Mitchell Katz
President and CEO
NYC Health + Hospitals

50 Water Street 17th Floor
New York, NY 10004

Operating Procedure 20-79

Prohibition on Photography and Recording

TO: All NYC Health + Hospitals Workforce Members

FROM: Mitchell Katz, M.D.
President and Chief Executive Officer

DATE:

I. **POLICY:** It is the policy of NYC Health + Hospitals (the "System") to prohibit unauthorized photography, video recording, audio recording, live streaming, and other image capture activity on NYC Health + Hospitals premises, to protect the privacy of patients, staff, hospital operations, and restricted and private information. Any and all forms of photographing, recording, live streaming, filming, and other image capture activity on the System's premises are prohibited without permission or authorization, except as otherwise permitted by applicable System policy, procedure, or approved business purpose. Such activity shall not jeopardize or interfere with patient care, patient privacy, hospital operations, or Workforce Member productivity. If a workforce member, patient, or other individual objects to being photographed, recorded, filmed, live streamed, or otherwise captured in any manner, the activity shall be discontinued immediately.

II. **PURPOSE:** The purpose of this OP is to establish guidelines regarding photography, recording, live streaming, filming, and other means of capturing images on the System's premises, in order to ensure adherence to System policies and applicable law.

III. **SCOPE:** This OP governs all photography, video recording, audio recording, live streaming, filming, and other image capture activity by any means, device, platform, application, or technology on the System's premises and at remote, off-premises work locations, except where such activity is authorized by other applicable System policies or Operating Procedures.

IV. **APPLICABILITY:** This OP applies to all Workforce Members, patients, visitors, family members, vendors, Vendor Staff, Third-Parties, and other individuals present on or entering NYC Health + Hospitals premises, regardless of whether such individuals are performing official duties while on such premises.

V. LEGAL REQUIREMENTS: This OP shall be interpreted and applied consistently with applicable Federal and New York State laws and with other applicable System policies, procedures, and Operating Procedures governing patient photography, patient recording, HIPAA Privacy, HIPAA Security, legal proceedings, release of information to the media, surveillance, and related privacy, security, and operational requirements.

VI. DEFINITIONS:

A. **NYC Health + Hospitals premises:** For purposes of this OP, "NYC Health + Hospitals premises" includes any location where NYC Health + Hospitals provides services or conducts operations, including clinical areas, waiting rooms, reception areas, hallways, lobbies, cafeterias, conference/meeting spaces, administrative offices, Central Office locations, and adjacent grounds.

B. **Live streaming:** For purposes of this OP, "live streaming" means the real-time transmission or broadcast of audio or video images, or other content through any device, platform, application, or technology.

C. **Photograph, film and other images:** Includes but is not limited to any image captured or recorded on a still photo camera, cellphone, computer, laptop, tablet, video device, movie camera, or by electronic or cellular means.

D. **Photography or photograph:** For purposes of this OP, means the capturing of still images or information, including protected health information, personally identifiable information, via the use of photography, video, audio recording, live streaming, or by any other means of capturing or recording images for any purpose.

E. **Private Data (Moderate Sensitivity):** When the confidentiality of data is preferred due to its moderate sensitivity level it is classified as private. Unauthorized disclosure, alteration or destruction of private data could result in a moderate level of risk. Examples of private data include, but are not limited to, business and marketing plans, contracts, business processes, meeting minutes, budgets, physical site plans, Hospital Police Security Plan, and Information Security Program Plan.

F. **Protected Health Information (PHI):** Refers to any information, including demographic information and genetic information, whether oral or recorded in any form or medium, created or received by the System, or by business associates on behalf of the System that relates to the past, present, or future physical or mental health or condition of an individual, the provision of health care to an individual, or the past, present, or future payment for the provision of health care to an individual, and that also identifies the individual or with respect to which there is a reasonable basis to believe the information can be used to identify an individual. PHI does not include health information in employment records held by the System in its role as employer or information concerning an individual who has been deceased for more than 50 years.

G. **Restricted Data (High Sensitivity):** Refers to data that has been classified as confidential, due to its high level of sensitivity, or by law, policy or contractual obligation. Unauthorized disclosure, alteration or destruction of restricted data could result in a high level of risk. Examples of restricted data include, but are not limited to, PHI and Workforce Member employment records.

H. **Third-Party:** Refers to an individual or entity that is involved in some manner in an interaction that is primarily between two other entities (typically, the vendor and the

System). The third party may or may not be officially identified as a party in the contract between the vendor and NYC Health + Hospitals.

I. **Vendor:** An individual or entity that provides a product and/or service to the System. Generally speaking, the term relates to an individual or entity that has been hired to deliver and has been paid for a product and/or a service provided.

J. **Vendor Staff:** Refers to any individual employed or contracted by a vendor who is assigned to the System to support or perform the contractual obligations of the vendor.

K. **Workforce Member (Personnel, or Workforce):** Refers to individuals, whether serving in a temporary or permanent capacity on the System's premises or remotely, who perform duties, functions, or activities on behalf of the System and whose conduct, in the performance of work functions and duties on behalf of the System, is under the supervision of the System, whether or not they are paid by the System. Examples include, but may not be limited to, employees, affiliates, volunteers, trainees, interns, and members of NYC Health + Hospitals Board of Directors.

