

1 AN ACT relating to hospital reporting of drug overdose information.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 216B IS CREATED TO
4 READ AS FOLLOWS:

5 (1) (a) When a person is admitted to a hospital emergency department and is in a
6 critical or life-threatening condition and, in the attending health care
7 provider's professional opinion, the person exhibits symptoms of a drug
8 overdose or the person has a history of drug overdose treatment that is
9 known to the attending health care provider, the attending health care
10 provider shall order a quantitative and qualitative toxicology test to
11 determine whether there is evidence that the cause of the person's overdose
12 is an illicit drug.

13 (b) If the person dies while still in the hospital, the test findings shall be
14 reported to law enforcement of jurisdiction and the coroner as required
15 under KRS 72.020.

16 (2) A toxicology finding under this section shall not be a public record except as
17 reported to law enforcement and the coroner.

18 (3) A health care provider who administers a quantitative and qualitative toxicology
19 test and reports the findings to law enforcement under this section is immune
20 from any civil liability arising from that action in a suit brought on behalf of the
21 person who experienced the drug overdose.