



DEPARTMENT OF HEALTH & HUMAN SERVICES
Health Care Financing Administration
Office of the Regional Administrator, Region VI

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This letter is to provide clarification of the Emergency Medical Treatment and Active Labor Act (EMTALA) regulations, specifically with regard to the obligation of a hospital with a helipad when it is used to facilitate the movement of an emergent patient from an ambulance to a helicopter for transfer to a different hospital. Our determination is based on the presumption that the patient was picked-up in the field (or at another facility), and is being transported to the helipad for air transport to another facility. With its helipad, the hospital is facilitating the Emergency Medical System (EMS) movement of the patient from the ground ambulance to the air transport. The hospital would not be obligated to provide a screening exam or stabilizing treatment to a patient whose presentation on hospital grounds is imminent to a subsequent transfer to a helicopter ambulance. If hospital staff provided a medical intervention to the patient before placement in the helicopter, our office would expect that records documenting such intervention would either be sent with the patient or faxed to the receiving facility. When operating as part of an EMS system, both the ambulance (even if it happens to be hospital-owned or staffed) and the hospital would be in compliance with the EMTALA regulations.

If you have any other questions, or need further information, please do not hesitate to contact me at (214) 767-6346.

Sincerely,

/s/

David R. Wright
Special Assistant to the
Regional Administrator