



Senate

General Assembly

File No. 156

February Session, 2008

Substitute Senate Bill No. 172

Senate, March 26, 2008

The Committee on Insurance and Real Estate reported through SEN. CRISCO of the 17th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT REQUIRING COMMUNICATION OF MAMMOGRAPHIC BREAST DENSITY INFORMATION TO PATIENTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 38a-503 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2008*):

3 (a) Each individual health insurance policy providing coverage of
4 the type specified in subdivisions (1), (2), (4), (6), (10), (11) and (12) of
5 section 38a-469 delivered, issued for delivery, renewed, amended or
6 continued in this state on or after October 1, 2001, shall provide
7 benefits for mammographic examinations to any woman covered
8 under the policy which are at least equal to the following minimum
9 requirements: (1) A baseline mammogram for any woman who is
10 thirty-five to thirty-nine years of age, inclusive; and (2) a mammogram
11 every year for any woman who is forty years of age or older. Such
12 policy shall provide additional benefits for comprehensive ultrasound
13 screening of an entire breast or breasts if a mammogram demonstrates
14 heterogeneous or dense breast tissue based on the Breast Imaging

15 Reporting and Data System established by the American College of
16 Radiology or if a woman is believed to be at increased risk for breast
17 cancer due to family history or prior personal history of breast cancer,
18 positive genetic testing or other indications as determined by a
19 woman's physician or advanced practice registered nurse.

20 (b) Benefits under this section shall be subject to any policy
21 provisions that apply to other services covered by such policy.

22 (c) On and after October 1, 2008, each mammography report
23 provided to a patient shall include information about breast density,
24 based on the Breast Imaging Reporting and Data System established
25 by the American College of Radiology. Where applicable, such report
26 shall include the following notice: "Your mammogram does show that
27 you have significantly dense breast tissue, and a follow-up breast
28 ultrasound has been suggested. A report of your mammography
29 results was sent to (insert physician or provider name here)".

30 Sec. 2. Section 38a-530 of the general statutes is repealed and the
31 following is substituted in lieu thereof (*Effective October 1, 2008*):

32 (a) Each group health insurance policy providing coverage of the
33 type specified in subdivisions (1), (2), (4), (11) and (12) of section 38a-
34 469 delivered, issued for delivery, renewed, amended or continued in
35 this state on or after October 1, 2001, shall provide benefits for
36 mammographic examinations to any woman covered under the policy
37 which are at least equal to the following minimum requirements: (1) A
38 baseline mammogram for any woman who is thirty-five to thirty-nine
39 years of age, inclusive; and (2) a mammogram every year for any
40 woman who is forty years of age or older. Such policy shall provide
41 additional benefits for comprehensive ultrasound screening of an
42 entire breast or breasts if a mammogram demonstrates heterogeneous
43 or dense breast tissue based on the Breast Imaging Reporting and Data
44 System established by the American College of Radiology or if a
45 woman is believed to be at increased risk for breast cancer due to
46 family history or prior personal history of breast cancer, positive
47 genetic testing or other indications as determined by a woman's

48 physician or advanced practice registered nurse.

49 (b) Benefits under this section shall be subject to any policy
50 provisions that apply to other services covered by such policy.

51 (c) On and after October 1, 2008, each mammography report
52 provided to a patient shall include information about breast density,
53 based on the Breast Imaging Reporting and Data System established
54 by the American College of Radiology. Where applicable, such report
55 shall include the following notice: "Your mammogram does show that
56 you have significantly dense breast tissue, and a follow-up breast
57 ultrasound has been suggested. A report of your mammography
58 results was sent to (insert physician or provider name here)".

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2008	38a-503
Sec. 2	October 1, 2008	38a-530

Statement of Legislative Commissioners:

In subsection (c) of section 1 and subsection (c) of section 2, "on or after" was changed to "on and after" for accuracy.

INS *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

OFA Fiscal Note

State Impact: None

Municipal Impact: None

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State Impact: None

Municipal Impact: None

OLR Bill Analysis**sSB 172*****AN ACT REQUIRING COMMUNICATION OF MAMMOGRAPHIC BREAST DENSITY INFORMATION TO PATIENTS.*****SUMMARY:**

Under this bill, mammography reports (i.e., written results of a mammogram) given to a patient on and after October 1, 2008 must include information about breast density based on the American College of Radiology's Breast Imaging Reporting and Data System (BIRADS). When applicable, the report must include the following:

Your mammogram does show that you have significantly dense breast tissue, and a follow-up breast ultrasound has been suggested. A report of your mammography results was sent to (name of health care provider).

EFFECTIVE DATE: October 1, 2008

BACKGROUND***Federal Requirements for Mammography Report***

The federal Mammography Quality Standards Act requires a mammography facility to provide a mammogram report containing the imaging results to the patient and patient's health care provider within 30 days of the exam. The physician's report is technical in nature, but the patient's report must be in plain, easy-to-understand language. If the result is "suspicious" or "highly suggestive of malignancy," the facility must make reasonable attempts to communicate with the patient and health care provider as soon as possible (42 U.S.C. § 263b(f)(1)(G)(ii) and 21 C.F.R. § 900.12(c)(2),(3)).

BIRADS

The American College of Radiology collaborated with the National

Cancer Institute, the Centers for Disease Control and Prevention, the American Medical Association, and others to develop BIRADS, which is used to standardize mammography reporting. There are two BIRADS scales: (1) one characterizes breast density and (2) the other characterizes a radiologist's reading of what he or she sees on a mammogram. The breast density scale ranges from 1 (no areas with tissue that could obscure cancer) to 4 (tissue that can obscure cancer in more than 75% of the breast).

Related Law Mandating Insurance Coverage

By law, health insurance policies must provide coverage for mammograms at least equal to the following: one initial examination for women ages 35 to 39 and one examination every year for women age 40 and older.

Policies must provide additional coverage for a comprehensive ultrasound screening of a woman's entire breast or breasts if (1) a mammogram shows heterogeneous or dense breast tissue based on BIRADS or (2) a woman is considered at an increased breast cancer risk because of family history, her own prior breast cancer history, positive genetic testing, or other indications determined by her physician or advanced-practice registered nurse.

Coverage is subject to any policy provisions applicable to other covered services (CGS §§ 38a-503 and 38a-530).

COMMITTEE ACTION

Insurance and Real Estate Committee

Joint Favorable Substitute

Yea 18 Nay 0 (03/06/2008)