

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

H.B. 745
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH10358-MG-128

Short Title: Mandate Fentanyl Testing/Hospital ER Patients. (Public)

Sponsors: Representative Morey.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT REQUIRING EMERGENCY DEPARTMENTS OF GENERAL ACUTE CARE
3 HOSPITALS TO TEST FOR FENTANYL WHENEVER A URINE SAMPLE IS
4 COLLECTED FROM A PATIENT TO PERFORM A CHEMICAL ANALYSIS
5 INTENDED TO ASSIST IN DIAGNOSING THE PATIENT'S CONDITION.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** Article 5 of Chapter 131E of the General Statutes is amended by adding
8 a new Part to read:

9 "Part 3A. Miscellaneous Requirements.

10 "**§ 131E-89. Mandatory fentanyl screening by general acute care hospitals.**

11 Whenever an emergency department of a general acute care hospital licensed under this
12 Article collects a urine sample from a patient to perform a chemical analysis intended to assist in
13 diagnosing the patient's condition, the hospital shall test the urine sample for fentanyl as part of
14 the chemical analysis. As used in this section, "chemical analysis" means the chemical
15 examination of urine to determine if it contains alcohol, a controlled substance or its metabolite,
16 or any other impairing substance."

17 **SECTION 2.** This act becomes effective October 1, 2023, and expires on October 1,
18 2028.

