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Prior Authorization

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2003

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statement October 1998

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The American College of Emergency Physicians (ACEP) affirms the principle that patients should receive prompt EMTALA-mandated emergency care regardless of payment source or ability to pay.

Under EMTALA, emergency medicine physicians have a federal mandate obligating them to see all patients presenting to the emergency department (ED) and provide a medical screening exam (MSE) to evaluate and stabilize any patient presenting to the ED. The Prudent Layperson Standard clearly states that all patients who feel they may have an emergency medical condition (including pain) are afforded a thorough and complete MSE, treatment, and stabilization in the ED. Often times, the MSE requires cognitive skills, laboratory, and diagnostic testing concomitant with patient care. Pre-authorization would be an obvious barrier to expeditious care and cannot be utilized in the ED while a patient is undergoing an MSE.

ACEP further asserts that prior authorization rules instituted by third party payers must not pose a barrier to patients seeking access to timely emergency care, and that an insured patient should be granted the expectation of coverage when seeking emergency care. ACEP further asserts that insurance companies have an obligation to pay for necessary evaluation, stabilizing treatments, and/or appropriate consultation, admission, or transfer.

Insurance coverage does not affect the obligation of the physician to perform a MSE and provide necessary stabilizing treatment or appropriate transfer, nor the financial obligation incurred for such evaluation and care.