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May 20, 2025

The Honorable Jim Banks
U.S. Senate
B85 Russell Senate Office Building
Washington, D.C. 20510

The Honorable Alex Padilla
U.S. Senate
331 Hart Senate Office
Washington, D.C. 20510

Senators Banks and Padilla:

On behalf of the Emergency Nurses Association and its nearly 45,000 members, I am writing to express our support for S. 921, Tyler's Law, which would direct the Secretary of the Department of Health and Human Services to issue guidance to hospital emergency departments on the implementation of routine fentanyl testing for patients experiencing a suspected overdose.

More than 87,000 people died from drug overdoses between October 2023 and September 2024. Most of these deaths were caused by an opioid. Despite recent decreases in overdose deaths, at least 11 states reported sharp increases to emergency department visits for nonfatal drug overdoses. As you know, when patients arrive at the emergency department, rapid drug screens are often utilized to try to determine if the individual has taken a drug. However, standard panels only test for marijuana, cocaine, methamphetamine, opiates, and PCP, not fentanyl.

Incorporating fentanyl into regular testing protocols could save lives by providing emergency care professionals with the information they need to appropriately treat the patient. Knowing this information after an overdose can also help the patient and their care team during recovery.

Tyler's Law would require HHS to study the feasibility of testing for fentanyl in emergency departments by determining the costs and benefits of such testing. After the completion of the study, HHS would issue guidance to hospitals on whether, and how, they should implement fentanyl testing.

As professionals on the front lines of our nation's health care system, emergency nurses are critical to providing emergency care, especially as fentanyl overdose deaths continue to ravage our communities. We thank you for introducing this legislation and for your leadership on this critical issue. If you have any questions, please contact ENA Director of Government Relations Rob Kramer at 202-465-4756.

Sincerely,

Ryan Oglesby, PhD, MHA, RN, CEN, CFRN, NEA-BC
2025 ENA President