

Orientation

Welcome to
Upstate University Hospital!

EMTALA:

What providers at Upstate University Hospital
need to know

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What is is EMTALA?

- » The Emergency Medical Treatment and Labor Act is a federal law that requires anyone coming to an emergency department to be stabilized and treated, regardless of their insurance status or ability to pay.

What is EMTALA?

- » Found in Section 1867(a) of the Social Security Act
- » Avowed purpose is to prevent hospitals from
 - » Rejecting patients
 - » Refusing to treat them
 - » Transferring them to "charity hospitals" or "county hospitals" because they are unable to pay or are covered under Medicaid or Medicare programs.

What is EMTALA?

- » It is primarily but not exclusively a non-discriminatory statute.
- » It also imposes affirmative obligations which go beyond non-discrimination.

Five Important Aspects

- » Emergency Department Focus
 - » Medical screening exams
 - » Qualified medical providers
 - » Emergency medical condition
- » All Hospital Staff Focus
 - » 250 yard rule
 - » Accepting transfer requests as a receiving hospital

250 Yard Rule

- » A person who presents anywhere on a hospital campus and requests emergency services, or who would appear to be a reasonably prudent person to be in need of medical attention, must be handled under EMTALA.
- » A 250 yard zone from the main building is used to define hospital campus.
- » Hospital policy CM E-15 lists areas on campus that are within this zone.

CM E-15 excerpt

CODE TEAMS: DOWNTOWN CAMPUS

Adult Code Blue Team/ Pediatric Code White Team will respond to Medical Emergencies for patients, visitors, and staff in:

- » Hospital Proper
- » Cancer Center
- » Tunnel connecting University Hospital and Crouse Hospital
- » Gamma Knife
- » Immediately outside of hospital and Cancer Center, including:
 - » Front Traffic Circle
 - » Golisano Children's Hospital Circle
 - » Bridge to Parking Garage East
 - » Sidewalks on South Side of Adams Street from corner of Almond Street to Irving Avenue

EXCLUSIONS:

- » Emergency Department, including ED Parking Lot*
- » Operating Room*

CM E-15 excerpt

CODE TEAMS: COMMUNITY CAMPUS

Adult Code Blue Team/ Pediatric Code White Team will respond to Medical Emergencies for patients, visitors, and staff in:

- » Hospital Proper, including Peds After Hours
- » Traffic Circle

EXCLUSIONS:

- » Emergency Department
- » Operating Room

Accepting Transfers

- » If Upstate University Hospital has both the capacity (an available bed at either campus) and capability (the equipment and capable provider at either campus) then we are obligated to accept patients when the referring facility is unable to provide the necessary care.
- » “Necessary care” and “inability to provide the care” are defined by the referring provider and taken at face value.

Hospital Policy A-16

- » Specifies policy and procedure for accepting transfer patients
- » Transfer center nurse staff and administrative supervisor will determine hospital capacity
- » Provider role is to consider your capabilities and to accept the patient
- » Failure to accept a presented case will result in chief or chair involvement to confirm lack of capability

ED Specific Requirements

- » A medical screening exam must be performed on all individuals presenting for and seeking care (or via proxy)
- » The medical screening exam can only be performed by a qualified medical provider. At UUH this includes APPs and physicians
- » Before discharge, all emergency medical conditions must be excluded, stabilized, or resolved

EMTALA Penalties

- » Termination of the hospital or physician's Medicare provider agreement
- » Hospital fines up to \$10,482 per violation
- » Physician fines \$10,482 per violation, including on-call physicians