

DEPARTMENT OF HUMAN SERVICES

EFFECTIVE DATE: 1 November 1977

DATE ISSUED: 15 October 1977

SUBJECT: Photographing of Patients and Residents

This Administrative Order is designed to regulate photographs of patients and residents under the Department's jurisdiction.

I. GENERAL POLICIES

- A. No photographs shall be taken of patients or residents under the age of 21 which will permit the subject to be identified without consent from parents or guardians.
- B. It is permissible to photograph an adult patient or resident who has sufficient mental capacity to understand the nature of the transaction and who consents on the attached form, then such photograph may be taken. In the event the patient or resident does not have sufficient capacity to make such determination the consent of the guardian or next of kin shall be secured.
- C. All of the foregoing has reference to photographs taken for public dissemination and is not designed to prohibit or exclude the taking of photographs of patients and residents in mental hospitals or institutions for the mentally retarded by next of kin or Departmental personnel where necessary for identification purposes in institutional records.


Ann Klein
Commissioner

DEPARTMENT OF HUMAN SERVICES

CONSENT OF PATIENTS OR RESIDENTS TO BE
PHOTOGRAPHED (Over 21)

I, _____ a patient/resident at
_____ do hereby consent to
permit the authorities of this institution to make still or moving
pictures of me and to reproduce such pictures, distribute them
and make such use thereof as they desire.

I realize that in so consenting I hereby release and dis-
charge the State of New Jersey, the said institution and its agents
and employees from any and all liability, claims or demands, in
law or in equity, that I might have against any of them by reason
of such photography and subsequent use thereof by said institution.

DATED _____

I hereby certify that I have this day examined the above
patient/resident and I do hereby certify that he/she fully under-
stands the nature of the consent herein given and realizes the
full import thereof and such consent was signed in my presence.

(Title)