



# Our Responsibility: Providing Appropriate Emergency Care

EMTALA Education  
2018

# Why must we treat all?

Mission Health provides emergency care to **all** patients.

– **Care is given whether or not the patient can pay.**

This is a moral and ethical issue. It is simply the right thing to do.

We have a duty to give non-biased care. How we feel about a patient or their situation should never affect the care given.

The **Emergency Medical Treatment and Labor Act** (EMTALA) is the law. This law clearly states hospitals must protect the poor and uninsured. We **must** be sure that care is given without discrimination (judgment).



# What is EMTALA and its purpose?

All hospitals receiving Medicare funds must meet the terms of EMTALA.

## **EMTALA Requires Hospitals to:**

- Perform an appropriate medical screening exam (MSE). This exam must be done by a qualified Medical Person. It is our duty to find an emergency medical condition (EMC) if it exists. EMC's include a pregnant woman with contractions. Care is provided ***regardless of a patient's ability to pay.***
- Deliver care if an emergency medical condition is present.
- Stabilize the patient's medical condition.
- If the patient's condition cannot be stabilized, the hospital must transfer the patient to a hospital that has the ability to do so.

# What does EMTALA require for transfers?

## EMTALA Requires Hospitals to:

Accept appropriate transfers:

- If the hospital has special skills and services
- If the hospital has the space to receive the patient

Transfer patients only when:

- It is medically necessary
- At the patient's request - transfer only after all transfer requirements have been met

## Who is a patient that requires emergency care?

**Any** patient who comes to the hospital asking for an examination or treatment for a medical condition must be given an “appropriate medical screening exam.” A proper exam is the only way to decide if the patient is suffering from an “emergency medical condition.”



# When is EMTALA triggered?

EMTALA is triggered when a person:

- Is on “hospital property” and a *request* is made for medical care. This request may be made by the person or on the person’s behalf.
- Is unable to ask for care, but has symptoms that show the possibility of an emergency medical condition.

EMTALA *does not* apply to inpatients, outpatients, or patients coming to off-campus outpatient clinics. These clinics do not normally provide a medical screening exam.



## In Summary: What does this mean to Mission Health?

When a patient comes to Mission Health with an emergency, we ***must*** give a medical screening examination (MSE). An MSE is the only way to decide whether an “emergency medical condition” is present.

- MSE to be given by Qualified Medical Personnel per Hospital/Medical bylaws.
- Our clinicians *must* begin giving care if an “emergency medical condition” (EMC) is present.

Hospitals are required to give stabilizing treatment for patients with EMCs.

Appropriate transfer should take place if:

- A hospital is unable to stabilize a patient within its ability
- The patient asks

Our caregivers *must* know and follow the rules and regulations for EMTALA.



# Concerns?

If a caregiver has a concern about how emergency care is provided:

- Report it to your supervisor, or
- Call the Compliance Officer at 828-213-3523, or
- Contact 1-877-ETHICS1
  - You will not be asked to give your name