

Problems Related to Consent and Use Rights of Digital Content

Working Group members can start listing the current problems here.

- When one shares teaching materials that contain clinical images with colleagues in other countries or jurisdictions, its unclear what licensing and consent steps are necessary.
- A patient has his image in a videotape, which is then included in teaching materials, and he is trying to withdraw consent. How do we accommodate that situation? Sometimes consent has been given, sometimes the patient was a minor at the time or otherwise unable to give consent.
- When someone gives authority or consent, what information is included in the document that they sign?
- What granularity of information do you put in the form given the rapid rate of change in electronic media?
- Someone has an old collection of data or recordings. Are they still allowed to use them?
- When an academic changes jobs, are they allowed to take clinical data and images with them?
- Which organization is responsible for what parts of data when? In the UK, the NHS has ownership of patient recordings, but education is provided by universities. Clinical data could be passed from NHS, to the university, then to a publisher. What consent and licensing information is supplied at each stage, and what are the parties relative rights and responsibilities?
- Is consent for recording x required at all? What do you do if it's not required?