

118TH CONGRESS
2D SESSION

H. R. 7226

To require research with respect to fentanyl and xylazine test strips, to authorize the use of grant funds for such test strips, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 5, 2024

Ms. CROCKETT (for herself and Mr. GOODEN of Texas) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To require research with respect to fentanyl and xylazine test strips, to authorize the use of grant funds for such test strips, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Advancing Lifesaving
5 Efforts with Rapid Test strips for Communities Act” or
6 the “ALERT Communities Act”.

7 **SEC. 2. FIRST RESPONDER TRAINING.**

8 Section 546(c) of the Public Health Service Act (42
9 U.S.C. 290ee–1(c)) is amended—

1 (1) in paragraph (3), by striking “; and” and
2 inserting a semicolon;

3 (2) in paragraph (4), by striking the period and
4 inserting “; and”; and

5 (3) by adding at the end the following:

6 “(5) train and provide resources for first re-
7 sponders and members of other relevant community
8 sectors on carrying and facilitating access to
9 fentanyl or xylazine test strips (as defined in section
10 5 of the Advancing Lifesaving Efforts with Rapid
11 Test strips for Communities Act).”.

12 **SEC. 3. RESEARCH AND MARKETING FRAMEWORKS FOR**
13 **TEST STRIP TECHNOLOGY.**

14 The Secretary of Health and Human Services, in con-
15 sultation with the Director of the National Institutes of
16 Health, the Director of the Office of National Drug Con-
17 trol Policy, the Commissioner of Food and Drugs, and the
18 Administrator of the Drug Enforcement Administration,
19 shall develop and make publicly available research and
20 marketing frameworks for developing, improving, and
21 evaluating test strip technology for detecting fentanyl and
22 other dangerous substances. Such frameworks shall—

23 (1) include standards and guidance for manu-
24 facturers seeking to develop and test new test strip
25 technology;

1 (2) emphasize bringing new test strip tech-
2 nology intended for testing human specimens in clin-
3 ical settings to support on-site clinical decision mak-
4 ing; and

5 (3) include guidance on available authorization
6 pathways for test strips described in paragraphs (1)
7 and (2).

8 **SEC. 4. STUDY ON FENTANYL TEST STRIP INTERVENTIONS.**

9 The Secretary of Health and Human Services shall—

10 (1) conduct a study on the impact of the avail-
11 ability, accessibility, and usage of drug checking
12 supplies, including test strips, on frequency of over-
13 dose, overdose deaths, and engagement in substance
14 use disorder treatment; and

15 (2) not later than 2 years after the date of en-
16 actment of this Act, submit to Congress a report on
17 the study conducted under paragraph (1).

18 **SEC. 5. DEFINITION.**

19 In this Act, the term “test strip” means a rapid re-
20 sponse, single use diagnostic that can be used to detect
21 the adulteration of a drug with, or the presence in a
22 human specimen of, any substance that may lead to in-
23 creased morbidity or mortality, such as fentanyl, xylazine,
24 or another synthetic opioid or emerging substance.

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