

## EMTALA – MODEL Facility Policy

**POLICY NAME:** Florida EMTALA – Signage Policy

**DATE:** (facility to insert date here)

**NUMBER:** (facility to insert number here)

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This policy reflects guidance under the Emergency Medical Treatment and Labor Act (“EMTALA”) and associated State laws only. It does not reflect any requirements of The Joint Commission or other regulatory entities. Each facility should ensure it has policies and procedures to address such additional requirements. No facility may edit this policy in a manner that would remove existing language. However, through the use of an addendum to the policy, facilities may add language in order to indicate additional facility procedures or requirements necessary to carry out the provisions of the policy within the facility.

The definitions in the Company EMTALA Policy, LL.EM.001, apply to this and all other Company and facility EMTALA policies.

**Purpose:** To establish guidelines for providing all individuals with the opportunity to be aware of and view their right to emergency services and care, including a medical screening examination (“MSE”) and treatment for an emergency medical condition (“EMC”) as required of any hospital with an emergency department by EMTALA, 42 U.S.C. § 1395dd, and all Federal regulations and interpretive guidelines promulgated thereunder, as well as section 395.1041, Florida Statutes, and all related administrative rules.

**Policy:** All emergency departments and any other place likely to be noticed by all individuals entering the emergency department and those individuals waiting for examination and treatment in areas of the hospital other than the traditional emergency department such as the entrance area, admitting areas, waiting rooms, and treatment areas located on hospital property must post conspicuously, appropriate signage notifying individuals of their right to: (1) emergency services and care under section 395.1041, Florida Statutes; and (2) an MSE and stabilization or treatment for an EMC and required services for women in labor as specified under EMTALA. Signage must also identify the service capabilities of the hospital as well as include information indicating whether or not the hospital participates in the Medicaid program. All signage referenced above must be in both English and Spanish.

**Procedure:** All hospitals must post signage that, at a minimum, meets the following requirements:

- signage must be conspicuously posted in any place or places likely to be noticed by all individuals entering the emergency department, as well as those individuals waiting for examination and treatment in areas other than the traditional emergency department (*e.g.*,

entrance, admitting area, waiting room, labor and delivery, and other treatment areas located on hospital property):

- signage must be readable from anywhere in the area
- wording on signage must be clear and in simple terms in a language(s) that is (are) understandable by the population the hospital serves
- all signage must be in both English and Spanish

The contents of the signage must:

- indicate whether or not the hospital participates in a Medicaid program approved under a State plan under Title XIX;
- specify the rights of individuals with EMCs to receive an MSE and necessary stabilization and treatment for any EMC regardless of the ability to pay;
- specify the rights of women in labor who come to the emergency department for health care services;
- state each patient's right to emergency care and services under section 395.1041, Florida Statutes; and
- identify the service capability of the hospital.
  - The categories of services may be general if there is another location in the hospital where a list of subspecialties is available.

The signage content must include the following language:

**IT'S THE LAW!**

If you have a medical emergency or are in labor, even if you cannot pay or do not have medical insurance or you are not entitled to Medicare or Medicaid, you have the right to receive, within the capabilities of this hospital's staff and facilities:

- An appropriate medical screening examination;
- Necessary stabilizing treatment (including treatment for an unborn child); and
- If necessary, an appropriate transfer to another facility.

This hospital (does/does not) participate in the Medicaid program.