A BILL ENTITLED

AN ACT concerning

Hospitals – Overdoses – Testing for Fentanyl

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

BY adding to

Article – Health – General
Section 19–308.9
Annotated Code of Maryland
(2019 Replacement Volume and 2022 Supplement)

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

Article – Health – General

19–308.9.

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

(B) THIS SECTION DOES NOT APPLY TO A HOSPITAL THAT DOES NOT HAVE THE EQUIPMENT TO CONDUCT A RAPID URINE DRUG TEST.
(c) This section does not affect any State law providing civil or criminal immunity to an individual who in good faith assists another individual who is in need of medical assistance after ingesting or using alcohol or drugs.

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