



SB 864 – Tyler’s Law

Senator Melissa Melendez

Background

Fentanyl is a synthetic opioid 100 times more potent than morphine. Statistics show the opioid crisis has significantly worsened since fentanyl entered the illicit drug market. Sadly, synthetic opioids were responsible for the majority of drug related deaths in 2021. Specifically, fentanyl was the number one cause of death last year for people ages 18-45, outpacing suicides and COVID-19. It causes a fatality every 8.57 minutes, approximately, and is linked to 64% of total drug fatalities.

Fentanyl can be found in methamphetamine, cocaine, heroin, vaping products, as well as fake pills of Xanax, hydrocodone or Oxycodone. Unfortunately, some individuals who fatally experience fentanyl may have done so without their knowledge.

Problem Being Addressed

Testing for fentanyl can play a key role in saving someone’s life. It can alert a provider that a patient has fentanyl in their system, warn a patient they have ingested fentanyl, or could connect people to treatment or a prescription for naloxone – the lifesaving reversal drug.

Since fentanyl is a synthetic opioid, it does not show up during a routine urine drug screening test. Fortunately, rapid fentanyl testing does exist. There are three “reagents” currently approved by the FDA that can be used with a chemical analyzer to determine if an individual has fentanyl in their system.

For additional background, a standard urine drug screen includes a minimal of the “Federal 5” of drugs being tested - namely opiates, amphetamines, THC, PCP, and cocaine. Since fentanyl is the driver of overdoses, and as a synthetic drug does not show up on routine drug screening test, SB 864 aims to include fentanyl and use the “Federal 6.”

Moreover, hospitals in San Diego have had success with fentanyl testing. With a brief educational campaign, the majority of hospitals in San Diego include fentanyl testing anytime a urine drug screen is ordered, making it the standard of care in the community.

Which code section is affected?

This bill will amend Section 1259.3 of the Health and Safety Code.

Summary

SB 864 says that if a provider chooses to do a urine drug screen test, fentanyl will be automatically included in that test. This bill would ensure the hospital provides testing access and capability.

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Supporters

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