

By Senator Polsky

30-00921A-25

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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 and hospital-based off-campus emergency
5 departments to test for fentanyl as part of any urine
6 testing they conduct to treat individuals for possible
7 drug overdose or poisoning; requiring such facilities
8 to perform further laboratory and toxicology
9 screenings if the urine test results are positive for
10 fentanyl; requiring that the results of such tests and
11 screenings be preserved as part of the patient's
12 clinical record in accordance with the facility's
13 current recordkeeping practices; providing an
14 effective date.

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

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18 Section 1. Section 395.1042, Florida Statutes, is created
19 to read:

20 395.1042 Fentanyl testing.-

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

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

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

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30 hospital must perform laboratory and toxicology screenings.

31 (c) The results of the urine test and the laboratory and
32 toxicology screenings must be preserved as part of the patient's
33 clinical record for the timeframe required by the hospital's or
34 hospital-based off-campus emergency department's current
35 clinical recordkeeping practices.

36 Section 2. This act shall take effect July 1, 2025.