

Pertinent Legal Definitions of Emergency Psychiatric Conditions

FEDERAL DEFINITIONS		CALIFORNIA DEFINITIONS	
EMTALA Definition	Medicaid Definition	California Hospital Licensing Definition	Medi-Cal MHP Definition
“Emergency medical condition”	“Emergency medical condition”	“Psychiatric emergency medical condition”	“Emergency psychiatric condition”
a medical condition manifesting itself by acute symptoms of sufficient severity (including severe pain, psychiatric disturbances and/or symptoms of substance abuse) such that the absence of immediate medical attention could reasonably be expected to result in	a medical condition manifesting itself by acute symptoms of sufficient severity (including severe pain) such that a prudent layperson, with an average knowledge of health and medicine, could reasonably expect the absence of immediate medical attention to result in	a mental disorder that manifests itself by acute symptoms of sufficient severity that it renders the patient as being either of the following –	a condition that meets the criteria in Section 1820.205 ¹ when the beneficiary with the condition, due to a mental disorder –
(i) placing the health of the individual (or, with respect to a pregnant woman, the health of the woman or her unborn child) in serious jeopardy;	(i) serious jeopardy to the health of the individual or, in the case of a pregnant woman, the health of the woman or her unborn child, or	(i) an immediate danger to himself or herself or to others, or	(i) is a current danger to self or others, or
(ii) serious impairment to bodily functions; or	(ii) serious impairment to bodily functions; or	(ii) immediately unable to provide for, or utilize, food, shelter, or clothing, due to the mental disorder.	(ii) immediately unable to provide for or utilize, food, shelter or clothing, and
(iii) Serious dysfunction of any bodily organ or part; or with respect to a pregnant woman who is having contractions (i) that there is inadequate time to effect a safe transfer to another hospital before delivery; or (ii) that transfer may pose a threat to the health or safety of the woman or the unborn child.	(iii) serious dysfunction of any bodily organ or part.		(iii) requires psychiatric inpatient hospital or psychiatric health facility services.

1 Title 9, CCR Section 1820.205 defines the term “medical necessity.” See Appendix A.