

1 **SENATE FLOOR VERSION**

2 February 11, 2019

3 SENATE BILL NO. 443

By: Pugh

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5
6 An Act relating to mammography examinations; amending
7 Section 1, Chapter 131, O.S.L. 2016 (63 O.S. Supp.
8 2018, Section 1-553.1), which relates to mammography
9 reports; requiring health care facilities to send
summary of mammography report by electronic mail upon
request; and providing an effective date.

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12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY Section 1, Chapter 131, O.S.L.
14 2016 (63 O.S. Supp. 2018, Section 1-553.1), is amended to read as
15 follows:

16 Section 1-553.1. A. All health care facilities that perform
17 mammography examinations shall include in the summary of the
18 mammography report, required by federal law to be provided to a
19 patient, information that identifies the patient's individual breast
20 density classification based on the Breast Imaging Reporting and
21 Data System established by the American College of Radiology. If
22 the patient elects to receive the summary of the mammography report
23 by electronic mail and provides an electronic mail address, the
24 summary shall be sent by electronic mail. If the facility

1 determines that a patient has heterogeneously or extremely dense
2 breast tissue, the summary of the mammography report shall include
3 the following notice:

4 "Your mammogram indicates that you have dense breast tissue.
5 Dense breast tissue is common and is found in more than fifty
6 percent (50%) of women and is not abnormal. However, dense breast
7 tissue may make it more difficult to detect breast cancer and may be
8 associated with an increased risk of breast cancer. This
9 information is being provided to raise your awareness and to
10 encourage you and your health care provider to discuss this and
11 other breast cancer risk factors. Together, you and your health
12 care provider can decide if additional screening options may be
13 right for you. A report of your results was sent to your health
14 care provider."

15 B. Patients who receive diagnostic or screening mammograms may
16 be directed to informative material about breast density. This
17 informative material may include the American College of Radiology's
18 most current brochure on the subject of breast density available on
19 the American College of Radiology's website. Patients and health
20 care providers can be further informed by material from the American
21 Cancer Society or Mammography Saves Lives organizations.

22 C. Nothing in this section shall be deemed to create a duty of
23 care or other legal obligation beyond the duty to provide notice as
24 set forth in subsection A of this section. Nothing in this section

1 shall be deemed to require a notice that is inconsistent with the
2 provisions of the federal Mammography Quality Standards Act or any
3 regulations promulgated pursuant thereto.

4 SECTION 2. This act shall become effective November 1, 2019.

5 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES
6 February 11, 2019 - DO PASS
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