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MEDICAID INFORMATION RELEASE #07-03

TO: Hospitals with Emergency Departments

FROM: Leslie M. Clement, Administrator

SUBJECT: **CO-PAYMENT FOR NON-EMERGENCY USE OF AN EMERGENCY ROOM**

Idaho Medicaid is implementing co-payment provisions of House Bill #663 passed by the 2006 Idaho legislature. The purpose of this Information Release is to provide guidance regarding the collection of co-payments for accessing a hospital emergency room for non-emergent conditions.

Beginning February 1, 2007, a Medicaid participant can be assessed a three dollar ($3) co-payment for inappropriate emergency room utilization when these three conditions are met:

- The required medical screening indicates that an emergency medical condition does not exist as determined by the emergency room physician applying the prudent layperson standard. A co-payment may not be charged if the physician determines that a prudent layperson would have sought emergency treatment in the same circumstances, even if the care rendered is for a non-emergent condition.
- The Medicaid participant is not a Native American or Alaskan Native.
- There is an alternative setting for the Medicaid participant to receive treatment at no cost. A Medicaid participant can receive no cost treatment from their Healthy Connection's primary care provider (PCP) or at an Urgent Care Clinic with a referral from their PCP. The hospital is required to facilitate a referral to an appropriate provider in order to impose a co-pay or deny treatment to a Medicaid participant who does not make a co-payment.

When a hospital determines that a co-payment can be imposed, the hospital can require the Medicaid participant make the co-payment in order to receive treatment.

Please note that collection of the co-payment is at the discretion of provider and is not required by Idaho Medicaid. However, all the conditions outlined above must be met if a hospital wishes to deny treatment to a Medicaid participant who presents in the emergency room with a non-emergent condition.

This information is in addendum to Section 3 of the hospital provider handbook.

If you have questions about this policy or the rule changes made to implement this policy, please contact Arla Farmer at the Division of Medicaid at (208) 364-1958. Thank you for your continued participation in the Idaho Medicaid program.

LMC/rp