

1 **REPEAL OF MAMMOGRAPHY QUALITY**
2 **ASSURANCE ADVISORY COMMITTEE**

3 2001 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Loraine T. Pace**

6 **This act modifies the Health Code. This act repeals the mammography quality assurance**
7 **committee, makes conforming changes, and makes technical changes.**

8 This act affects sections of Utah Code Annotated 1953 as follows:

9 AMENDS:

10 **26-21a-203**, as last amended by Chapter 297, Laws of Utah 1993

11 **26-21a-204**, as last amended by Chapter 30, Laws of Utah 1992

12 REPEALS:

13 **26-21a-202**, as last amended by Chapter 243, Laws of Utah 1996

14 *Be it enacted by the Legislature of the state of Utah:*

15 Section 1. Section **26-21a-203** is amended to read:

16 **26-21a-203. Department rulemaking authority.**

17 ~~[(1) The department, in consultation with the advisory committee created under this part,~~
18 ~~shall prior to July 1, 1992, make recommendations to the Division of Occupational and~~
19 ~~Professional Licensing regarding rules the division shall make under Section 58-1-106 prior to~~
20 ~~January 1, 1993, relating to:]~~

21 ~~[(a) establishing minimum qualifications for the following personnel involved in breast~~
22 ~~cancer screening or diagnostic mammography services:]~~

23 ~~[(i) physician supervisors;]~~

24 ~~[(ii) physicians who interpret results of mammography procedures;]~~

25 ~~[(iii) radiologic technologists; and]~~

26 ~~[(b) establishing quality assurance standards for:]~~

27 ~~[(i) supervision by the physician supervisor; and]~~

28 ~~[(ii) methods of reporting interpretations.]~~

29 ~~[(2)]~~ The department~~[-, in consultation with the advisory committee created under this~~
30 ~~part,]~~ shall ~~[prior to July 1, 1992,]~~ make rules under Title 63, Chapter 46a, Utah Administrative
31 Rulemaking Act:

32 ~~[(a)]~~ (1) establishing quality assurance standards for all facilities performing screening or
33 diagnostic mammography and developing mammogram x-ray films, including procedures for
34 clinical follow-up of abnormal mammograms; and

35 ~~[(b)]~~ (2) providing for:

36 ~~[(i)]~~ (a) collection and periodic reporting of mammography examinations and clinical
37 follow-up data to the department;

38 ~~[(ii)]~~ (b) certification and revocation of certification of mammogram facilities;

39 ~~[(iii)]~~ (c) inspection of mammogram facilities, including entry of agents of the department
40 into the facilities for inspections;

41 ~~[(iv)]~~ (d) setting fees for certification; and

42 ~~[(v)]~~ (e) an appeal process regarding department certification decisions.

43 ~~[(3) The department shall review and revise as necessary the quality assurance standard~~
44 ~~rules using current scientific knowledge, but at least every two years.]~~

45 ~~[(4) The department shall coordinate its activities under this part with the registration,~~
46 ~~licensing, and inspection of radiation machines used to perform mammograms under Section~~
47 ~~26-21a-202.]~~

48 Section 2. Section **26-21a-204** is amended to read:

49 **26-21a-204. Mammogram provider certification.**

50 (1) ~~[On and after July 1, 1992, a]~~ A mammogram may only be performed in a facility the
51 department certifies as meeting:

52 (a) the qualifications and standards under Section 26-21a-203; and

53 (b) the registration, licensing, and inspection requirements for radiation sources under
54 Section 19-3-104.

55 (2) Facilities desiring to perform mammograms shall request certification as a
56 mammogram provider by the department under procedures established by department rule.

57 **Section 3. Repealer.**

58 This act repeals:

Section 26-21a-202, Advisory committee -- Membership -- Expenses.

Legislative Review Note
as of 1-23-01 9:03 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel