

Senator Curtis S. Bramble proposes the following substitute bill:

WOMEN'S CANCER SCREENING NOTIFICATION AMENDMENTS

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: LaVar Christensen

Senate Sponsor: Curtis S. Bramble

| | | | |
|----|-----------------------|--------------------|----------------------|
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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



25 patient who has dense breast tissue with a notification regarding that report.

26 **Money Appropriated in this Bill:**

27 None

28 **Other Special Clauses:**

29 None

30 **Utah Code Sections Affected:**

31 AMENDS:

32 **26-21a-203**, as last amended by Laws of Utah 2012, Chapter 338

33 **26-21a-205**, as last amended by Laws of Utah 2009, Chapter 183

34 ENACTS:

35 **26-21a-206**, Utah Code Annotated 1953



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

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

39 **26-21a-203. Department rulemaking authority.**

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

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

45 (2) providing for:

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

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

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

51 (d) setting fees for certification; and

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

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

55 [~~"Mammography is the only breast cancer screening examination which has been~~

56 ~~shown in multiple randomized clinical trials to reduce death rate from breast cancer. However,~~
 57 ~~it is not a perfect test, specifically in women with dense breast tissue. Because your~~
 58 ~~mammogram demonstrates that you have dense breast tissue, you may benefit from~~
 59 ~~supplementary screening tests, depending on your personal risk factors and family history.~~
 60 ~~Although other screening tests may find additional cancers, they may not necessarily increase~~
 61 ~~survival. Nevertheless, you should discuss your mammography results with your health care~~
 62 ~~provider. A copy of your mammography report has been sent to your health care provider's~~
 63 ~~office. Please contact your health care provider if you have any questions or concerns about~~
 64 ~~this notice."]~~

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

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

68 **26-21a-205. Department duties.**

69 The department shall:

70 (1) enforce rules established under this part;

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

72 ~~[(2)]~~ (3) authorize qualified department agents to conduct inspections of mammogram
 73 facilities under department rules;

74 ~~[(3)]~~ (4) collect and credit fees for certification [under] established by the department
 75 in accordance with Section 63J-1-504; and

76 ~~[(4)]~~ (5) provide necessary administrative and staff support to the committee.

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

78 **26-21a-206. Women's cancer screening notification requirement.**

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

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

85 "Your mammogram indicates that you have dense breast tissue. Dense breast tissue is
 86 common and is found in as many as half of all women. However, dense breast tissue can make

87 it more difficult to fully and accurately evaluate your mammogram and detect early signs of
88 possible cancer in the breast. This information is being provided to inform and encourage you
89 to discuss your dense breast tissue and other breast cancer risk factors with your health care
90 provider. Together, you can decide what may be best for you. A copy of your mammography
91 report has been sent to your health care provider. Please contact them if you have any questions
92 or concerns about this notice."