential to impact the MedStar system, especially in a negative way (i.e., low-ranking public official admitted for treatment, minor auto accidents that result in ER patients, routine patient condition reports, etc.)

Major incidents refer to those that have the potential to impact the system in either a negative or positive manner (i.e., HAZMAT incident, hospital acquisitions, flu crisis, etc.)

If an incident is major, the Marketing and Communications Department will then notify the hospital President, the hospital administrator on call (during off hours), and the Regional Director of Marketing and Communications and the Vice President of Marketing in that market, who in turn will notify the Corporate Director of Communications and Public Affairs. The Corporate Director of Communications and Public Affairs, in conjunction with these individuals, will determine the magnitude of the incident and notify key stakeholders.

All statements to the media (with the exception of routine condition reports) should be reviewed with the hospital president or administrator on call (AOC).

Members of MedStar Health who choose to speak with media representatives without following the procedure outlined above should remember that they cannot speak as a representative of, or authority on, MedStar Health policies and/or procedures unless designated as a spokesperson by the Hospital's president or an appropriate administrator.

MedStar Health, as a matter of policy will always respond as quickly as possible to media inquiries, but only in strict accordance to state law and the procedures outlined above.