

UPMC Center for Continuing Education in the Health Science (CCEHS)
Copyright and Privacy Responsibilities for Enduring Materials

An **enduring material** is a printed, recorded, or internet-based activity that endures over a specified time and does not have a specific time or location designated for participation; rather, the participant determines whether and when to complete the activity.

It is the responsibility of the faculty (i.e., author, presenter) to understand and abide by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) including the following:

- Protected Health Information (PHI) MUST be removed.
- Any date associated with an individual patient such as admission, discharge, birth or death is not allowed.
- The use of clinical patient images is not allowed (unless specific and documented authorization has been obtained from the patient in a manner consistent with HIPAA).
- The use of stock photo or clip art patient images is not allowed (unless documented permission to use the photos has been obtained).
- CCEHS has the authority to deny accreditation of content that does not comply with UPMC policies and procedures.

The copyright "fair use" defense explicitly provides for educational use of copyrighted material in a live teaching or classroom setting. However, the "fair use" defense for use of copyrighted material is not reliable for an enduring material (e.g., recorded content, DVDs, monographs). It is the responsibility of the faculty (i.e., author, presenter) to understand and adhere to applicable copyright provisions and the following guidelines:

- Proper citation, referencing, copyright permission (including associated costs) are the responsibility of the faculty member.
- When copyrighted material is used the presenter must cite the source, which should include a valid copyright notice (i.e. Copyright University of Pittsburgh 2013).
- A work in the public domain (i.e. U.S. Government) can be copied freely by anyone.
- Non-published or preliminary data (not owned by the presenter) cannot be presented without written permission of the primary investigator who owns that data.
- Do not include cartoons or artwork.
- Product promotion or corporate messaging, logos and trademarks are prohibited.