

EMTALA “Specialized Capabilities”

Educational packet for Physicians and Allied Health Practitioners

DEFINITIONS:

- **Medical Screening Exam/MSE** – To determine if an emergency medical condition exists
- **Emergency Medical Condition/EMC** – If the patient is in an EMC, EMTALA places upon the hospital, the ED physicians and the on-call specialists, the responsibility to stabilize the EMC.
- **Capability and Capacity**
 - The hospital not having the needed specialist on staff
 - The specialist not being on call at the time
 - The on-call specialist already being busy with another EMC patient
 - The staff does not have the knowledge or capability to manage the patient
 - There are no existing beds in a unit to stabilize the patient
- **Lateral Transfer** – A lateral transfer occurs when the same services are provided at both the sending hospital and the proposed receiving hospital at the time of the needed transfer.

TRANSFERS:

- The EMC patient is only to be transferred to another facility for care when the hospital to which the person presents lacks the resources and the capabilities to stabilize the EMC.
- In these situations, the physician who transfers the patient has to certify that the benefits of transfer outweigh the risks of transfer.
- A receiving hospital has the right to refuse a transfer if the proposed transfer is “lateral.”
- The exception to this rule is where the receiving hospital has “specialized capabilities” compared to the sending facility and also had the capability and capacity to stabilize the patient’s EMC.
- In this situation, the receiving hospital **HAS TO** accept the patient and it **CANNOT** refuse the proposed transfer.

I have received and reviewed the above information “EMTALA, Specialized Capabilities”.

Please acknowledge your review of this document by initialing the Emtala Education line on the Provider Acknowledgement Form.