

House File 171 - Introduced

HOUSE FILE 171

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A BILL FOR

1 An Act establishing a notification requirement for mammogram
2 reports to patients.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 136C.3, subsection 10, Code 2015, 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, 2016,
10 a facility at which mammography services are performed shall
11 include information on breast density in mammogram reports
12 sent to patients pursuant to regulations implementing the
13 federal Mammography Quality Standards Act of 1992, Pub. L.
14 No. 102-539, as amended. If a patient is categorized by the
15 facility as having heterogeneously dense breasts or extremely
16 dense breasts based on standards as defined in nationally
17 recognized guidelines or systems for breast imaging reporting
18 of mammography screening, including the breast imaging
19 reporting and data system of the American college of radiology,
20 the report to the patient shall include notice that the patient
21 has dense breast tissue, that this may make it more difficult
22 to detect cancer on a mammogram, and that it may increase the
23 patient's risk of breast cancer. The notice may contain the
24 following language:

25 "Your mammogram indicates that you have dense breast tissue.
26 Dense breast tissue is relatively common. However, dense
27 breast tissue may make it more difficult to evaluate the
28 results of your mammogram and may also be associated with an
29 increased risk of breast cancer. This information is provided
30 to you to raise your own awareness and to help inform your
31 conversations with your referring physician who has received
32 a report of your mammogram results. Contact your referring
33 physician if you have questions or concerns about this report.
34 Together you can decide which additional screening options are
35 right for you based on your mammogram results, individual risk

1 factors, or physical examination.”

2 (2) Nothing in this paragraph “b” shall be construed to
3 create or impose liability on a facility where mammography
4 services are performed beyond the duty to provide the
5 information set forth in this paragraph “b”.

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

11 EXPLANATION

12 The inclusion of this explanation does not constitute agreement with
13 the explanation’s substance by the members of the general assembly.

14 This bill establishes a notification requirement for
15 mammogram reports to patients. The bill directs the department
16 of public health to adopt rules that require a facility
17 performing mammography services to include information on
18 breast density in reports sent to patients pursuant to federal
19 law and rules. If a patient is categorized by the facility
20 as having heterogeneously dense breasts or extremely dense
21 breasts based on national standards the report to the patient
22 must include notice that the patient has dense breast tissue,
23 that this may make it more difficult to detect cancer on a
24 mammogram, and that it may increase the patient’s risk of
25 breast cancer. The bill provides language that such notice may
26 contain.

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

30 Facilities providing mammography services must comply with
31 the bill’s requirements by January 1, 2016.