Press release

CMS Announces New Actions to Help Hospitals Meet Obligations under EMTALA

Jan 22, 2024 Hospitals

The Department, through CMS, will launch a new effort to support patients, hospitals, and providers to help ensure access to emergency health care

Today, the Department of Health and Human Services (HHS) announced that, together with the Centers for Medicare & Medicaid Services (CMS), it will launch a series of actions to educate the public about their rights to emergency medical care and to help support efforts of hospitals to meet their obligations under the Emergency Medical Treatment and Labor Act (EMTALA). As part of this comprehensive plan, the Department will:

- Publish new informational resources on CMS's website to help individuals understand their rights under EMTALA and the process for submitting a complaint if they are denied emergency medical care;
- Partner with hospital and provider associations to disseminate training materials on providers' obligations under EMTALA;
- Convene hospital and provider associations to discuss best practices and challenges in ensuring compliance with EMTALA; and
- Establish a dedicated team of HHS experts who will increase the Department's capacity to support hospitals in complying with federal requirements under EMTALA.

The Department developed this comprehensive plan in response to a growing number of inquiries from patients and providers to CMS about how they can ensure that federal obligations were being met. CMS remains committed to helping all individuals—including patients who are experiencing pregnancy loss and other pregnancy-related emergencies—have access to the emergency medical care required under federal law.

The Biden-Harris Administration remains focused on working with doctors, hospitals, and patients to promote patient access to the care that they are entitled to under federal law and has long taken the position that this required emergency care can, in some circumstances, include abortion care. The U.S. Department of Justice is currently defending that understanding before the Supreme Court.

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