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To: DDS and Provider Staff
From: DDS Office of Quality Enhancement
Subject: Explanation of Photo or Video Consent Form
Date: March 17, 2021

DDS and Provider Staff:

Attached, please find a *Permission for Release of Photographic/Video Images Form* prepared by the Department of Developmental Services ("the Department" or "DDS") to permit individuals (or their guardians/legally authorized representatives) to consent to the use of photographic or video images taken of them.

This template was developed to comply with DDS' regulations at 115 CMR 5.04(2) ensuring the right to be protected from private and commercial exploitation. This form is intended to remove perceived barriers to individuals' participation in common social media practices. **If authorized by an individual or guardian, the form will allow for the ongoing use or disclosure of photographs or images, and a provider does not have to obtain permission for additional uses of images during the term of the Permission for Release.**

Before giving consent to the use of their photographic or video images, individuals should be advised of the following:

You have the right to consent to the use of your image in a photo or video. What does that mean?

When you take photos of yourself or allow others to take a photo of you, you may want to keep them for yourself, or you may decide to share them with others. Sharing happens, for example, when you post pictures on social media sites such as Facebook, Instagram, or Twitter. When you share photos of yourself on Facebook, Instagram, or Twitter, you are consenting, or saying it is "ok," for Facebook, Instagram, or Twitter to allow other people to look at them. You can sometimes limit who can see photos, such as limiting to people who are Facebook Friends. However, once a picture is posted on a social media site, it may be shared by other people.

Sometimes a person who provides services to you may want to use photos of you to share who they are and what they do. A day program or a group home may do this by making a brochure or newsletter, or posting on social media such as Facebook, Instagram, or Twitter . Sometimes this is to show or explain to people what they do and encourage others to consider using their services.

Before a provider can use a picture of you for any purpose, they must get your consent or permission to use it. You decide whether you want to give your permission or not, and you should never feel pressured to share photo or video of yourself.

How to give consent for a provider or others to use a photo or video of you?

If you want to let a provider use photos of you, you must give your consent in writing. How can you do this? Attached is a form that may be used by DDS or by a provider to give them permission to use and share photos of you. It is your choice to let someone share photos of you.

- You may choose to give your consent to use only one single photo of you for a specific event, such as an awards ceremony or a conference.
- You may choose to give your consent to use only one photo of you for several purposes, such as in a brochure, poster or public display or on the provider's website or on Facebook, Instagram, or Twitter.
- You may choose to give your consent to use many images of you for one specific purpose, such as any photo of you dancing at last year's party to get people excited about this year's party.
- You may choose to give your consent to use any photo taken of you for any purpose, such as for any conference or meeting that comes up, or another event.

Do you have to give Consent for a Provider or others to use your pictures?

No, it is your choice whether you let a photo or video of you be shared. You do not need to sign this consent form to continue to receive your services.

Before you give your consent, you should talk with your Team, your Guardian, or a Friend, who can help you make your decision.