

By the Committees on Judiciary; and Health Policy; and Senators  
Polsky and Pizzo

590-03188-25

20251346c2

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 be retained as part of the  
11          patient's clinical record in accordance with the  
12          facility's current recordkeeping practices; providing  
13          an effective date.

14  
15 Be It Enacted by the Legislature of the State of Florida:

16  
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 confirmation test  
32 must be retained as part of the patient's clinical record for  
33 the timeframe required by the hospital's or hospital-based off-  
34 campus emergency department's current clinical recordkeeping  
35 practices.

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