

EMERGENCY MEDICAL TREATMENT AND ACTIVE LABOR ACT

POLICY:

West Jefferson Medical Center (“**WJMC**”) will comply with the Emergency Medical Treatment and Active Labor Act (“**EMTALA**”).

Accordingly, WJMC will provide an appropriate Medical Screening Examination (“**MSE**”), within its capabilities, for all individuals in a WJMC ambulance or coming to WJMC’s emergency department, labor and delivery unit or elsewhere on or near WJMC’s campus requesting, or appearing to require, examination or treatment for an emergency medical condition. In addition, WJMC, will provide necessary treatment, within its capabilities, to stabilize an individual’s emergency medical condition or appropriately transfer the individual to another facility with capabilities not present at WJMC, which are necessary to stabilize the individual’s emergency medical condition.

WJMC provides the MSE and any necessary stabilizing treatment for an individual with an emergency medical condition regardless of the individual’s age, gender, religion, diagnosis, race, color, nationality, ethnicity, residence, citizenship, legal status, physical condition, disability, sexual orientation, insurance status or ability to pay. WJMC will not delay the MSE or treatment necessary to stabilize an emergency medical condition to inquire about an individual’s method of payment, insurance status, citizenship, legal status. etc., or to obtain authorization from an individual’s managed care plan.

WJMC:

- Has adopted and will enforce policies and procedures to comply with the requirements of EMTALA
- Posts signs in and around its facility informing individuals of their rights under EMTALA
- Maintains medical and other records related to individuals seeking or appearing to require emergency medical care
- Maintains a list of physicians who are on-call to provide further evaluation and treatment that may be necessary to evaluate and stabilize an individual with an emergency medical condition
- Accepts appropriate transfers of individuals with an emergency medical conditions if WJMC has the specialized capabilities and capacity to treat those individuals
- Does not penalize any medical person who refuses to authorize a transfer of an individual with an emergency medical condition that has not been stabilized or any hospital employee who reports a violation of EMTALA
- Will promptly report to the Centers for Medicare and Medicaid Services (“**CMS**”) and/or the Louisiana State Department of Health and Hospitals any actual or potential transfers in violation of EMTALA

WJMC offers financial assistance to its patients and will assist individuals to apply for and determine their eligibility for such assistance before engaging in extraordinary collection actions. Financial assistance is provided on a non-discriminatory basis. Individuals may request financial assistance by contacting a WJMC Financial Counselor at (504) 349-1282 and/or utilizing WJMC’s online access at www.WJMC.org/FinancialAssistance

DEFINITIONS:

The terms used above are defined in the EMTALA statute, regulations and rules, and are interpreted by administrative and court rulings. However, generally these terms can be defined as follows:

Capabilities means the physical space, equipment, supplies, specialized services, staff and level of care that WJMC customarily provides at its hospital facility.

Capacity means that WJMC has available space and resources to provide the medically necessary emergency care.

Emergency Medical Condition means a serious condition or severe symptoms (including severe pain, psychiatric issues and substance abuse) that without immediate medical treatment could reasonably be expected to place the individual's health (or the health of an unborn child) in serious jeopardy or which could damage the individual's (or unborn child's) bodily functions or bodily organs. This includes conditions and symptoms that an ordinary (non-medical) person would consider to be an emergency medical condition and a pregnant woman having contractions.

Extraordinary collections actions are actions that require a legal or judicial process, including but not limited to, liens, attachments, foreclosures, seizure of bank accounts, civil actions, and wage garnishments.

Labor means the process of childbirth.

Medical Screening Examination is the process to determine with reasonable clinical confidence whether or not an emergency medical condition exists or a woman is in labor. The MSE process may involve a brief history and physical or may require more complex studies and procedures such as laboratory tests, x-rays and monitoring as necessary to determine whether an emergency medical condition exists.

Stabilize means the provision of medical treatment for an emergency medical condition to assure with reasonable medical probability that no material deterioration of the individual's condition is likely to occur or that a woman has delivered the child and placenta.

Transfer means the movement of an individual to another facility at the direction of WJMC staff.

COMPLIMENTS, COMPLAINTS AND CONCERNS:

Individuals and their families may submit compliments, complaints and concerns to their primary nurse, to the Guest Services Department (in person or via telephone at (504) 349-1134) or as more specifically outlined in the WJMC Patient Rights Booklet.