

Chapter: **RECIPIENT RIGHTS**
Title: **FINGERPRINTING, PHOTOGRAPHING, AUDIO RECORDING, VIDEO RECORDING, AND ONE-WAY GLASS VIEWING**

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Proposed by: Traci Smith 10/20/2026
Chief Executive Officer Date

Approved by: Al Lorenzo 10/20/2026
County Executive Office Date

I. ABSTRACT

This policy establishes the standards and procedures of Macomb County Community Mental Health (MCCMH), an official agency of the County of Macomb, regarding fingerprinting, photographing, audio recording, video recording, and one-way glass viewing of recipients serviced by MCCMH providers.

II. APPLICATION

This policy shall apply to the MCCMH Board of Directors, Certified Community Behavioral Health Clinics (CCBHC) in Macomb County, directly-operated provider team members, independent contractors, volunteers; as well as MCCMH contracted network provider employees and volunteers.

III. POLICY

It is the policy of MCCMH that recipients of Macomb County Community Mental Health services shall not be fingerprinted, photographed, audio recorded, video recorded, or viewed through a one-way glass by MCCMH providers except in the circumstances and under the conditions set forth in this policy.

IV. DEFINITIONS

A. Audio recording

Any recording of the voice of an individual.

B. Consent

An agreement by or on behalf of the recipient. Written consent is obtained from:

1. A competent recipient who is more than 18 years of age;
2. A guardian of a recipient who is legally empowered to execute a consent; or
3. A parent with legal and physical custody of a recipient who is less than 18 years of age.

Consent must include legal competency, knowledge, comprehension, and voluntariness.

C. Fingerprinting

An inked and/or digital impression of the ridges of a finger's surface used as a means of

identification.

- D. One-Way Glass Viewing
A sheet of glass used for observation that functions as a mirror when viewed from one side but is translucent on the other side.
- E. Photographing
A visual image reproduced as still pictures, slides, motion pictures, videotape, "live" television, or digital image.
- F. Recipient
Individuals receiving MCCMH mental health services.
- G. Recording
Any audio recording or video recording of an individual.
- H. Videorecording
Any recording of the voice and image of an individual.

V. STANDARDS

- A. Recipients shall not be fingerprinted, except as provided below. Fingerprints taken by another source and obtained during the provision of MCCMH services shall not be inserted in MCCMH records.
- B. Recipients may be fingerprinted, filmed, recorded, photographed, audio recorded, video recorded, and/or observed through a one-way glass for the purpose of providing services, conducting research, providing training, determining the identity of a recipient, or educational purposes, only after prior written consent has been obtained from the recipient or other legally authorized individual, in accordance with the Michigan Mental Health Code.

Consenting parents of minor children are permitted to view the provision of all services.

- C. All recordings and any copies of them shall be part of the recipient record and returned or destroyed when they are no longer essential to achieve the objectives outlined in V.B. or upon discharge of the recipient.
- D. Fingerprints, photographs, or recordings may be used to determine the name of a recipient, under the following conditions:
 - 1. Fingerprints, photographs, or recordings taken to determine the name of a recipient shall be part of the recipient record.
 - 2. Fingerprints, photographs, and recordings may be delivered to others for assistance in determining the name of the recipient, after notification is provided to the receiver that it is mandatory to return all provided items.
 - 3. The delivered fingerprints, photographs, and recordings must be returned to MCCMH together with any copies that were made.
- E. Providers may photograph or record a recipient for purely personal or social purposes if:

1. The recipient does not communicate a verbal or written objection; and
 2. It is maintained as property of the recipient.
- F. If such activities might violate the recipient's rights, the Chief Executive Officer or designee may rescind previously granted approval. Provider personnel shall not interfere in activities or recordings that do not violate the confidentiality and privacy rights of recipients.
- G. Consent given on behalf of a minor is effective only during his/her minority. Once a minor recipient reaches 18 years of age, any prior parental consent is void and the consent of the now adult recipient or his/her legal guardian is required to continue photographing or recording the recipient.
- H. Consent(s) obtained for photographs, recordings, and one-way mirror observation utilized for treatment shall be time-limited to the specified purpose and essential to provide ongoing services, including research, shall automatically expire after a twelve-month period, when a minor reaches 18 years of age, or when guardianship status changes.
- I. Photographs, fingerprints, and recordings used for treatment, identification, educational, or research purposes shall be given to the recipient or destroyed when the first of the following conditions occurs:
1. The specified purpose has been accomplished;
 2. Upon discharge; or
 3. Consent is withdrawn.
- In the interim, they shall be stored in a locked administrative file or kept in a protected Electronic Medical Record (EMR) to maintain confidentiality.
- J. Permission to Allow Audio/Videotaping or Photographing (Exhibit A) shall be used to obtain the recipient's consent.
- K. The completed consent form shall be placed in the recipient's clinical record.
- L. Video recording or surveillance within a facility or service setting for the purposes of safety, security, or quality improvement may only be conducted in a licensed psychiatric hospital or unit.

VI. PROCEDURES

- A. Applicable Clinical Staff/Case Managers shall:
1. Discuss the need to record, photograph, or use one-way glass viewing with their supervisor.
 2. Review the need to record, photograph, or use one-way glass with recipient and/or legal representative, and obtain consent.
 3. Maintain written consent in the recipient's record.
 4. Provide the recipient the opportunity to object immediately preceding recording, photographing, or one-way glass viewing. Comply with the recipient's decision in favor

of or objecting to recording, photographing, or one-way glass viewing.

5. Maintain original and copies of any recordings and photographs in the recipient's record, at a secure location.
 6. Keep the time limited consent forms updated.
 7. Determine whether photographs and recordings must continue to be stored, returned to the recipient, or destroyed.
 8. Return original and all copies to recipient or destroy them when the specified purpose has been accomplished, the recipient is discharged, or consent is withdrawn.
- B. Consenting individuals shall:
1. Consent or object to being recorded, photographed, or viewed through one-way glass.
 2. Consent or object to being photographed or recorded for personal or social purposes.
- C. Any return, removal, or destruction of recordings and any copies of such records once achieving the objectives outlined in V.B of this policy, shall follow MCO Policy 2-018.

VII. REFERENCES/ LEGAL AUTHORITY

- A. Michigan Mental Health Code, MCL 330.1724
- B. Michigan Administrative Rules, Department of Health and Human Services, R330.7003

VIII. EXHIBIT

- A. Permission to Allow Fingerprinting, Audio Recording, Video Recording, Photographing, or One-Way Glass Viewing

Annual Revision Attestation/Revision History

Revision #	Review Date	Revision Summary/Policy Update Notice Date	Reviewer/Department
1	08/05/2009	Historical approval date	ORR
2	07/25/2018	Historical approval date	ORR
3	01/13/2026	Prior approval date	ORR
4	07/29/2026	See Policy Update Notice associated with signature date	ORR