

441—31.5(229A) Photographing and recording individuals.

31.5(1) *Visitors.* Visitors shall not be allowed to bring any camera or video or audio recording devices into the facility. An individual who wants to have a photograph taken with a visitor shall request prior permission from the individual's treatment team and make arrangements for paying the cost of the photograph.

a. With approval of the treatment team, a facility employee will take the photograph using facility equipment. The facility shall provide the photograph to the individual requesting it. The individual shall be responsible for distribution of the photograph.

b. The facility shall not be liable for any further use or distribution of the photograph made by the individual or by anyone else who comes into possession of the photograph.

31.5(2) *Public media.* Photographs and video and audio recordings by public media inside of the facility and of individuals shall be permitted only with the prior authorization of the facility administrator and of the individual or the individual's guardian.

a. For security or confidentiality of other individuals, the facility administrator may limit the scope of what is photographed or recorded.

b. Public media representatives authorized to take photographs or recordings shall make every effort to preserve the inherent dignity of the individual and to preclude the exploitation or embarrassment of the individual.

This rule is intended to implement Iowa Code chapter 229A.

[ARC 9646B, IAB 8/10/11, effective 10/1/11]