
Policy Title: EMTALA Medical Screening Stabilization Policy

Audience:	Case Management	ED Medical Director
	Risk Management	All ED Staff
	Business Office Staff	
	All Hospital Departments using hospital provider number	
	CEO	
	CFO	
	CNO	
	Clinical Staff	

References and Citations:

INTRODUCTION: All individuals presenting on Hospital property requesting emergency medical services, individuals presenting to a Dedicated Emergency Department requesting medical services, and patients arriving/presenting via ambulance requesting medical services shall receive an appropriate Medical Screening Examination and Stabilization services as required by the Emergency Medical Treatment and Active Labor Act (“EMTALA”), 42 U.S.C. Section 1395 and all Federal regulations and interpretative guidelines promulgated thereunder.

POLICY: Each Hospital must have written guidelines outlining the requirements for appropriate medical screening and stabilization procedures which comply with applicable federal and state law.

DEFINITIONS:**MEDICAL SCREENING/STABILIZATION****General Requirements**

In general, when an individual comes, by himself or herself, with another person, or by EMS to the Dedicated Emergency Department of the Hospital and a request is made on the individual’s behalf for a medical examination or treatment, the Hospital must provide an appropriate Medical Screening Examination within the capability of the Hospital (including ancillary services routinely available in the Dedicated Emergency Department and emergency services offered at outpatient departments or facilities) to determine whether an Emergency Medical Condition exists, or with respect to a pregnant woman having contractions, whether the woman is in active labor; and, if necessary, the Hospital must execute an Appropriate Transfer according to the guidelines of EMTALA and these policies. These same requirements apply if a prudent layperson would believe the individual is in need of an emergency examination or treatment.

The Location in Which the Medical Screening Examination Should Be Performed

The Medical Screening Examination and other emergency services need not be provided in a location specifically identified as an emergency room or Dedicated Emergency Department. If an individual arrives at a facility and is not technically in the Dedicated Emergency Department, but is on the premises of the Hospital and requests emergency care, he or she is entitled to a Medical Screening Examination: For example, all pregnant women may be directed to the labor and delivery area of the Hospital, if the Hospital has adopted and approved such a policy. The Hospital

may use areas to deliver emergency services which are also used for other inpatient or outpatient services. Medical Screening Examinations or Stabilization may require ancillary services available only in areas or facilities outside of the Dedicated Emergency Department.

Medical Screening Examination Requirements

1. Hospitals are obligated to perform the Medical Screening Examination to determine if an Emergency Medical Condition exists.
2. Medicare participating Hospitals that provide emergency services must provide a Medical Screening Examination to any individual regardless of diagnosis, financial status, race, color, national origin, handicap, ability to pay, or other protected category.
3. Individuals coming to the Dedicated Emergency Department must be provided a Medical Screening Examination. Triage is not equivalent to a Medical Screening Examination. Triage merely determines the “order” in which patients will be seen, not the presence of absence of an Emergency Medical Condition.
4. The Medical Screening Examination includes both a generalized assessment and a focused assessment based on the patient’s chief complaint, with the intent to determine the presence or absence of an Emergency Medical Condition.
5. A Hospital, regardless of size or patient mix, must provide screening and stabilizing treatment within the scope of its capabilities, as needed, to the individuals who come to the Hospital for examination and treatment.
6. The Medical Screening Examination must be the same Medical Screening Examination that the Hospital would perform on any individual coming to the Hospital’s Dedicated Emergency Department with those signs and symptoms, regardless of the individual’s ability to pay for medical care. If the Medical Screening Examination is appropriate, and does not reveal an Emergency Medical Condition, the Hospital has no further obligations under EMTALA or this policy.
7. Medical Screening Examination is not an isolated event. It is an on-going process. The record must reflect continued monitoring according to the patient’s needs and must continue until he/she is stabilized or an Appropriate Transfer occurs. There should be evidence of this evaluation prior to discharge or Transfer.
8. All medical screenings do not have to be equally extensive.
9. No Hospital may establish, maintain, or enforce a policy that prohibits personnel from leaving the Hospital to examine and/or treat an individual in need of emergency services in the immediate vicinity of the Hospital.
10. A Hospital that is not in diversionary status may not refuse or fail to accept a telephone or radio request for Transfer or admission. Such failure or refusal could represent a violation of the Hospital’s obligations under EMTALA. Even when on diversionary status, if a patient arrives on campus, Hospital must provide a Medical Screening Examination within its Capacity and Capability, as well as Stabilizing Treatment.

11. Once a patient presents to the Dedicated Emergency Department of the hospital, whether by ambulance or otherwise, the hospital has an obligation to see the patient. A hospital's EMTALA obligations begin when the patient presents at the hospital's Dedicated Emergency Department on hospital property, or is picked up by a Hospital-owned ambulance, and a request is made for examination or treatment of an emergency medical condition. Patients arriving via ambulance meet this requirement when ambulance staff requests treatment from hospital staff. Ambulance Parking is not appropriate and could result in an EMTALA violation.

The Impact of Managed Care on the Medical Screening Examination

1. Every individual who comes to the Hospital's Dedicated Emergency Department and requests a medical examination or treatment must be provided a Medical Screening Examination, which must not be delayed to inquire about the individual's method of payment or insurance status.
2. The Medical Screening Examination should be the same appropriate screening the Hospital would perform on any individual coming to the Hospital's Dedicated Emergency Department with those signs and symptoms, regardless of the individual's ability to pay.
3. A Hospital may not refuse to screen an enrollee of a managed care plan because the plan refuses to authorize treatment or to pay for such screening and treatment.

Even if it causes no delay, Hospital may not contact the insurer or payor to seek authorization until the Medical Screening Examination is complete and stabilizing treatment has been initiated.

Facilities must establish processes to ensure that 1) a Dedicated Emergency Department physician on duty is responsible for the general care of all patients presenting themselves to the Dedicated Emergency Department; and 2) the responsibility remains with the Dedicated Emergency Department physician until the patient's private physician or an on-call specialist assumes that responsibility, or the patient is discharged or an Appropriate Transfer results in the patient reaching a receiving facility.

COMPLIANCE PROGRAM POLICY STATEMENT:

The adoption of and adherence to this documentation and billing policy by this facility is pursuant to and in furtherance of the "Fraud and Abuse" element of the Code of Conduct of Community Health Systems, and its subsidiaries. Failure to comply with this policy may constitute a serious violation of policy and subject an employee to suspension or termination of employment.