

PROTOCOL FOR: EMTALA: Signage

PURPOSE: To clearly post the rights of the individuals with respect to EMTALA for all entering the Emergency Department for treatment.

EMTALA OBLIGATION: All individuals seeking treatment in the Emergency Department are aware of the rights under EMTALA and whether the facility participates in the Medicaid plan.

PROCEDURE:

1. The individual's rights with respect to assessment and treatment of an emergent condition under Section 1867 of the Social Security Act are required to be posted in conspicuous areas in the Emergency Department.
2. In addition, these rights must specifically include the rights of a woman in labor who has entered the Emergency Department seeking treatment.
3. The wording must be clear and in simple terms and using language(s) that is understandable to the population served by the facility.
4. It is a requirement under EMTALA that these signs be posted in a place or places that would likely be noticed by all individuals entering the Emergency Department as well as those individuals waiting for examination and treatment.
5. It is also required that JDH clearly indicate that it participates in the Medicaid program under a state plan approved by Title XIX.

NOTE: If any individual, regardless if they can pay or have insurance, comes to the JDH Emergency Department requesting an examination or treatment for a medical condition or is a woman in labor, the hospital must:

1. Provide an appropriate medical screening examination within their capacity.
2. Provide necessary stabilizing treatment for the Emergency Medical Condition including treatment for an unborn child
3. Provide an appropriate transfer to another facility
4. The University of Connecticut Health Center including John Dempsey Hospital participates in the Medicaid program under the State of Connecticut.

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RELATED PROTOCOLS: ED Admin. Protocol: EMTALA: Medical Screening Exam
ED Admin. Protocol: EMTALA: Stabilization Treatment
ED Admin. Protocol: EMTALA: Transfer to Another Facility

REFERENCES:

CMS Pub. 100-7, State Operations Manual, Appendix V, "Responsibilities of Medicare Participating Hospitals in Emergency Cases".

Social Security Act Sect. 1867, requiring the posting of signs which clearly specify the rights of the individuals with Emergent Medical Conditions and women in labor.

Code of Federal Regulations, Title 42, Sect. 489.20(q)(1)(2), Basic Commitments

APPROVAL: Emergency Department Standards Committee
Emergency Department Manager and Medical Director

EFFECTIVE DATE: 3/06

REVIEWED DATE: 9/08