

# Report on Medicare Compliance Volume 32, Number 21. June 05, 2023

## Example of a Short Compliance Article in Luminis Health Newsletter

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By Nina Youngstrom

Here's a short article about the Emergency Medical Treatment and Labor Act that appeared in the compliance section of Luminis Health's internal publication, Spark. It's an example of the short pieces that are designed to get people thinking about compliance issues, said Catherine Martin, chief compliance officer (see story, p. 1). Contact her at [cathy.martin@luminishealth.org](mailto:cathy.martin@luminishealth.org).

### **Compliance Matters: CMS Issues Helpful EMTALA Training Materials**

The Centers for Medicare & Medicaid Services (CMS) recently released new Emergency Medical Treatment and Labor Act (EMTALA) training materials, consisting of a guidance tip sheet detailing patient rights and an EMTALA training video.

As you may already know, EMTALA guarantees access to emergency medical services for individuals who present to a hospital emergency department regardless of an individual's ability to pay. Under EMTALA law, our responsibilities include providing all patients with a medical screening examination (MSE), stabilizing any patient with an emergency medical condition (EMC), and transferring/admitting patients as appropriate.

Here are some helpful highlights to keep in mind:

#### **All individuals must be screened**

All individuals who present to our hospital emergency department must be screened by a Qualified Medical Personnel to determine the presence or absence of an EMC.

#### **Stabilizing treatment must be provided**

We must ensure the patient is provided with stabilizing treatment prior to transferring them to another facility or being discharged.

#### **No delay in examination and treatment**

We should not delay in providing an appropriate MSE for any reason, including inquiring about individual's method of payment or insurance status.

#### **Four requirements for appropriate transfer**

Prior to transferring a patient to another facility, we must ensure the following four requirements have been met:

1. We have minimized the medical risks and stabilized the patient.
2. We have sent all available medical records related to the EMC to the receiving medical facility.

3. The receiving medical facility has available space, qualified personnel to provide treatment, and agrees to accept the transfer.
4. The patient is being transferred using appropriate personnel and transportation.

For additional information regarding EMTALA, please contact the Corporate Compliance department at [Compliance@luminishealth.org](mailto:Compliance@luminishealth.org) or visit <https://www.cms.gov/regulations-and-guidance/legislation/emtala>.

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