

KNOW YOUR RIGHTS

in the emergency room

There are moments when it is necessary to seek emergency medical care. If you feel that you need urgent medical care, you should go to the emergency room. You have rights and below we will help you get to know your rights so you can advocate for yourself.

1. The right to medical care



You have the right to **emergency medical care** regardless of your immigration status or your ability to pay. If your problem is determined to be an emergency, you have the right to receive a medical evaluation and receive treatment or a transfer.

This right does not change if you can or cannot pay for medical services, if you have or do not have medical insurance, or if you do or don't have documentation of your identity. They will ask you for an ID, and possibly even for a social security number - but IT IS OK if you don't have one.

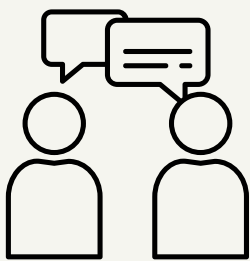
Caution:



If you arrive to the emergency room, receive an evaluation, and the results of the evaluation indicate that **you do not have an emergency issue**, the hospital does NOT have the responsibility to give you medical care.

- It is not very common that an ER denies someone medical care, but it can happen.
- If this happens to you, seek help in a community clinic like the city health clinics, Wyss clinic (215-303-7194, 1902 S 8th St), or Puentes de Salud (215-454-8000, 1700 South St.) for medical care.

2. The right to interpretation



You have the right to **interpretation services** in your own language or in the language of your preference.

Every patient has the right to adequate interpretation, whether over the phone, on video, or in person. **Ask respectfully that they give you an interpreter in your language.**

Caution:



- it can be useful to bring a piece of paper that says, in English, "I need an interpreter English → Spanish." You can show this paper to the people in registration in order to communicate your needs.
- If they deny you interpretation, you can make a formal complaint with the hospital. You can find help to do this in Puentes de Salud or in Juntos (215-218-9079)

3. The right to privacy



- The information you share with the hospital is **protected**. This includes your personal information, information about your employment, your country, etc. The hospital **can NOT share that information with others or with ICE unless ICE has a signed judicial warrant.**

- In the process of applying for financial assistance, they could ask you about your migration status. It is important to remember that your information is protected - **if they ask you for documents you don't have, it is better to not give anything than to give false documents!**
- Under HIPAA, you have the right to request access to inspect and obtain copies of your medical records. This right may also extend to your designated personal representatives.

What to expect during your visit:



+ Reception

- They ask for your name, ID if you have it, and the reason for your visit.
- We recommend that you bring a paper that says “I need an interpreter English → Spanish.”
- **Bring an ID - whatever document you have.** It could be a passport from your home country, student ID, etc. If you don't have ID, bring a paper with your name and date of birth written on it.
- Bring a friend to support you and give you strength!

+ **Initial evaluation:** First evaluation to identify the most urgent cases and decide order of treatment

+ **Medical evaluation:** HERE they decide if your problem is an emergency or not

+ **Treatment or transfer:** Will depend on the nature of your medical issue

+ **Admission or Discharge:** If they admit you and you don't have insurance, it is possible that a social worker will help you apply for financial assistance during your stay. If they discharge you, a bill will arrive to your address.

You have the right to an appropriate discharge.

According to the American Medical Association's Code of Medical Ethics, **physicians have a duty to resist the unsafe discharge of any patient.** At the time of discharge, federal regulations require a hospital to provide a plan that effectively transitions the patient by focusing on **the patient's treatment preferences and provides the information necessary to make informed decisions.**

If the hospital does not work with you to plan for an appropriate discharge, you can refuse to leave and file a complaint with the Department of Health by calling 1 (877) 724-3258. The hospital can charge you for all the time you are in the hospital.

- If you don't have insurance, **technically you don't have the right to follow-up care after your ER visit.** (For example if you are seen in an ER for a broken bone - you don't have the right to an outpatient orthopedic surgeon without medical insurance.) You can go to the city health centers to be seen by a specialist.

Caution:



- ****If the person in reception denies you an evaluation in the ER because you don't have an ID, that is a violation of your rights.** If this happens to you, you can say “I know I have the right to a medical evaluation, with or without ID. I would like to see a nurse.” If they still don't want to see you, you should note the name of the person, the date, and the details of your experience and seek help with Juntos or Puentes to make a formal complaint.

After your visit:



If you receive a big bill, don't be afraid! You can ask for financial assistance from the hospital. On the paper that comes to you in the mail, there should be a sentence that includes the words “Financial Assistance” or “What if I cannot pay?” with a telephone number or website. There you can search for the financial assistance application.

Medical deportations most often happen to uninsured or underinsured immigrants. In the state of Pennsylvania, long-term care options are available for certain cases where the hospital offers medical deportation as a discharge option. You may call the Campaign Against Medical Deportation hotline for more information and to leave a message: **614-721-4829.**

