

**AMENDMENT TO AMENDMENT IN THE  
NATURE OF A SUBSTITUTE TO H.R. 2483  
OFFERED BY MS. BARRAGÁN OF CALIFORNIA**

At the end of the bill, add the following:

**1 SEC. ■■■. TESTING FOR FENTANYL IN HOSPITAL EMER-  
2 GENCY DEPARTMENTS.**

3 (a) STUDY.—Not later than 1 year after the date of  
4 enactment of this Act, the Secretary of Health and  
5 Human Services shall complete a study to determine—

6 (1) how frequently hospital emergency depart-  
7 ments test for fentanyl (in addition to testing for  
8 other substances such as amphetamines,  
9 phencyclidine, cocaine, opiates, and marijuana) when  
10 a patient is experiencing an overdose;

11 (2) the costs associated with such testing for  
12 fentanyl;

13 (3) the potential benefits and risks for patients  
14 receiving such testing for fentanyl; and

15 (4) how fentanyl testing in hospital emergency  
16 departments may impact the experience of the pa-  
17 tient, including—

18 (A) protections for the confidentiality and  
19 privacy of the patient’s personal health informa-

20 tion; and

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1 (B) the patient-physician relationship.

2 (b) GUIDANCE.—Not later than 6 months after com-  
3 pletion of the study under subsection (a), based on the  
4 results of such study, the Secretary of Health and Human  
5 Services shall issue guidance on the following:

6 (1) Whether hospital emergency departments  
7 should implement fentanyl testing as a routine pro-  
8 cedure for patients experiencing an overdose.

9 (2) How hospitals can ensure that clinicians in  
10 their hospital emergency departments are aware of  
11 which substances are being tested for in their rou-  
12 tinely-administered drug tests, regardless of whether  
13 those tests screen for fentanyl.

14 (3) How the administration of fentanyl testing  
15 in hospital emergency departments may affect the  
16 future risk of overdose and general health outcomes.

17 (c) DEFINITION.—In this section, the term “hospital  
18 emergency department” means a hospital emergency de-  
19 partment as such term is used in section 1867(a) of the  
20 Social Security Act (42 U.S.C. 1395dd(a)).

