



**Clinical Staff Executive Committee**

**MEDICAL CENTER POLICY NO. 0214**

- A. SUBJECT: Medical Screening and Stabilizing Treatment For Emergency Medical Conditions
- B. EFFECTIVE DATE: October 1, 2013 (R)
- C. POLICY:

It is the policy of the University of Virginia Medical Center that an appropriate medical screening examination, within the capabilities of the Medical Center, shall be provided to determine whether an emergency medical condition exists, or with respect to a pregnant woman having contractions, whether the woman is in labor, if:

1. An individual comes to the Emergency Department (ED) or a pregnant woman comes to Labor and Delivery, and a request is made on the individual's behalf for a medical screening examination or treatment of a medical condition, or
2. An individual comes to any other medical facility owned or operated by the Medical Center, and a request is made on the individual's behalf for, or it is apparent that the individual needs an examination or treatment for what may be an emergency medical condition.

If it is determined through such an examination that an emergency medical condition exists or that a woman is in labor, Medical Center personnel will provide such further medical examination and treatment as may be required to stabilize the medical condition and/or transfer the individual to another more appropriate facility. This examination and stabilizing treatment will be provided without delay and without regard to the individual's ability to pay. The Medical Center will comply with the requirements of the Emergency Treatment and Active Labor Act ("EMTALA"), 42 U.S.C. §1395dd.

D. DEFINITIONS:

1. Emergency medical condition: In this context, an emergency medical condition is defined as a medical condition manifesting itself by acute symptoms of sufficient severity (including severe pain, psychiatric disturbances and/or symptoms of substance abuse) such that the absence of immediate medical attention could reasonably be expected to result in:
  - a. Placing the health of the individual (or, with respect to a pregnant woman, the health of the woman or her unborn child) in serious jeopardy;
  - b. Serious impairment to bodily functions;

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- c. Serious dysfunction of any bodily organ or part; or
  - d. With respect to a pregnant woman who is having contractions that:
    - there is inadequate time to effect a safe transfer to another hospital before delivery, or
    - transfer may pose a threat to the health or safety of the woman or the unborn child.
2. Qualified medical personnel (QMP): For purposes of this policy, physicians (including fellows and residents as well as attendings), nurse practitioners, and physician assistants are designated as QMP.

#### E. PROCEDURE:

##### 1. Medical Screening Examination

A medical screening examination will be initiated:

- When an individual comes to the Medical Center's ED, or a pregnant individual comes to Labor and Delivery, and request is made on the individual's behalf for, or it is apparent that the individual needs, any medical examination or treatment; or
- When an individual comes to any other medical facility owned or operated by the Medical Center, and a request is made on the individual's behalf for, or it is apparent that the individual needs, an examination or treatment for what may be an **emergency** medical condition.

It is not necessary to perform a medical screening examination on individuals who “drop-in” at a **non-ED location** to schedule an appointment, or who have begun to receive scheduled, non-emergent outpatient care.

Depending on the individual’s presenting symptoms, a medical screening examination may represent a spectrum of activities ranging from a simple process involving only a brief history and physical examination to a complex process that also involves performing ancillary studies and other diagnostic tests and procedures. The intent of the medical screening examination is to determine, with reasonable clinical confidence, whether an emergency medical condition does or does not exist.

Where an individual presents at the ED or Labor and Delivery requesting non-emergency services, brief questioning by Qualified Medical Personnel (QMP) to confirm the non-emergency nature of the individual’s concern may satisfy the screening requirement.

##### 2. Personnel Qualified to Perform Medical Screening

All medical screening examinations to determine if an emergency medical condition exists will be performed by individuals determined to be QMP.

Departments other than the Emergency Department that are not routinely staffed with QMP will have written protocols that direct the staff to arrange for immediate transport to the ED to ensure that an appropriate medical screening examination is provided. The same protocols will also be utilized by those non-ED departments routinely staffed by QMP when those personnel are temporarily absent.

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### 3. Stabilizing Treatment for Emergency Medical Conditions

If it is determined, through an appropriate medical screening examination, that an emergency medical condition exists or that a woman is in labor, the patient will receive the treatment available within the capabilities of the site to which they have presented and will be stabilized within the capabilities of that site. If the site is a non-ED site and further treatment is required to stabilize the patient, the patient will be transported to the ED as provided in site-specific protocol.

If a patient requests transfer to a facility outside of the Medical Center, or if the licensed independent practitioner (LIP)<sup>1</sup> determines that immediate transfer to the nearest appropriate medical facility outside of the Medical Center is necessary, the patient should be stabilized within the capabilities of the site to which they have presented and then transferred using appropriate procedures.

If a patient refuses to consent to further treatment or transfer to an appropriate facility, the patient shall be asked to sign the Discharge Against Medical Advice form.

### 4. No Delay for Inquiry

Medical screening examinations, stabilizing treatment, and/or necessary patient transfers will not be delayed to inquire about the individual's method of payment or insurance status. Medical Center staff will not seek, or direct a patient to seek, authorization to provide screening or stabilizing services from the individual's health plan or insurance company until after the hospital has provided medical screening and any necessary stabilizing treatment.

### 5. Documentation, Signage and Central Logs

All patients presenting who require emergency medical screening examinations will receive a medical record number for registration. The QMP must document, in the medical record, all assessment procedures and pertinent findings provided as part of the medical screening and stabilization process.

Signage will be posted in the ED and other places within the Medical Center where it will be likely to be noticed by patients waiting for examination and treatment, informing patients of their rights under federal law with respect to examination and treatment for emergency medical conditions and active labor.

All areas of the Medical Center in which medical screening examinations occur will maintain a centralized record of each individual that presents to the medical center or medical center-owned facility seeking care for an emergency medical condition.

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<sup>1</sup> For the purposes of this policy, "licensed independent practitioner (LIP)" includes physicians, nurse practitioners, and physicians' assistants.

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SIGNATURE:

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Robert S. Gibson, M.D., President, Clinical Staff

*R. Edward Howell*

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*9/24/13*

DATE:

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Approved July 11, 2000

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Approved by Patient Care Committee

Approved by Clinical Staff Executive Committee