

**Representative LaVar Christensen** proposes the following substitute bill:

**WOMEN'S CANCER SCREENING NOTIFICATION AMENDMENTS**

2018 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: LaVar Christensen**

Senate Sponsor: J. Stuart Adams

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**LONG TITLE**

**General Description:**

This bill amends provisions of the Mammogram Quality Assurance Act.

**Highlighted Provisions:**

This bill:

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

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

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

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

ENACTS:

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

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

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

28 **26-21a-203. Department rulemaking authority.**

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

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

34 (2) providing for:

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

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

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

40 (d) setting fees for certification; and

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

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

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

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

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

57 **26-21a-205. Department duties.**

58 The department shall:

59 (1) enforce rules established under this part;

60 (2) implement and enforce the notice requirement in Section 26-21a-206;

61 [~~2~~] (3) authorize qualified department agents to conduct inspections of mammogram  
62 facilities under department rules;

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

65 [~~4~~] (5) provide necessary administrative and staff support to the committee.

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

67 **26-21a-206. Women's cancer screening notification requirement.**

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

71 (2) A facility that is certified under Section 26-21a-204 shall include the following  
72 notification and information with a mammography result provided to a patient with dense  
73 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."