

1 A bill to be entitled
2 An act relating to fentanyl testing; creating s.
3 395.1042, F.S.; providing a short title; requiring
4 hospitals or hospital-based off-campus emergency
5 departments to test for fentanyl in a urine test and
6 perform a confirmation test if the urine test results
7 are positive for fentanyl; requiring specified results
8 to be retained as part of the patient's clinical
9 record for a certain timeframe; providing an effective
10 date.

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12 Be It Enacted by the Legislature of the State of Florida:

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14 **Section 1. Section 395.1042, Florida Statutes, is created**
15 **to read:**

16 395.1042 Fentanyl testing.—

17 (1) This section may be cited as "Gage's Law."

18 (2) (a) If an individual is treated at a hospital or
19 hospital-based off-campus emergency department for emergency
20 services and care for a possible drug overdose or poisoning, and
21 the hospital or hospital-based off-campus emergency department
22 conducts a urine drug test to assist in diagnosing the
23 individual's condition, the hospital must include testing for
24 fentanyl in the urine test.

25 (b) If the test results are positive for fentanyl, the

26 | hospital must perform a confirmation test as defined in s.
27 | 440.102(1).

28 | (c) The results of the urine drug test and the
29 | confirmation test must be retained as part of the patient's
30 | clinical record for the period of time required by the
31 | hospital's current practice.

32 | **Section 2.** This act shall take effect July 1, 2025.