



EMTALA Update 2023: Two-Part Webinar Series

(W3061)

Dates: **Tuesday, December 5, 2023 & Tuesday, December 12, 2023**

Time: **9:00 a.m. – 11:00 a.m. CT**

Cost: \$395 to NHA members (Per hospital, no charge for additional lines. **Those individuals interested in viewing the recording must register separately at the Zoom link prior to the start of the webinar.** Zoom will send each individual registered an email containing an access code to view the recording.)

Who Should Attend:

Chief Medical Officer, Chief Nursing Officer, Compliance Officer, Emergency Department Personnel, Joint Commission Coordinator, Medical Records, Quality Improvement personnel, Risk Manager, Legal Counsel

Course Curriculum

Every hospital that has an emergency department and accepts Medicare and Medicaid payment must follow the federal law and the Center for Medicare and Medicaid Services (CMS) Conditions of Participation (CoPs) Interpretive Guidelines on the Emergency Medical Treatment and Labor Act (EMTALA).

Hospitals without emergency departments must comply with EMTALA if they have specialized capabilities. For example, EMTALA can impact obstetrical patients and behavioral health patients. CMS made changes to include the Born-Alive Infant Protection Act with an updated survey memo on the issue.

This two-part webinar will cover the regulations and interpretive guidelines regarding EMTALA. The sessions will cover all 12 sections, tag numbers, and an additional section for on-call physicians and the shared and community care plan process.

The series will include discussion of a case that has created an enormous expansion of hospital and practitioner liability under federal law. The case, *Moses v. Providence Hospital and Medical Centers, Inc.*, No. 07-2111 (6th Cir. April 2009), overruled the CMS regulation

that EMTALA obligations end when the hospital admits the patient in good faith. The case illustrates the importance of understanding the role that case law has in the outcome of EMTALA litigation.

These programs will also discuss a recent case against a hospital which was the largest EMTALA settlement of 1.2 million dollars. It is anticipated that health care will see larger EMTALA fines and more activity because of the higher fines and the Office of Inspector General (OIG) final changes. These changes are not in the CMS CoPs and will be reviewed in this webinar.

Learning Objectives:

- Recognize EMTALA as a frequently cited deficiency for hospitals.
- Recall that CMS has a manual on EMTALA that all hospitals that accept Medicare must follow.
- Recite the requirement that hospitals must maintain a central log.
- Discuss the hospital's requirement to maintain a list of the specific names of physicians who are on call to evaluate emergency department patients.
- Describe the CMS requirements on what must be in the EMTALA sign.
- Recall the hospital's requirements regarding a minor who is brought to the ED by a non-parent for a medical screening exam.
- Discuss when the hospital must complete a certification of false labor.

Speaker:

Laura A. Dixon, BS, JD, RN, CPHRM

Laura A. Dixon served as the director of risk management and patient safety for the Colorado Region of Kaiser Permanente. Prior to joining Kaiser, she served as the director, facility patient safety and risk management and operations for COPIC from 2014 to 2020. In her role, she provided patient safety and risk management consultation and training to facilities, practitioners, and staff in multiple states.

Dixon has more than 20 years of clinical experience in acute care facilities, including critical care, coronary care, peri-operative services, and pain management. Prior to joining COPIC, she served as the director, Western region, patient safety and risk management for The Doctors Company in Napa, California. In this capacity, she provided patient safety and risk management consultation to the physicians and staff for the western United States.

As a registered nurse and attorney, Dixon holds a Bachelor of Science degree from Regis University, RECEP of Denver, a Doctor of Jurisprudence degree from Drake University College of Law, Des Moines, Iowa, and a Registered Nurse Diploma from Saint Luke's School Professional Nursing, Cedar Rapids, Iowa. She is licensed to practice law in Colorado and California.

This speaker has no real or perceived conflicts of interest that relate to this presentation.

Registration

<https://online.nebraskahospitals.org/events/event-registration/?id=1c025a0a-be67-ee11-a81c-000d3a7d4a4d>