

House File 2039 - Introduced

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A BILL FOR

1 An Act establishing a notification requirement for mammogram
2 reports and written statements to patients.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 136C.3, subsection 10, Code 2014, is
2 amended to read as follows:

3 10. a. Adopt rules specifying the minimum training and
4 performance standards for an individual using a radiation
5 machine for mammography, and other rules necessary to
6 implement section 136C.15. The rules shall complement federal
7 requirements applicable to similar radiation machinery and
8 shall not be less stringent than those federal requirements.

9 b. (1) Adopt rules to require that, by January 1, 2015, a
10 facility where mammography services are performed shall include
11 information on breast density in mammogram reports sent to
12 referring physicians and written statements sent to patients
13 pursuant to regulations implementing the federal Mammography
14 Quality Standards Act of 1992, Pub. L. No. 102-539, as amended.
15 A written statement sent to a patient shall include information
16 that identifies the patient's individual breast tissue
17 classification based on the breast imaging reporting and data
18 system established by the American college of radiology. If
19 the interpreting physician, based on standards promulgated by
20 the American college of radiology, determines that a patient
21 has heterogeneously or extremely dense breasts, the written
22 statement of the mammography report shall also include the
23 following language:

24 Your mammography indicates that you have dense breast tissue.
25 Dense breast tissue is relatively common and is found in forty
26 percent of women. The presence of dense tissue makes it more
27 difficult to detect cancers in the breast and may be associated
28 with an increased risk of breast cancer. We are providing this
29 information to raise your awareness of this important factor
30 and to encourage you to discuss with your health care providers
31 your dense breast tissue and other breast cancer risk factors.
32 Together, you can decide which screening options are right for
33 you. A report of your results was sent to your physician.

34 (2) Nothing in this paragraph "b" shall be construed to
35 create or impose liability on a facility where mammography

1 services are performed beyond the duty to provide the
2 information set forth in this paragraph "b".

3 (3) Nothing in this paragraph "b" shall be deemed to require
4 a notice or the provision of information that is inconsistent
5 with the provisions of the federal Mammography Quality
6 Standards Act of 1992, Pub. L. No. 102-539, as amended, or any
7 regulations promulgated pursuant to that Act.

8 EXPLANATION

9 The inclusion of this explanation does not constitute agreement with
10 the explanation's substance by the members of the general assembly.

11 This bill establishes a notification requirement for
12 mammogram reports and written statements to patients. The bill
13 directs the department of public health to adopt rules that
14 require a facility performing mammography services to include
15 information on breast density in reports sent to referring
16 physicians and written statements sent to patients pursuant to
17 federal law and rules. If a patient has dense breast tissue,
18 as determined by the interpreting physician based on standards
19 promulgated by the American college of radiology, the written
20 statement must contain a notice with the language provided in
21 the bill. The notice informs the patient that the mammogram
22 demonstrates the patient has dense breast tissue and encourages
23 the patient to contact health care providers to determine risk
24 factors and screening options.

25 The bill's provisions are not to be construed to impose
26 liability on the facility performing mammography services
27 beyond the duty to provide the breast density information.

28 Facilities providing mammography services must comply with
29 the bill's requirements by January 1, 2015.