

By: Shaheen

H.B. No. 2845

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the designation of controlled substance overdose for
3 purposes of the death certificate.

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

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

7 (e-1) The medical certification on a death certificate must
8 include:

9 (1) either the term "Fentanyl Poisoning" or the term
10 "Fentanyl Toxicity" if:

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

16 (B) ~~(2)~~ the results of an autopsy performed on
17 the decedent are consistent with an opioid overdose as the cause of
18 death; and

19 (2) the term "Controlled Substance Overdose" and, if
20 possible to ascertain, the type of controlled substance present in
21 the body of the decedent if:

22 (A) a toxicology examination reveals a
23 controlled substance, other than a controlled substance listed in
24 Penalty Group 1-B, present in the body of the decedent in an amount

1 or concentration that is considered to be lethal by generally
2 accepted scientific standards; and

3 (B) the results of an autopsy performed on the
4 decedent are consistent with a controlled substance overdose as the
5 cause of death.

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

10 SECTION 3. This Act takes effect September 1, 2025.