



**NAFEC**  
National Association of  
**FREESTANDING**  
Emergency Centers

## **National Association of Freestanding Emergency Centers**

### **Code of Conduct**

The National Association of Freestanding Emergency Centers (NAFEC) and each of its members agree to adopt and implement guidelines that promote ethical business practices in the freestanding emergency center industry. Members shall promote the provision of high-quality emergency medicine and ensure that freestanding emergency centers, where available and permitted by state law, are welcoming to all patients needing emergency care. Members shall operate their facilities in a fiscally and socially responsible manner.

As part of these obligations, each member agrees to observe ethical business practices, including but not limited to:

- A member facility should not bill illegal or excessive fees or charges. A charge or fee is considered excessive when, after a review of the facts (including publicly available comparable data on charges), a third party familiar with hospital and emergency facility charges would conclude that the charge or fee is in excess of a reasonable charge or fee. Factors to be considered as guides in determining the reasonableness of a fee include the following:
  - (1) The difficulty and/or uniqueness of the services performed and the time, skill, and experience required;
  - (2) Whether the fee(s) exceeds fees customarily charged in the locality for similar care by other emergency providers (including hospitals) that are committed to providing safe and effective care in an efficient and fiscally responsible manner benefitting and protecting the general public;
  - (3) The costs associated with providing the services and operating a freestanding emergency center;
  - (4) The quality and extent of the services provided;
  - (5) The facility capabilities and the experience, reputation, and ability of the affiliated professionals in performing the kind of services involved.

- A member facility shall comply with any state or federal laws regarding the standards of care provided to patients presenting to the facility with an emergency medical condition, without consideration of the patient's ability to pay, and shall not delay any necessary care based on financial or payment considerations.
- A member facility shall direct patients that clearly are not in need of emergent care (based on the prudent layperson standard), such as asymptomatic individuals seeking a COVID-19 test for a non-emergent condition or reason, to other nearby non-emergent providers.
- A member facility agrees to give all notices and make all disclosures required by state and federal law.
- A member facility agrees to be honest, truthful and forthcoming in its advertising and marketing materials and in its communications with patients, payors, regulators, and the public.
- A member facility agrees to be transparent and lawful in its billing and collection practices.