By the Committee on Health Policy; and Senator Polsky

588-02848-25   20251346c1

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 a confirmation test if the urine test
9   results are positive for fentanyl; requiring that the
10   results of such tests and screenings be preserved as
11   part of the patient's clinical record in accordance
12   with the facility's current recordkeeping practices;
13   providing an effective date.
14
15   Be It Enacted by the Legislature of the State of Florida:
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17   Section 1. Section 395.1042, Florida Statutes, is created
18   to read:
19   395.1042 Fentanyl testing.—
20   (1) This section may be cited as "Gage's Law."
21   (2)(a) If an individual is treated at a hospital or
22   hospital-based off-campus emergency department for emergency
23   services and care for a possible drug overdose or poisoning and
24   the hospital or hospital-based off-campus emergency department
25   conducts a urine test to assist in diagnosing the individual's
26   condition, the hospital must include testing for fentanyl in the
27   urine test.
28   (b) If the test results are positive for fentanyl, the
29   hospital must perform a confirmation test as defined in s.

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30 440.102(1).

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.