

1 **WOMEN'S CANCER SCREENING NOTIFICATION**

2 **AMENDMENTS**

3 2018 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: LaVar Christensen**

6 Senate Sponsor: _____

7
8 **LONG TITLE**

9 **General Description:**

10 This bill amends provisions of the Mammogram Quality Assurance Act.

11 **Highlighted Provisions:**

12 This bill:

13 ▶ requires a facility that performs screening or diagnostic mammography to provide a
14 patient who has dense breast tissue with a notification of that fact and options for
15 additional cancer screening examinations.

16 **Money Appropriated in this Bill:**

17 None

18 **Other Special Clauses:**

19 None

20 **Utah Code Sections Affected:**

21 AMENDS:

22 **26-21a-203**, as last amended by Laws of Utah 2012, Chapter 338

23 **26-21a-205**, as last amended by Laws of Utah 2009, Chapter 183

24 ENACTS:

25 **26-21a-206**, Utah Code Annotated 1953

26
27 *Be it enacted by the Legislature of the state of Utah:*



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

29 **26-21a-203. Department rulemaking authority.**

30 The department shall make rules under Title 63G, Chapter 3, Utah Administrative
31 Rulemaking Act:

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

35 (2) providing for:

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

38 (b) certification and revocation of certification of mammogram facilities;

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

41 (d) setting fees for certification; and

42 (e) an appeal process regarding department certification decisions; and

43 [~~(3) the following information may be included in mammography results sent to a~~
44 ~~patient with dense breast tissue:]~~

45 [~~"Mammography is the only breast cancer screening examination which has been~~
46 ~~shown in multiple randomized clinical trials to reduce death rate from breast cancer. However,~~
47 ~~it is not a perfect test, specifically in women with dense breast tissue. Because your~~
48 ~~mammogram demonstrates that you have dense breast tissue, you may benefit from~~
49 ~~supplementary screening tests, depending on your personal risk factors and family history.~~
50 ~~Although other screening tests may find additional cancers, they may not necessarily increase~~
51 ~~survival. Nevertheless, you should discuss your mammography results with your health care~~
52 ~~provider. A copy of your mammography report has been sent to your health care provider's~~
53 ~~office. Please contact your health care provider if you have any questions or concerns about~~
54 ~~this notice."~~]

55 (3) requiring a facility that is certified under Section 26-21a-204 to comply with the
56 notification requirement described in Section 26-21a-206.

57 Section 2. Section **26-21a-205** is amended to read:

58 **26-21a-205. Department duties.**

59 The department shall:

60 (1) enforce rules established under this part;

61 (2) enforce the notice requirement in Section 26-21a-206;

62 ~~[(2)]~~ (3) authorize qualified department agents to conduct inspections of mammogram
63 facilities under department rules;

64 ~~[(3)]~~ (4) collect and credit fees for certification [under] established by the department
65 in accordance with Section 63J-1-504; and

66 ~~[(4)]~~ (5) provide necessary administrative and staff support to the committee.

67 Section 3. Section **26-21a-206** is enacted to read:

68 **26-21a-206. Women's cancer screening notification requirement.**

69 (1) As used in this section, "dense breast tissue" means heterogeneously dense tissue or
70 extremely dense tissue as defined in the Breast Imaging and Reporting Data System established
71 by the American College of Radiology.

72 (2) A facility that is certified under Section 26-21a-204 shall include the following
73 information with a mammography result provided to a patient with dense breast tissue:

74 "Your mammogram indicates that you have dense breast tissue. Dense breast tissue is
75 common and is found in as many as half of all women. However, dense breast tissue can make
76 it more difficult to fully and accurately evaluate your mammogram and detect early signs of
77 possible cancer in the breast. You might benefit from additional professionally recognized
78 forms of cancer screening examinations, depending on your personal risk factors and family
79 history. This information is being provided to inform and encourage you to discuss your dense
80 breast tissue and other breast cancer risk factors with your physician or health care provider.
81 Together, you can decide which screening options are best and most effective for you. A copy
82 of your mammography report has been sent to your physician and health care provider. Please
83 contact them if you have any questions or concerns about this notice."