

2024 Regular Session

SENATE BILL NO. 487

BY SENATOR CATHEY

HOSPITALS. Provides for hospital drug screenings. (8/1/24)

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17

AN ACT

To enact R.S. 40:978.2.2, relative to drug screening; to require fentanyl testing in certain circumstances; to provide for reporting; to provide for exemptions; to provide relative to limitation of liability; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:978.2.2 is hereby enacted to read as follows:

**§978.2.2. Hospital drug screening; fentanyl**

**A. Except as provided in Subsection C of this Section, if an individual is treated at a hospital and the hospital conducts a urine drug screening to assist in diagnosing the individual's condition, the hospital shall include testing for fentanyl in the individual's urine drug screening.**

**B. If the urine drug screening conducted in accordance with Subsection A of this Section detects fentanyl, the hospital shall report the de-identified test results to the Louisiana Department of Health, office of public health. The office of public health shall treat any reports or documents as confidential and the documents shall not be subject to release pursuant to a public records request or subpoena to the Louisiana Department of Health or the office of public**

1           **health.**

2                   **C. The provisions of this Section shall not apply to any hospital that does**

3           **not have chemical analyzer equipment.**

4                   **D. The provisions of this Section shall not affect any law providing civil**

5           **or criminal immunity to an individual who is in need of medical assistance after**

6           **ingesting or using alcohol or drugs or to an individual who in good faith assists**

7           **another individual who is in need of medical assistance after ingesting or using**

8           **alcohol or drugs.**

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Amanda Trapp.

|                 |                                |        |
|-----------------|--------------------------------|--------|
| SB 487 Original | DIGEST<br>2024 Regular Session | Cathey |
|-----------------|--------------------------------|--------|

Proposed law provides that if a hospital conducts a urine drug screening on an individual to assist in treating the individual, the screening shall include testing for fentanyl.

Proposed law requires the hospital to report any screening that detects fentanyl to the Louisiana Department of Health.

Proposed law exempts certain hospitals from the requirements of proposed law.

Effective August 1, 2024.

(Adds R.S. 40:978.2.2)