

Alberta Doctors' Digest

Smartphone recordings in health care

It was a busy day in the emergency department when I met a new patient who promptly pulled out his smartphone and placed it on the table. "Do you mind if I record this, Doc?" he asked. For a moment, I hesitated. Was this patient questioning my care, or did he simply want to better understand my advice later? This scenario is becoming increasingly common in health care settings.

Why do patients want to record?

For many patients, clinical encounters can be overwhelming. Between technical jargon, new diagnoses and treatment plans, it's easy to forget or misunderstand important details. Recording the interaction allows patients to re-listen to the conversation, share it with family members and feel more in control of their health care. Studies show that patients forget up to 80 percent of the information discussed during a visit. A recording can help bridge that gap and empower patients to make more informed decisions.

Legal and ethical landscape in Canada

In Canada, the legal framework around patient recordings is relatively clear. Unlike health care professionals, who must navigate strict privacy laws when handling patient data, patients have more freedom. Under the country's "one-party consent" rule, patients can legally record their interactions with health care providers without seeking the provider's consent. While this can benefit patients who want to document their care, it can create challenges for physicians, especially when recordings are made without their knowledge.

Though patients are legally allowed to record medical visits, issues arise when these recordings are shared publicly. There have been cases where private interactions, secretly recorded, ended up on social media or websites. For health care providers, this raises concerns about patient confidentiality and the risk that recordings could be taken out of context or misused.

Recording can also strain the doctor-patient relationship. Some physicians may view a patient's request to record as a challenge to their professionalism or a sign of distrust. However, in most cases, patients are not motivated by mistrust; they may simply want to ensure they capture important information for future reference.

The ethics of recording extend beyond the individual physician-patient interaction. Smartphone recordings can impact the privacy of other patients and staff who may inadvertently be captured. Hospitals and clinics must establish clear policies on audiovisual recordings to address these concerns. According to the Canadian Medical Protective Association (CMPA), physicians can decline recording requests if they believe it might breach another patient's privacy or interfere with care quality. Still, the CMPA encourages physicians to accommodate reasonable requests, especially when a patient may struggle to understand complex medical instructions.

Developing institutional policies can help set expectations for both physicians and patients. These policies should outline where recordings are allowed, such as banning them in public spaces like waiting rooms, and provide procedures for documenting and storing recordings. Open communication between patients and physicians is essential to ensuring both parties are comfortable with the process.

An Alberta perspective: the My Care Conversations app

In Alberta, Alberta Health Services (AHS) has taken a proactive approach by introducing the [My Care Conversations app](#), a tool designed specifically to help patients securely record their health care interactions. Unlike general smartphone recording apps, My Care Conversations ensures that recordings are stored and shared within a secure environment, which reduces privacy risks.

A path forward

While the idea of being recorded may initially feel uncomfortable for some health care providers, allowing it can ultimately serve as a powerful tool for enhancing patient understanding.

Editor's note: The views, perspectives and opinions in this article are solely the author's and do not necessarily represent those of the AMA.

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