

Editor's comment

Photographs of patients are generally obtained within the doctor-patient relationship and often form part of the patient's medical record, making them subject to this duty of confidence. Under any civil law, doctors (and other health care providers) owe their patients a duty of confidentiality. Just as any confidential or personal information that is disclosed by a patient (whether verbally, through a medical examination or otherwise) within the doctor/patient relationship can be used only for the purpose for which it was disclosed, unless the patient agrees otherwise, patients' photographic/video records too are confidential documents and need to be respected thus. Patients have autonomy over their bodies, and therefore the right to make their own decisions on medical treatment and whether they would subject themselves to photography/filming, and have a right to know for what purpose these will be used in future.

Privacy has become the catchword of the 21st century, and nowhere is it better enshrined than in the medical context. Health information is considered amongst the most sensitive and personal information that individuals possess. Patients must be able to trust their doctors with their lives and wellbeing. Besides caring for our patients we must respect their dignity and privacy and protect their confidential information.

Medical photography offers a benefit to the medical community, and to society, by improving the quality of care. There is a clear educational benefit of multimedia educational presentations in didactic lectures and

seminars and of retrospective video quality analysis to assess post-operative functional dexterity of a repaired palate or brachial plexus. While recorded images (photography, video, etc.) of patients may often be appropriate for documentation, medical record use, peer review, and teaching, the non-medical use of recorded images for advertisement or commercial purposes is a problem, both ethically and procedurally.

Ideal practice of clinical photography should be:

1. Informed consent for each use of the image must always be obtained from the patient or guardian
2. Specific and fully informed consent for photography should always be sought and granted before clicking.
3. This consent may be withdrawn at any time
4. Photography by a trained medical photographer in suitable environment is best
5. During the photo session the rights and dignity of the patient should always be respected.
6. All images must be stored in a safe and regulated environment, with controlled access
7. Complete anonymity is impossible and minimum possible area of the body should be photographed. Mere boxes or dots or shades over eyes do not make a photograph anonymous. Eyes should only be included when absolutely essential.
8. X-Rays, M.R.I. and C.T. Scan images too should not disclose the patient's identity

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