

SENATE BILL 914

J1, J3

3lr2943
CF HB 811

By: **Senators Ellis and Rosapepe**

Introduced and read first time: February 15, 2023

Assigned to: Rules

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;
5 and generally related to fentanyl testing for patients with a known or suspected
6 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.

20 (B) THIS SECTION DOES NOT APPLY TO A HOSPITAL THAT DOES NOT HAVE
21 THE CAPABILITY OR EQUIPMENT TO CONDUCT A RAPID URINE DRUG TEST FOR THE
22 PRESENCE OF FENTANYL.

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.