

Senate File 77 - Introduced

SENATE FILE 77
BY SINCLAIR

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 Sec. 2. Section 136C.3, subsection 10, Code 2017, is amended
2 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, 2018,
10 a facility at which mammography services are performed shall
11 include information on breast density in mammogram reports sent
12 to patients pursuant to regulations implementing the federal
13 Mammography Quality Standards Act of 1992, Pub. L. No. 102-539,
14 as amended. If a patient is categorized by an interpreting
15 physician at the facility as having heterogeneously dense
16 breasts or extremely dense breasts based on standards as
17 defined in nationally recognized guidelines or systems for
18 breast imaging reporting of mammography screening, including
19 the breast imaging reporting and data system of the American
20 college of radiology, the report to the patient shall include
21 notice that the patient has dense breast tissue, that this may
22 make it more difficult to detect cancer on a mammogram, and
23 that it may increase the patient's risk of breast cancer. The
24 notice may contain the following language:

25 "State law requires the following notification:
26 Your mammogram indicates that you have dense breast tissue.
27 Dense 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. You are encouraged to consult
30 with your primary health care provider regarding the results of
31 your mammogram. Together you can best decide which additional
32 screening options may be right for you based on your mammogram
33 results, individual risk factors, or physical examination."

34 (2) Nothing in this paragraph "b" shall be construed to
35 modify the existing liability of 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 to patients. The bill directs the department
13 of public health to adopt rules that require a facility
14 performing mammography services to include information on
15 breast density in reports sent to patients pursuant to federal
16 law and rules. If a patient is categorized by an interpreting
17 physician at the facility as having heterogeneously dense
18 breasts or extremely dense breasts based on national standards
19 the report to the patient must include notice that the patient
20 has dense breast tissue, that this may make it more difficult
21 to detect cancer on a mammogram, and that it may increase the
22 patient's risk of breast cancer. The bill provides language
23 that such notice may contain.

24 The bill's provisions are not to be construed to modify
25 the existing liability of a facility performing mammography
26 services beyond the duty to provide the breast density
27 information.

28 Facilities providing mammography services must comply with
29 the bill's requirements by January 1, 2018.