

## **Invasion Of Privacy: Plastic Surgery Patient’s Photos Published.**

**B**efore having surgery to remove excess skin remaining after major weight loss the patient signed a consent form allowing the plastic surgery clinic to take “before and after” photos of her.

When signing the consent form she expressly declined to initial check-boxes that would have allowed uses of the photos above and beyond documenting her case in her own medical chart.

The clinic’s office nurse gave a local newspaper reporter a computer disc containing the photos. Two of the patient’s photos, without her face showing or her name being revealed, appeared in the print and online versions of the reporter’s story.

The US District Court for the Eastern District of Missouri ruled the patient could sue the clinic for negligence, invasion of privacy and wrongful commercial appropriation. “**Jane Doe**” v. **Young**, 2009 WL 3680988 (E.D. Mo., October 30, 2009).