

**WAC 246-320-281 Emergency services.** The purpose of this section is to guide the management and care of patients receiving emergency services. Hospitals are not required to provide these services in order to be licensed. If providing emergency services, hospitals must:

(1) Adopt and implement policies and procedures, consistent with RCW 70.170.060, for every patient presenting to the emergency department with an emergency medical condition to include transfer of a patient with an emergency medical condition or who is in active labor, in such circumstances and as promptly as dictated by the standard of care and in accordance with the patient's informed consent, based on:

(a) Patient request;  
(b) Inability to treat the patient due to facility capability;  
(c) Staff availability or bed availability; and  
(d) The ability of the receiving hospital to accept and care for the patient;

(2) Maintain the capacity to perform emergency triage and medical screening exam 24 hours per day;

(3) Define the qualifications and oversight of staff delivering emergency care services;

(4) Use hospital policies and procedures which define standards of care;

(5) Assure at least one registered nurse skilled and trained in delivering emergency care services, including treating emergency medical conditions and providing advanced cardiac life support, is on duty, in the hospital, and immediately available to provide care at all times;

(6) Post names and telephone numbers of medical and other staff on call;

(7) Assure communication with agencies and health care providers as indicated by patient condition;

(8) Assure emergency equipment, supplies, and services necessary to meet the needs of presenting patients are immediately available; and

(9) Comply with 42 U.S.C. Sec. 1395dd and its implementing regulations, provided that, for purposes of this subsection, "emergency medical condition" shall have the meaning provided in WAC 246-320-010 and "unborn child" shall mean "embryo or fetus" where those terms are used in 42 U.S.C. Sec. 1395dd and its implementing regulations. Hospitals must comply with any requirements of this chapter or any other law that provide greater access to care or are otherwise more favorable to patients than the requirements of 42 U.S.C. Sec. 1395dd and its implementing regulations.

[Statutory Authority: RCW 70.41.030, 2025 c 182, and Directive of the Governor 25-01. WSR 25-24-040, s 246-320-281, filed 11/26/25, effective 12/27/25. Statutory Authority: Chapter 70.41 RCW and RCW 43.70.040. WSR 09-07-050, § 246-320-281, filed 3/11/09, effective 4/11/09.]