


Now I Lay Me Down to Sleep
www.nowilaymedowntosleep.org
IMPORTANT INFORMATION FOR HOSPITALS

What is Now I Lay Me Down to Sleep?

NILMDTS is a 501(c)(3) non-profit organization made up of 7,000+ volunteer professional photographers around the world. Each volunteer provides bereavement photography services free of charge to families experiencing an infant loss.

What babies will the organization photograph? (i.e. criteria of selection)

The baby must be at least 25 weeks gestation (or if lower, recommended at the discretion of medical personnel) to qualify for this service. We ask for the hospital staffs' judgment as to the condition of the baby and if photographs would be feasible. Unfortunately, if there is significant deterioration or complications during the birth, we are unable to provide photography.

How can I request this service for a family?

As this is a completely volunteer organization and all our members have other full time jobs and families, we can never guarantee the availability of a photographer. We request that when you introduce this program to the family, you make sure they are aware it is volunteer and every attempt is made to find a photographer for the family. We often receive calls directly from families, however they are enduring perhaps the worst moment of their life and it is often easiest if a hospital employee facilitate the call on behalf of the family.

To locate your closest photographer, go to www.nowilaymedowntosleep.org and click on FIND A PHOTOGRAPHER, then search by zip code or state. If you have listings that come up in "red" at the top, these are "Area Coordinators" who are most knowledgeable and most thoroughly trained in our program. Area coordinators can make calls to their local chapter members to find you a volunteer. If you do not have an Area Coordinator in your location, just start going down the list, identifying yourself as a hospital employee trying to locate a volunteer photographer. You may call any of the photographers on your local list between the hours of 7 AM and 10 PM. If this is an emergency overnight situation and the baby cannot be preserved until the morning hours, we certainly understand that you may make calls outside our regular hours. If for some reason a photographer was not available at the immediate time of need, you may relay to the family that NILMDTS can also provide services later at a funeral home. Or, you may also have your staff take pictures, have the family sign the NILMDTS consent form, and send them to us. We can *easily* find a photographer who can retouch the photos as soon as possible. If you have a digital camera handy, this is a great solution should you not be able to locate a photographer in a timely manner.

How quickly can a photographer be here for a NILMDTS session?

All volunteers either own their own photography studio business or have full time jobs and families. With this in mind, for most cases, expect that it could take at least 2 hours before a photographer is able to be at the hospital and up to 10-12 hours. Advance notice, when possible, is greatly appreciated (i.e. baby not born yet, scheduled removal of life support, scheduled c-section, etc).

How are the photographers allowed into our hospital considering HIPAA laws?

We are not subject to HIPAA privacy laws because we are invited into the hospital as a guest of the family – much like a chaplain. Our Executive Director at NILMDTS, Jessica Roe, has been in contact with the U.S. Department of Health and Human Services, Office of Civil Rights, which oversees HIPAA law. The General Counsel's office has many HIPAA lawyers, and the one we have corresponded with is Louis Altarescu. (Louis.Altarescu@HHS.GOV).

For your documentation, here is an excerpt of the NILMDTS original e-mail from OCR to NILMDTS:

*From: OS OCR Mail (HHS/OS) <OCRMail@hhs.gov>
To: jessica@nilmdts.org
Sent: Tuesday, September 25, 2007 9:48:41 AM
Subject: RE: HIPAA Question Regarding NILMDTS
Thank you for your email to the U.S. Department of Health and Human Services,
Office for Civil Rights... you are not a covered entity subject to the HIPAA Privacy Rule.*

Despite the fact NILMDTS is not a HIPAA covered entity, wouldn't we be violating HIPAA by providing the photographer with information about the patient and the situation as we make calls to NILMDTS volunteers in search of an available photographer? Mr. Altarescu from the U.S. Department of Health and Human Services recommends that each hospital have a one-sheet consent form with HIPAA related language that the patient should sign acknowledging that in an effort for the hospital to assist in the process of locating a volunteer photographer, some personal information about the mother/baby will be divulged to NILMDTS. We have that document that we can provide for you and you can customize for your hospital.

Does the family have to sign a consent form once the photographer arrives? Yes. Our photographers are not allowed to provide services unless the family has signed an NILMDTS consent form. Each photographer brings these along to the session, and after greeting the family and offering condolences, this is the first step before portraits are taken. The form not only release NILMDTS of any liability issues, it also provides family contact information to the photographer so that the volunteer may have a mailing address to send the final CD & DVD to the parents once the images have been retouched and assembled.

Does NILMDTS carry insurance and what "Terms of Service" do Photographers abide by? Yes. We carry General Liability, Directors & Officers, and Worker's Compensation policies. Each Photographer active in the program must sign a "Volunteer Services Agreement" which outlines expectations for their duties and policies they must adhere to as a representative of NILMDTS.

What does each photographer provide to the families after they leave the hospital? This service is completely free of charge to the families and is donated by the photographer volunteers. Each family will receive a printable CD of images with a copyright release, which allows them to have the photographs printed by a photo lab. In addition, many of our volunteers will also provide a DVD slideshow of the images set to music. Normal turnaround time for the patients to receive their images is 6-8 weeks on average. If the family requests, most photographers are able to e-mail a few images to the family within a few days in time for a memorial service or funeral.

Should NILMDTS be listed as a VENDOR at our hospital? No, we are not doing business with the hospital. We are simply providing a free, volunteer service to the patient as a guest of the family. We do not and will not sign vendor contracts. We will, however, recommend to our volunteers that if a hospital requires its volunteers to complete volunteer training, that they do so. This training is often beneficial for safety and procedural matters and we certainly respect that request!

How can I support NILMDTS? Non-photographers can support this non-profit organization by making a donation through the web site or by mailing a donation to the address below. Also, we certainly appreciate your delicate attempt to educate the patient and families informing them this is a volunteer service that these professional photographers perform above and beyond their normal workload. We can provide a high resolution image to families of our logo should they want to mention in a funeral program - for instance - that "in lieu of flowers, please send donations in memory of our child to The Now I Lay Me Down To Sleep Foundation."