



Passport and Emergency Department Questions and Answers

1. Is Passport referral required in the ER?

No. Passport referral is not required for emergency services. Emergency room services are:

- Medical screening examination to determine if an emergency medical condition exists. If a person comes to the emergency room seeking emergency medical services, this screening examination is performed to determine if an emergency exists.
- If an emergency medical condition does exist, emergency medical services are those services required to treat and stabilize the emergency medical condition.

2. Is Passport referral required for members admitted through an emergency room?

No. Services for members admitted through an ER, where the ER service is billed on the inpatient claim, do not require a Passport referral.

3. How are inpatient services billed?

Inpatient services for members admitted through an emergency room should be identified by the presence of revenue code 45x or 68x on the claim.

4. Sometimes I have to do diagnostic tests to determine if an emergency exists. How do I get these tests paid?

If it was a medical emergency all Medicaid covered services are paid. If it was not a medical emergency, Medicaid will pay the hospital a screening fee. Some of the diagnostic services are bundled into that fee. In addition, the professional component is billable separately. Lab, imaging, and other diagnostics that are not bundled into the APC for the visit itself are paid systematically on all ER visits, including those for which only a screening fee is paid.

5. There's all this talk about emergencies – what about urgent care?

Passport referral is required in urgent care settings. Urgent care clinics are treated by Medicaid the same as any physician office.

6. What is EMTALA?

EMTALA is the Emergency Medical Treatment and Active Labor Act. It requires PPS and critical access hospitals to provide services to anyone needing emergency health care treatment regardless of citizenship, legal status, or ability to pay.

7. I'm a provider-based urgent care. EMTALA requires that I treat members the same as an emergency room. Aren't you in violation of EMTALA?

No. Federal regulations do not require we pay for urgent care without provider referral. EMTALA requires provider based urgent care clinics, where the public would believe emergency services are provided, must conduct a medical screening examination on anyone coming to the clinic **seeking emergency services**. If a member comes to the urgent care clinic seeking emergency services rather than urgent services, the provider can mail in the claim and documentation supporting the emergency for review and possible reimbursement of a screening fee or an emergency service.

8. How do I bill for an urgent care visit?

If you are a stand-alone clinic you bill on the CMS 1500 the same as you normally would. If you are a provider based urgent care, you bill the facility portion on the UB-92 and the professional component on the 1500. All Medicaid rules, including Passport referral, apply in the urgent care setting. The professional component of the provider based urgent care should make sure they bill with place of service 22.

9. Why isn't any of this the patient's responsibility? If patients come to the emergency room, we have to see them. So why are we being punished by not getting paid?

Federal regulations do not allow us to sanction members in any way. The best way to effect a behavior change on members who seek routine treatment in the emergency room is to not provide it.

A member without an emergency medical condition should be either offered the opportunity to continue with treatment in the ER at **his/her own expense** or should be sent home and told to contact his/her medical provider the next business day.

If this happens consistently, the member will learn that routine services are not available in the emergency room. EMTALA governs that **if a member comes to the emergency room seeking emergency medical services** an "appropriate medical screening examination sufficient to determine whether he/she has an emergency medical condition" must be performed. We **do** reimburse for a medical screening examination.