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New York Hospitals Agree: No More Filming Patients Without Prior Consent
Effectively ending “reality TV” in our emergency rooms

In response to demands made by New York City Council Member Dan Garodnick and elected officials at the City and State levels, the Greater New York Hospital Association (GNYHA) has agreed that its member hospitals will no longer allow patients to be filmed for entertainment without obtaining their prior written consent. This effectively puts an end to “reality TV” in New York’s emergency rooms.

Last month, Council Member Garodnick was joined by 32 of his colleagues in the City Council in calling on hospital leaders to ban filming for entertainment purposes without first obtaining written approval. Their advocacy came in response to the story of Mark Chanko, whose medical treatment and death were filmed by ABC’s New York Med, a reality television show based at New York Presbyterian Hospital. Mr. Chanko never consented to the filming, and his wife was later horrified as she watched her husband die on television when the episode aired.

While proposed bills to restrict this practice -- sponsored by Senators Brad Hoylman, Liz Krueger, and Martin Golden and Assembly Members Brian Kavanagh and Edward Braunstein -- are already pending in the New York State Legislature, the elected officials called on hospitals to make the right choice today and ban filming without consent in New York City’s hospitals. GNYHA has confirmed that their members, including nearly all private hospitals in New York City, will agree to stop this practice.

"Reality television has no place in our emergency rooms. With this commitment, our hospitals can rightly say that privacy matters in New York City,” said Council Member Garodnick. “We appreciate GNYHA for recognizing the importance of this issue to New Yorkers.”

"Our member hospitals strongly agree that patients deserve privacy in the course of receiving care and that their medical information should be kept confidential in accordance with the law. Council Members asked our members to pledge not to film or record, or expressly allow any third party to film or record, a patient or family member for entertainment purposes without their
prior written approval. We agree with these principles and have asked our members to abide by them.” said Kenneth E. Raske, President, Greater New York Hospital Association.

“We are heartened that city hospitals, through the Greater New York Hospital Association, have agreed that it’s far more important to protect the privacy of its patients than it is to garner publicity by filming patients who have not consented to such filming,” said Kenneth Chanko, Mark Chanko’s son. “We hope this will help to ensure privacy from unwanted filming for all vulnerable hospital patients and their families.”

**State Senator Brad Hoylman** said: “I applaud the Greater New York Hospital Association for urging its members not to film or record patients or family members without their express written consent. I’m grateful to the family of Mark Chanko for their courage in sharing their personal story and Council Member Dan Garodnick for his leadership on this issue. I will continue to work in Albany on legislation that I co-sponsor (S4622A) enshrining this important aspect of patient privacy into state law. Together, we can ensure that what the Chanko family endured at the hands of a reality TV show never happens again.”

**State Senator Liz Krueger** said: "When we are at our most vulnerable, we must be able to trust that those caring for us have only our best medical interests in mind. Filming patients and their families without consent violates that trust and puts dangerous, non-medical pressures on doctors and nurses. That’s why I’m pleased to see that Greater New York Hospital Association has taken a step in the right direction by voluntarily agreeing that they will not film patients without prior written consent, and there will be no filming at all in the ER. I thank Council Member Garodnick for his leadership on this issue, and hope hospitals throughout the state will follow suit to safeguard the wellbeing of patients and care-givers alike."

**Assemblyman Edward Braunstein** said: “I want to thank Council Member Garodnick for bringing attention to this issue by calling on hospitals to cease the filming of patients without consent, as well as the Greater New York Hospital Association for asking its members to protect the privacy of their patients. However, I still believe that the state legislature needs to take action to ensure that incidents like this never happen again. Therefore, I will continue to push for the passage of legislation which would ban the filming and broadcasting of medical treatment without consent and create a private right of action allowing victims to sue for damages."

“The hospitals’ decision that they will refrain from allowing patients and their families and friends to be filmed without their consent is a victory for decency and common sense,” said **Assemblymember Brian Kavanagh**. “We all owe a debt of gratitude to the members of Mark Chanko’s family, whose sense of justice and determination, even at a time of grief, have enabled them to do a great service to all New Yorkers, sparing others the terrible invasion of privacy that they experienced.”

"No hospital patient should ever be filmed without their consent. Thanks to Council Member Dan Garodnick, no patient of the Greater New York Hospital Association will ever have to again. I'm grateful to Council Member Garodnick for his leadership on protecting the privacy of hospitalized New Yorkers," said Council Member Helen Rosenthal.
In response to the recent debut of *Save My Life: Boston Trauma*, filmed at Massachusetts General Hospital, Garodnick pledged to keep up the fight to limit this practice in emergency rooms around the country.

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