

Proposed Federal Register Rule Requiring Hospitals to Provide Written Notice to Patients on the Availability of Physician Services

The Centers for Medicare and Medicaid Services (CMS) has recently proposed a rule requiring that hospitals provide written notice to all patients at the beginning of their hospital stay or outpatient service if a physician is not present in the hospital 24 hours per day, 7 days per week. The notice must also indicate how the hospital or Critical Access Hospital (CAH) will meet the needs of any patient who develops an emergency medical condition when a physician is not present.

What impact does this rule change have on CAHs?

The physician-availability disclosure requirement would significantly impact both rural hospitals and CAHs, which often do not have physicians on site and frequently utilize physician assistants or nurse practitioners, with a supervising physician available by phone. However, CAHs are not exempt from the physician-availability disclosure requirement. The physician-availability disclosure requirement applies equally to hospitals and CAHs. As stated in the proposed rule, in order to assist patients in making informed decisions regarding their care, it is important that they be provided accurate information on the availability of physician services.

If hospitals and CAHs have a plan in place for emergency care, are they still required to implement the physician-availability disclosure requirement?

Yes. The physician-availability disclosure required by this final rule is intended to provide critical information to consumers making healthcare decisions. This requirement is separate and distinct from any requirements contained in the hospital and CAH Conditions of Participation regarding the provision of emergency services and the care planning for each patient, among others.

How can I find out more information about this proposed rule change?

The rule change is in the Hospital Inpatient Final Rule located in the August 22, 2007 Federal Register. The discussion of the decision begins on page 47387. The Federal Register may be accessed at <http://www.gpoaccess.gov/fr/browse.html>.

This information is provided by the Colorado Rural Health Center. For more information, please contact Jackie Bernstein, CAH Program Coordinator, at (303) 832-7493, (800) 851-6782, or visit us online at <http://www.coruralhealth.org/cah>.



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