

EMTALA is considered a very important public health policy made into law in 1986. This is important because it ensures that all individuals in the US regardless of geographical or physical disparities receive appropriate evaluation and care for any emergent injury, illness, or pregnancy related event. EMTALA requires that any individual that comes to the ER for an examination and/or treatment for must receive a medication screening exam by qualified medical personnel. (Calienes et.al., 2025). While EMTALA ensured the psychiatric patient had access to physicians, it did not ensure timely access to specialists trained to provide care needed for mental illness. (Schmalz & Sawyer, 2020). Under EMTALA there are certain requirements as well for a patient to be transferred to another facility. Penalties for violations include hefty monetary fines as the example provided by Calienes et al., (2025) where it provides an example of an Alabama hospital that settled \$80,000 for an EMTALA violation that resulted in the patient's death.

At the state level, EMTALA guides healthcare delivery and funding structures. The states must work within the parameters set by the federal mandates and as such, sometimes may be faced with strains on budgets. The national level serves as a foundational element in regulating access to emergency services. This policy helps reduce disparities in healthcare access relative to uninsured populations where ability to pay may be an obstacle.

EMTALA is a vital public health policy that ensures emergency care is seen as a basic right across the United States, and even though it may present challenges, remains a cornerstone of Americas commitment to public health and medical ethics.

Reference:

- Calienes Cerpa, F., & Anthony Colucciello, S. (2025). Understanding Against Medical Advice, Informed Consent, and Emergency Medical Treatment and Labor Act. *Emergency Medicine Clinics of North America*, 43(1), 139–154. <https://doi.org/10.1016/j.emc.2024.05.022>
- Schmalz, A., & Sawyer, N. T. (2020). The EMTALA Loophole. *The Western Journal of Emergency Medicine*, 21(2). <https://doi.org/10.5811/westjem.2019.10.45332>