

SMART SENIOR DAILY

Guides

Know Your ER Rights Checklist

If you ever have to visit an emergency room — whether you're insured, uninsured, or just visiting — you're protected by federal law under the Emergency Medical Treatment and Labor Act (EMTALA). This checklist summarizes your key rights and what to do if a hospital refuses care.

- ■ You have the right to a medical screening exam at any hospital with an emergency department that accepts Medicare.
 - ■ The hospital must treat and stabilize you if you have an emergency medical condition — regardless of insurance, immigration status, or ability to pay.
 - ■ You cannot be transferred or discharged until your condition is stable, unless you request it in writing or your doctor certifies that the benefits outweigh the risks.
 - ■ Hospitals cannot delay your treatment to ask about payment, insurance, or immigration status.
 - ■ Once you're stable, the hospital can discharge or transfer you — but you may still receive a bill for tests, doctors, or ambulance services.
 - ■ If you believe you were wrongly refused or transferred, you can file a complaint with your state's CMS regional office.
- To report violations or learn more: Visit [CMS.gov/EMTALA](https://www.cms.gov/EMTALA) or call your local CMS regional office.

Disclaimer: This checklist is for informational purposes only and does not constitute legal or medical advice.