

# HOUSE BILL 811

J1, J3

3lr2391  
CF 3lr2943

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By: **Delegates Vogel, Barve, Boafo, Boyce, Fair, Grossman, R. Lewis, Miller, Rosenberg, and Watson**

Introduced and read first time: February 8, 2023

Assigned to: Health and Government Operations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Hospitals – Overdoses – Testing for Fentanyl**

3 FOR the purpose of requiring the emergency department of a hospital to conduct a rapid  
4 urine drug test for fentanyl in patients with a known or suspected drug overdose if  
5 a toxicology report is requested by a treating health care provider; and generally  
6 relating to fentanyl testing for patients with a known or suspected overdose.

7 BY adding to

8 Article – Health – General

9 Section 19–308.9

10 Annotated Code of Maryland

11 (2019 Replacement Volume and 2022 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
13 That the Laws of Maryland read as follows:

14 **Article – Health – General**

15 **19–308.9.**

16 **(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, AN**  
17 **EMERGENCY DEPARTMENT OF A HOSPITAL TREATING AN INDIVIDUAL FOR A KNOWN**  
18 **OR SUSPECTED DRUG OVERDOSE SHALL CONDUCT ON THE INDIVIDUAL A RAPID**  
19 **URINE DRUG TEST FOR THE PRESENCE OF FENTANYL IF A TREATING HEALTH CARE**  
20 **PROVIDER REQUESTS A TOXICOLOGY SCREEN ON THE INDIVIDUAL.**

21 **(B) THIS SECTION DOES NOT APPLY TO A HOSPITAL THAT DOES NOT HAVE**  
22 **THE EQUIPMENT TO CONDUCT A RAPID URINE DRUG TEST.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(C) THIS SECTION DOES NOT AFFECT ANY STATE LAW PROVIDING CIVIL OR**  
2 **CRIMINAL IMMUNITY TO AN INDIVIDUAL WHO IN GOOD FAITH ASSISTS ANOTHER**  
3 **INDIVIDUAL WHO IS IN NEED OF MEDICAL ASSISTANCE AFTER INGESTING OR USING**  
4 **ALCOHOL OR DRUGS.**

5           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
6 October 1, 2023.