



**Center for Clinical Standards and Quality/Quality, Safety & Oversight Group**

**Ref: QSO-24-17-EMTALA**

**DATE:** August 13, 2024

**TO:** State Survey Agency Directors

**FROM:** Directors, Quality, Safety & Oversight  
Group (QSOG) and Survey & Operations  
Group (SOG)

**SUBJECT:** Updated Model Signage for the Emergency Medical Treatment and Labor  
Act (EMTALA)

**Memorandum Summary**

- CMS is dedicated to safeguarding the health and safety of millions of individuals, a commitment that includes enforcing federal laws including EMTALA.
- CMS regulations require Medicare-participating hospitals to post signage outlining patients' rights under EMTALA in the emergency department and areas where patients will be examined or treated, or wait to be examined or treated, for emergency medical conditions (EMCs).
- CMS is releasing updated model signage that hospitals may use to meet this obligation.

**Discussion:**

CMS is providing updated signage that Medicare-participating hospitals may use to meet the signage requirements at §489.20(q)(1) and (2) which reference EMTALA.

**Background:**

To comply with the regulations at §489.20(q)(1) and (2) hospital signage must at a minimum:

- Specify the rights of individuals with EMCs and women in labor who come to the emergency department for health care services;
- Indicate whether the facility participates in the Medicaid program;
- The wording of the sign(s) must be clear and in simple terms and language(s) that are understandable by the population served by the hospital; and
- The sign(s) must be posted in a place or places likely to be noticed by all individuals entering the emergency department, as well as those individuals waiting for examination and treatment (e.g., entrance, admitting area, waiting room, treatment area).

Today, the Centers for Medicaid Services & Medicare Services (CMS) released a new poster for hospitals to display for patients to know their [Emergency Medical Treatment & Labor Act \(EMTALA\)](#) rights.

The poster includes information about patient rights through EMTALA and how to file a complaint if patients believe their rights have been violated. Hospitals are encouraged to use this poster in emergency room departments and other hospital settings.

To view the poster, visit: <https://www.cms.gov/medicare/regulations-guidance/legislation/emergency-medical-treatment-labor-act> (in the “Related Links” section at bottom of page.)

For information on how to file a complaint, visit: <https://www.cms.gov/priorities/your-patient-rights/emergency-room-rights/how-to-file-complaint>

For additional resources on EMTALA, visit: <https://www.cms.gov/medicare/regulations-guidance/legislation/emergency-medical-treatment-labor-act>

**Contact:**

For questions or concerns relating to this memorandum, please contact [qsog\\_hospital@cms.hhs.gov](mailto:qsog_hospital@cms.hhs.gov) .

**Effective Date:**

Immediately. Please communicate to all appropriate staff within 30 days.

/s/  
Karen Tritz  
Director, Survey Operations Group

/s/  
David R. Wright  
Director, Quality, Safety & Oversight Group

**Resources to Improve Quality of Care:**

*Check out CMS’s new Quality in Focus interactive video series. The series of 10–15 minute videos are tailored to provider types and aim to reduce the deficiencies most commonly cited during the CMS survey process, like infection control and accident prevention. Reducing these common deficiencies increases the quality of care for people with Medicare and Medicaid.*

*Learn to:*

- *Understand surveyor evaluation criteria*
- *Recognize deficiencies*
- *Incorporate solutions into your facility’s standards of care*

*See the [Quality, Safety, & Education Portal Training Catalog](#), and select Quality in Focus*

*Get guidance memos issued by the Quality, Safety and Oversight Group by going to [CMS.gov page](#) and entering your email to sign up. Check the box next to “CCSQ Policy, Administrative, and Safety Special Alert Memorandums” to be notified when we release a memo.*