



Requirements for Camera Use in Group Homes

November 2025

Introduction and Purpose

This document outlines the requirements for the submission of proposals for the use of cameras within group residential settings contracted and/or licensed by the Department of Developmental Services (DDS).

Requirements:

1. Agency Camera Use Policy:

Prior to submitting a site proposal for camera use to DDS, the group residential provider (hereinafter “provider”, as defined by 115 CMR 2.01) must have an Agency Camera Use Policy (Use Policy). The Use Policy must include:

- A. A clearly defined purpose of camera uses in common areas, outlining their role in promoting safety, security, and service quality while safeguarding the rights and privacy of individuals (as defined by 115 CMR 2.01) supported by DDS and staff.
- B. An assurance that the provider will obtain and maintain written, informed consent from all individuals and guardians (or legal representatives), prior to the installation or use of cameras pursuant to site proposal(s) and will review and renew such consent at least annually.
- C. The Use Policy must document the following: Cameras in common areas should be visible, and clear signage indicating the presence of video surveillance must be prominently displayed at all entrances and within monitored areas.
- D. An Opt-Out/Refusal process - If an individual and/or their guardian or legal representative expresses significant discomfort or terminates consent, the cameras must be turned off immediately. Individuals cannot be denied service by the provider because they do not or no longer consent to the use of cameras.
- E. Reporting Procedures - The Camera Use policy should include a process for the individuals, their legal guardians/representatives, and staff members who have concerns about camera use and/or believe a violation of the Camera Use policy has occurred and how the concern is addressed.

- F. Clearly defined protocols governing the recording, access, and retention of camera footage:
 1. Live monitoring of video feeds may not be used as part of routine operations.
 2. Recording: Audio recording is prohibited.
 3. Access: Access to live feeds and recorded footage is strictly limited to authorized personnel (e.g., designated management, staff). A log of all access to footage, including the date, time, person accessing, and purpose, must be maintained by provider.
 4. Retention: Recorded footage must be kept only as long as necessary to fulfill the documented purpose, typically no longer than 45 days unless required for an ongoing law enforcement or DPPC investigation or legal proceeding.
 5. Footage must be securely stored to prevent unauthorized access, alteration, or destruction.
 6. Secure deletion protocols must be in place for expired footage to protect sensitive information from unauthorized access and ensure compliance with data protection regulations.

- G. Adequate controls, through contracts and written policies, shall comply with applicable state and federal laws relating to privacy, confidentiality, and information security, including, but not limited to:
 1. M.G.L. c. 123B, s. 17, 115 CMR 4.05, 4.06, and 9.19 (confidentiality of DDS client records, notwithstanding any other provision of law);
 2. The Health Insurance Portability and Accountability Act (HIPAA), 45 CFR Parts 160, 162, and 164, 42 CFR Part 431, Subpart F, 42 CFR Part 2, 45 CFR §155.260 (privacy of “protected health information” or “PHI”);
 3. The Massachusetts Fair Information Practices Act (FIPA), M.G.L. c. 66A, 801 CMR 3.00 (privacy of “data subjects”);
 4. M.G.L. c. 93H, 201 CMR 17, et seq. (data breaches); M.G.L. c. 272, s. 99 (Interception of Wire and Oral Communications, unlawful unauthorized recording); and
 5. Applicable labor laws.

- H. Defined review and oversight processes, including:
 1. Regular Review: The Camera Use policy and the effectiveness of camera use must be reviewed by the provider at least annually, or more frequently, if there are significant changes.
 2. Oversight Committee: The Camera Use policy and specific camera use must be reviewed annually by the provider’s Human Rights Committee.
 3. Incident Review: The Camera Use policy must outline how any recorded incidents involving camera footage or privacy concerns would be addressed.

- I. Staff Training - All staff involved in the operation, storing, monitoring, or maintenance of camera systems, or who interact with individuals regarding camera use, must receive training on:
 1. Transparency in the purpose and goals of the use policy.
 2. Ethical considerations related to privacy, autonomy, and dignity.
 3. Technical operations of the camera system.

4. Data security and access protocols.
5. Certifications or education on the operations of the technology and camera systems, if applicable.
6. Procedures for responding to concerns or privacy breaches.

2. Site-Specific Proposal

The site proposal must document a clear purpose and rationale for **each** site/address where cameras are proposed to be used or installed, and address the following:

A. Specific Purpose

1. Why is the use of cameras warranted in the proposed setting?
2. What other less-intrusive interventions have been tried? Provide specific information about the interventions tried, including dates used, duration, and efficacy.
3. What is the anticipated benefit of the use of cameras to the individuals living in the home?
4. If being considered to address behavioral concerns, is this addressed in a behavior plan? Has the plan received all appropriate reviews (must include human rights review)?

B. Camera Location - Cameras in common areas should be visible, and clear signage indicating the presence of video surveillance must be prominently displayed at all entrances and within monitored areas, while maintaining a home-like look and feel.

- a. How many cameras are proposed? Where will they be located?
- b. Is there a dedicated, known area not subject to surveillance?
- c. Describe any technology to be used in combination with cameras in common areas.
- d. Assurance that common area camera(s) are positioned to ensure that private areas are not incidentally subject to monitoring or recording. (E.g., a camera installed in a living room should not be angled to capture bathroom or bedroom entrances or interiors.)

C. Recording, Access, and Retention

- a. How will the footage be recorded and stored?
- b. Can the camera be turned on and off? If so, by whom?
- c. How long will the recording be maintained, if for any length of time?
- d. Who has access to review the recording? Under what circumstances?
- e. How will you maintain a record of who has viewed the camera footage, for what reason, and what was the outcome of the review?

D. Informed Consent and Notification

- a. Describe the process to ensure individuals and guardians are aware of the existence and location of cameras.
- b. Describe the process should an individual or guardian decline or rescind their consent.

- c. Describe the process to notify staff and what training will be provided related to the use of cameras.
- d. Provide copies of proposed consent forms for the use of cameras in common areas.

E. Review

- a. Describe how the effectiveness of cameras will be evaluated, including timelines.
- b. Describe the plans to fade the use of cameras, including timelines.

For questions, please contact the Office of Human Rights at: officeofhumanrights@mass.gov.