



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB5456

Introduced 2/9/2024, by Rep. Mary Gill

SYNOPSIS AS INTRODUCED:

210 ILCS 85/17 new

Amends the Hospital Licensing Act. Provides that 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 screening. Provides that if the urine drug screening, conducted in accordance with the amendatory Act, detects fentanyl, the hospital shall report the test results, which shall be deidentified, to the Department of Public Health through the State-designated health information exchange. Provides that a hospital which does not have chemical analyzer equipment is not subject to the amendatory Act. Provides that the amendatory Act does not affect any State law which provides civil or criminal immunity to an individual who is in need of medical assistance after ingesting or using alcohol or drugs, or to an individual who, in good faith, assists another who is in need of medical assistance after ingesting or using alcohol or drugs. Effective immediately.

LRB103 38843 CES 68980 b

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Hospital Licensing Act is amended by adding
5 Section 17 as follows:

6 (210 ILCS 85/17 new)

7 Sec. 17. Fentanyl testing.

8 (a) If an individual is treated at a hospital and the
9 hospital conducts a urine drug screening to assist in
10 diagnosing the individual's condition, the hospital shall
11 include testing for fentanyl in the individual's urine
12 screening.

13 (b) If the urine drug screening conducted in accordance
14 with subsection (a) detects fentanyl, the hospital shall
15 report the test results, which shall be deidentified, to the
16 Department through the State-designated health information
17 exchange.

18 (c) This Section does not apply to a hospital that does not
19 have chemical analyzer equipment.

20 (d) This Section does not affect any State law providing
21 civil or criminal immunity to an individual who is in need of
22 medical assistance after ingesting or using alcohol or drugs,
23 or to an individual who, in good faith, assists another

1 individual who is in need of medical assistance after
2 ingesting or using alcohol or drugs.

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.