88R21367 CJD-D

By:  Lujan, Guillen, Klick, Goldman, et al. H.B. No. 3192

A BILL TO BE ENTITLED

AN ACT

relating to the designation of fentanyl poisoning for purposes of the death certificate.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1.  Section 193.005, Health and Safety Code, is amended by adding Subsection (e-1) to read as follows:

(e-1)  The medical certification on a death certificate must include the term "Fentanyl Poisoning" if:

(1)  a toxicology examination reveals a controlled substance listed in Penalty Group 1-B present in the body of the decedent in an amount or concentration that is considered to be lethal by generally accepted scientific standards; and

(2)  the results of an autopsy performed on the decedent are consistent with an opioid overdose as the cause of death.

SECTION 2.  The change in law made by this Act applies only to a death that occurs on or after the effective date of this Act, or a death that occurs before that date but is discovered on or after the effective date of this Act.

SECTION 3.  This Act takes effect September 1, 2023.