

# There isn't an app for that: Banning recording in the office

With the proliferation of mobile communications devices, many patients use their time in physicians' offices to text, surf the Internet, update social media, and make phone calls. They also may be tempted to use smartphones and similar devices to record consent discussions or for medication and follow-up instructions with surgeons and office staff.

Recording discussions about health care via video or audio is not a substitute for listening, however, and could put surgeons and their staff at significant risk, according to experts at The Doctors Company, the official medical liability insurance provider for members of the American College of Surgeons. Surgeons should

prohibit video or audio recording in the office. These recordings breach the confidentiality rights of other patients and infringe on the privacy rights of surgeons and their employees. In many states, it is illegal to record without prior consent.

To prevent patients from using their mobile devices to record their in-office experiences, The Doctors Company recommends the following steps:

- Post a sign in the reception area that states, "To ensure confidentiality and privacy, any type of electronic recording is strictly prohibited at any location within these offices. Thank you for your understanding and compliance."
- Issue a written policy pro-

hibiting the use of recording devices during office visits, and include the statement in patient intake handouts.

- Watch for indications that a patient is recording conversations, and politely ask that they discontinue this activity.
- Remind patients that they or their caregiver may take notes during office visits to help them remember important information, and emphasize that the conversation will be documented in the medical chart.

For more tips, articles, and information from The Doctors Company, go to *<http://thedoctors.com/knowledgecenter>*.