

108TH CONGRESS  
1ST SESSION

# H. R. 2471

To amend title XVIII of the Social Security Act to modify the requirement under the Emergency Medical Treatment and Labor Act (EMTALA) with respect to medical screening examinations.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 16, 2003

Mr. NUNES introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend title XVIII of the Social Security Act to modify the requirement under the Emergency Medical Treatment and Labor Act (EMTALA) with respect to medical screening examinations.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Emergency Room  
5 Modernization Act”.

1 **SEC. 2. MODIFICATION OF REQUIRMENT FOR MEDICAL**  
2 **SCREENING EXAMINATIONS FOR PATIENTS**  
3 **NOT REQUESTING EMERGENCY DEPART-**  
4 **MENT SERVICES.**

5 (a) IN GENERAL.—Section 1867(a) of the Social Se-  
6 curity Act (42 U.S.C. 1395dd(a)) is amended—

7 (1) by designating all that follows “(a) MED-  
8 ICAL SCREENING REQUIREMENT.—” as paragraph  
9 (1) with the heading “IN GENERAL.—”;

10 (2) by aligning such paragraph with the para-  
11 graph added by paragraph (3); and

12 (3) by adding at the end the following new  
13 paragraph:

14 “(2) EXCEPTION FOR CERTAIN CASES.—The re-  
15 quirement for an appropriate medical screening ex-  
16 amination under paragraph (1) shall not apply in  
17 the case of an individual who comes to the emer-  
18 gency department and does not request examination  
19 or treatment for an emergency medical condition  
20 (such as a request solely for prescription refills,  
21 blood pressure screening, and non-emergency labora-  
22 tory and diagnostic tests or requests treatment or  
23 assistance in another department or setting in the  
24 hospital or at a facility on the hospital campus).”.

1           (b) **EFFECTIVE DATE.**—The amendments made by  
2 subsection (a) shall apply to terminations of participation  
3 initiated on or after the date of the enactment of this Act.

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