

# HOSPITALS

## ACCESS TO EMERGENCY SERVICES

### What is it?

Hospitals will screen and stabilize anyone who comes to a hospital-based outpatient clinic or the emergency room seeking care.

### Who is it for?

Access to emergency services is provided to everyone, regardless of income, health insurance, or immigration status.

### SERVICES

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Hospitals traditionally screen anyone who requests treatment at the emergency room, regardless of their ability to pay. In addition, the federal Emergency Medical Treatment and Active Labor Act (EMTALA) places certain requirements on hospitals to provide emergency care. EMTALA applies to hospitals that participate in Medicare, which includes almost all of the North Carolina hospitals. If the person is determined to have a medical emergency, the hospital must either treat the person, or stabilize them for transfer to another hospital.

The federal statute defines emergency as any of the following:

- ◆ A medical condition with acute, severe symptoms, that without immediate medical attention could reasonably:
  - Place the health of the individual (or the unborn child, in the case of a pregnant woman) in serious jeopardy;
  - Risk serious impairment of bodily functions; or
  - Risk serious dysfunction of any body organ or part
- ◆ A pregnant woman having contractions:
  - If there is not enough time to safely transfer her to another hospital before delivery, or
  - If transfer to another hospital poses a danger to the woman or the unborn child

EMTALA does not provide payment for any services. It simply requires that emergency treatment be provided. Patients can still be billed for services.

In addition to the providing emergency services, some hospitals offer outpatient services on a sliding-fee scale, based on the family's income. Contact your local hospital to determine if these services are available.

## **SOURCES OF LAW**

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Federal law: 42 U.S.C. § 1320a-7b (EMTALA)