



# McLean County Area EMS System

1609 Northbrook Dr. Ste. 8  
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<b>Title of Policy:</b> <i>Patient Hospital Preference</i>	<b>Policy Number:</b> Ops-112
<b>Effective Date:</b> 10/2004	<b>Review Date:</b> 01/22/2017
<b>Policy Area:</b> Operations	<b>Approvals:</b> EMSSC, EMS MD

## Background to Policy:

To assure patient hospital preference is respected unless such preference would potentially jeopardize or would compromise patient outcome. Ensure compliance with State and Federal laws and regulations.

## Policy Statement:

The patient has the right to choose the hospital he/she is transported to unless Medical Control determines otherwise. Any ambulance service provider with McLean County Area EMS System affiliation, which is owned and operated by any of the System's participating hospitals (i.e., Advocate BroMenn Medical Center and OSF St. Joseph Medical Centers, Dr. John Warner Hospital) are subject to transport an emergency patient to the provider's own hospital by mandate of Federal Anti-dumping Statute (42 CFR 489.24) of the Emergency Medical Treatment and Active Labor Act (EMTALA)

## Policy:

### DEFINITIONS:

**EMERGENCY-** A MEDICAL CONDITION OF RECENT ONSET AND SEVERITY THAT WOULD LEAD A PRUDENT LAY PERSON, POSSESSING AS AVERAGE KNOWLEDGE OF MEDICINE AND HEALTH, TO BELIEVE THAT URGENT OR UNSCHEDULED MEDICAL CARE IS REQUIRED. (Illinois EMS Systems Act [210 ILCS 50] Section 3.5)

**EMTALA -** Emergency Medical Treatment and Active Labor Act (42 CFR 489) requires a hospital that operates an ambulance service to insure an emergency patient is transported to the ambulance provider's own hospital. To transfer the patient anywhere else would be a EMTALA transfer. The hospital with ownership of that ambulance service must comply with all requirements of a EMTALA transfer if the patient is not transported to said hospital.

**TRANSFER -** The movement of an emergency patient from the pre-hospital scene to a medical facility at the direction of the agency's Medical Control Physician.

### INFORMED

**CONSENT -** A patient who is of legal age and is a mentally competent adult signifying that he/she knows, understands and agrees to patient care rendered and is aware of:

1. The nature of the illness or injury
2. The recommended treatment and associated risks
3. The alternative treatment and risks involved
4. The danger of refusing treatment

In the pre-hospital setting, EMS providers are not obligated to obtain consent at the same



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degree as within a health care facility. The patient must only verbally agree or at least not object to the general nature of the treatment.

- STABILIZED -** In respect to a patient with an emergency medical condition, that no material deterioration of the condition is likely, within reasonable medical probability, to result from or occur during the transfer, (as defined in this part), of an individual to a medical facility other than the nearest appropriate facility.
- A. Patient choice and medical urgency should be the guiding principles to EMS personnel as to where each ambulance case is delivered. However, it is inherent that each patient has the right to make an informed decision, provide Informed Consent, as to which hospital they are transported to within the service area of the ambulance agency as defined by the EMS System Plan.
- B. **NO EMERGENCY PATIENT** of any EMS agency affiliated with the McLean County Area EMS System shall be transported to a medical facility which is not within the service area of said EMS agency without first being STABILIZED and approved by the Medical Control Physician.
- C. **ALL EMS AGENCIES OWNED BY A HOSPITAL PARTICIPATING IN THE MCLEAN COUNTY AREA EMS SYSTEM ARE REQUIRED TO COMPLY WITH EMTALA AS DEFINED IN THIS PART.**
- If transport to the EMS agency's own hospital bypasses the closest hospital or trauma center; the receiving hospital has no EMTALA transfer issue, but the hospital directing the transport (which may be a different hospital) must still comply with the EMS System Bypass/Diversion policy.
  - If a patient is transported to the closest hospital or trauma center but that is not the hospital that operates the ambulance service:
    - The hospital giving medical direction has no EMS System bypass/diversion issue, but the EMS agency's own hospital must still handle it as a EMTALA transfer issue.
- D. Should the patient refuse to be transported to the nearest appropriate facility, the patient should be advised of the risk, if any, associated with not being transported to the nearest appropriate hospital. Once risk factors have been explained, the patient's decision should be honored unless superseded by the Medical Control Physician (in compliance with this part), by the Trauma Policy/ or Bypass/Diversion Policy.
- E. All **TRAUMA** patients shall be subject to the Field Triage of the Trauma Patient policy, as well as the Illinois Department of Public Health Rules and Regulations, Section 515. Appendix C, "Minimum Trauma Field Triage Criteria".
- F. Patient hospital preference should be documented on the EMS Report Form.