VII. RESPONSIBILITIES:

A. **Workforce Members:** Are responsible for complying with this OP and for promptly notifying the appropriate Administrator, Administrator on Duty, Hospital Police, or Office of Corporate Compliance (OCC) when activity appears to violate this OP.

B. **Administrators and Administrators on Duty:** Are responsible for reviewing reported activity, speaking with the individual involved, determining the intended use and necessity of the activity, determining whether the activity may proceed under applicable policy, procedure, or approved business purpose, and directing that the activity to stop where it is not permitted.

C. **Hospital Police:** Are responsible for responding, as appropriate, to reported activity on NYC Health + Hospitals premises that violates this OP and/or continues after a direction to stop.

D. **Office of Corporate Compliance (OCC):** Is responsible for receiving and reviewing reports involving patients, PHI, ePHI, patient information, and other privacy, security, or compliance concerns that arise under this OP.

E. **Human Resources/Labor Relations:** Is responsible for assigning corrective, remedial, and/or disciplinary action, up to and including termination of employment, contract, and/or other affiliation with NYC Health + Hospitals for violations of this OP.

VIII. PROCEDURES:

A. **General Rule:** Photography, video recording, audio recording, live streaming, filming, and other image capture activity of any kind and by any means, including through the use of smart phones, smart glasses, tablets, computers, WebEx, MS Teams, and any other digital recording or streaming device, platform, application, or technology, on NYC Health + Hospitals premises is strictly prohibited, except as otherwise permitted by applicable System policy, procedure, or approved business purpose.[1] This prohibition applies to non-treatment

[1] For example, Operating Procedure 240-29 *HIPAA Privacy Policy - Patient Photography and Recording* permits permits taking certain photos, such as photos following the birth of a baby.

public areas on NYC Health + Hospitals premises, including lobbies, cafeterias, waitingareas, hallways, reception areas, and administrative offices. No person may photograph, video record, audio record, or live stream any Workforce Member performing duties without that Workforce Member's express permission, which they may refuse.

B. **Protection of Confidential, Restricted, and Private Data:** Workforce Members shall not use photography, film, video, audio recording, live streaming, or other image capture activity in a manner that results in the unauthorized disclosure, alteration, destruction, transmission, or other compromise of PHI, ePHI, restricted data, or private data.

C. **Work-Related Settings:** Any permissible photography, recording, live streaming, or other image capture activity conducted through systems such as WebEx, MS Teams, or any other digital or streaming technology within the System's facilities, operations, programs, meetings, conferences, training sessions, administrative discussions, workplace gatherings, and other work-related settings shall not jeopardize or interfere with patient care, patient privacy, hospital operations, or Workforce Member productivity. Any such permissible activity remains subject to applicable NYC Health + Hospitals policy, procedure, and/or approved business purpose.

D. **Signage:** Facilities should post public-facing notices in prominent areas stating that photography, audio recording, video recording, and live streaming are not permitted without permission or authorization under applicable NYC Health + Hospitals policy, procedure, and/or approved business purposes.

E. **Initial Response:** If a Workforce Member observes someone taking any photo, video, audio, or live stream activity that appears to violate this OP, the Workforce Member shall promptly notify the Administrator, Administrator on Duty, Hospital Police, or the OCC, as appropriate.

F. **Administrator Review:** Where the activity involves a patient, visitor, family member, or other non-Workforce Member, the Administrator or Administrator on Duty shall speak with the individual involved, determine the intended use and necessity of the photography, recording, live streaming, or other image capture activity, and determine whether the activity may proceed under applicable System policy, procedure, and/or approved business purpose.

G. **Direction to Stop:** If the photography, recording, filming, live streaming, or other image capture activity is not permitted under this OP or other applicable policy, the individual shall be instructed that the activity is not permitted and shall be directed to stop immediately.

H. **Escalation:** If the activity involves patients, PHI, ePHI, other patient information, restricted data, private data, or other information subject to privacy, confidentiality, or security requirements, or if the individual refuses to comply with a direction to stop, the matter shall be reported to the OCC by email at CPO@nychhc.org or by phone at (646) 458-5632, and to Hospital Police and/or the Information Security Officer, as appropriate.

IX. MANDATORY COMPLIANCE: Compliance with this OP is mandatory. Violations of this OP may result in corrective, remedial, and/or disciplinary action, up to and including termination of employment, contract, and/or other affiliation with NYC Health + Hospitals, as well as other operational action permitted under applicable the System's policy, procedure, or approved business practice.

X. EFFECTIVE DATE: This OP shall become effective as of the date it is posted on the System's policy management application.

Signed By	Title	Department	Date Signed
Mitchell Katz	President and CEO	OFFICE OF THE PRESIDENT	10/16/2026
Yvette Villanueva	Senior VP of Human Resources	HR ADMINISTRATION	09/23/2026
Andrea Cohen	General Counsel	GENERAL COUNSEL	10/07/2026
Catherine Patsos	Corp Compliance Officer	OFFICE CORPORATE COMPLIANCE	09/28/2026