

UCONN HEALTH

UCONN JOHN DEMPSEY
HOSPITAL

SECTION: PATIENT CARE

NUMBER: 08-069

SUBJECT: EMTALA: QUALIFIED MEDICAL PERSON

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PURPOSE: The purpose of this policy is to define who is a "qualified medical person" as referenced in the EMTALA regulations 42CFR489.42.

BACKGROUND:

The Hospital Conditions of Participation at 42CFR482.55 state that "the policies and procedures governing medical care provided in the emergency service or department are established by and are a continuing responsibility of the medical staff."


The special responsibilities of Medicare hospitals in emergency cases, 42 CFR 489.24, state that "in the case of a hospital that has an emergency department, if any individual (whether or not eligible for Medicare benefits and regardless of ability to pay) comes by him or herself or with another person to the emergency department and a request is made on the individual's behalf for examination or treatment of a medical condition by qualified medical personnel (*as determined by the hospital in its rules and regulations*), the hospital must provide for an appropriate medical screening examination within the capability of the hospital's emergency department, including ancillary services routinely available to the emergency department, to determine whether or not an emergency medical condition exists. The examinations must be conducted by individuals determined qualified by hospital by-laws or rules and regulations and who meet the requirements of Sec. 482.55 concerning emergency services personnel and direction."

POLICY:

1. Medical screening examinations shall be offered to any individual who comes to the John Dempsey Hospital Emergency Department requesting examination or treatment of a medical condition.
2. Medical screening examinations will be performed by a qualified medical person.
3. A qualified medical person will include any physician, advanced practice nurse, or physician assistant duly licensed without restriction by the state of Connecticut, credentialed by the Medical Staff Office of John Dempsey Hospital.



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