

2014 -- H 7341

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

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A N A C T

RELATING TO INSURANCE - HEALTH AND SAFETY - THE BREAST CANCER ACT

Introduced By: Representatives E Coderre, Tanzi, Ackerman, Ajello, and Walsh

Date Introduced: February 06, 2014

Referred To: House Corporations

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 23-12.7 of the General Laws entitled "The Breast Cancer Act" is
2 hereby amended by adding thereto the following section:

3 **23-12.7-4. Ultrasound Breast Cancer detection- Notice - Coverage mandated.--**

4 (a) Commencing on October 1, 2014, each mammography report provided to a patient
5 shall include information about breast density, based on the Breast Imaging Reporting and Data
6 System established by the American College of Radiology. Where applicable, such report shall
7 include the following notice: "If your mammogram demonstrates that you have dense breast
8 tissue, which could hide small abnormalities, you might benefit from supplementary screening
9 tests, which can include a breast ultrasound screening or a breast MRI examination, or both,
10 depending on your individual risk factors. A report of your mammography results, which contains
11 information about your breast density, has been sent to your physician's office and you should
12 contact your physician if you have any questions or concerns about this report."

13 (b) Every individual or group hospital or medical expense insurance policy or individual
14 or group hospital or medical services plan contract delivered, issued for delivery, or renewed in
15 this state shall provide coverage for comprehensive ultrasound screening of an entire breast or
16 breasts if a mammogram demonstrates heterogeneous or dense breast tissue based on the Breast
17 Imaging Reporting and Data System established by the American College of Radiology or if a
18 woman is believed to be at increased risk for breast cancer due to family history or prior personal
19 history of breast cancer, positive genetic testing or other indications as determined by a woman's

1 physician or advanced practice registered nurse. Provided, this section does not apply to
2 insurance coverage providing benefits for: (1) Hospital confinement indemnity; (2) Disability
3 income; (3) Accident only; (4) Long-term care; (5) Medicare supplement; (6) Limited benefit
4 health; (7) Specific disease indemnity; (8) Sickness or bodily injury or death by accident or both;
5 and (9) Other limited benefit policies.

6 SECTION 2. Chapter 27-18 of the General Laws entitled "Accident and Sickness
7 Insurance Policies" is hereby amended by adding thereto the following section:

8 **27-18-82. Ultrasound Breast Cancer detection- Notice - Coverage mandated.--**

9 (a) Commencing on October 1, 2014, each mammography report provided to a patient
10 shall include information about breast density, based on the Breast Imaging Reporting and Data
11 System established by the American College of Radiology. Where applicable, such report shall
12 include the following notice: "If your mammogram demonstrates that you have dense breast
13 tissue, which could hide small abnormalities, you might benefit from supplementary screening
14 tests, which can include a breast ultrasound screening or a breast MRI examination, or both,
15 depending on your individual risk factors. A report of your mammography results, which contains
16 information about your breast density, has been sent to your physician's office and you should
17 contact your physician if you have any questions or concerns about this report."

18 (b) Every individual or group hospital or medical expense insurance policy or individual
19 or group hospital or medical services plan contract delivered, issued for delivery, or renewed in
20 this state shall provide coverage for comprehensive ultrasound screening of an entire breast or
21 breasts if a mammogram demonstrates heterogeneous or dense breast tissue based on the Breast
22 Imaging Reporting and Data System established by the American College of Radiology or if a
23 woman is believed to be at increased risk for breast cancer due to family history or prior personal
24 history of breast cancer, positive genetic testing or other indications as determined by a woman's
25 physician or advanced practice registered nurse. Provided, this section does not apply to
26 insurance coverage providing benefits for: (1) Hospital confinement indemnity; (2) Disability
27 income; (3) Accident only; (4) Long-term care; (5) Medicare supplement; (6) Limited benefit
28 health; (7) Specific disease indemnity; (8) Sickness or bodily injury or death by accident or both;
29 and (9) Other limited benefit policies.

30 SECTION 3. Chapter 27-19 of the General Laws entitled "Nonprofit Hospital Service
31 Corporations" is hereby amended by adding thereto the following section:

32 **27-19-73. Ultrasound Breast Cancer detection - Notice - Coverage mandated.--**

33 (a) Commencing on October 1, 2014, each mammography report provided to a patient
34 shall include information about breast density, based on the Breast Imaging Reporting and Data

1 System established by the American College of Radiology. Where applicable, such report shall
2 include the following notice: "If your mammogram demonstrates that you have dense breast
3 tissue, which could hide small abnormalities, you might benefit from supplementary screening
4 tests, which can include a breast ultrasound screening or a breast MRI examination, or both,
5 depending on your individual risk factors. A report of your mammography results, which contains
6 information about your breast density, has been sent to your physician's office and you should
7 contact your physician if you have any questions or concerns about this report."

8 (b) Every individual or group hospital or medical expense insurance policy or individual
9 or group hospital or medical services plan contract delivered, issued for delivery, or renewed in
10 this state shall provide coverage for comprehensive ultrasound screening of an entire breast or
11 breasts if a mammogram demonstrates heterogeneous or dense breast tissue based on the Breast
12 Imaging Reporting and Data System established by the American College of Radiology or if a
13 woman is believed to be at increased risk for breast cancer due to family history or prior personal
14 history of breast cancer, positive genetic testing or other indications as determined by a woman's
15 physician or advanced practice registered nurse. Provided, this section does not apply to
16 insurance coverage providing benefits for: (1) Hospital confinement indemnity; (2) Disability
17 income; (3) Accident only; (4) Long-term care; (5) Medicare supplement; (6) Limited benefit
18 health; (7) Specific disease indemnity; (8) Sickness or bodily injury or death by accident or both;
19 and (9) Other limited benefit policies.

20 SECTION 4. Chapter 27-20 of the General Laws entitled "Nonprofit Medical Service
21 Corporations" is hereby amended by adding thereto the following section:

22 **27-20-69. Ultrasound Breast Cancer detection- Notice - Coverage mandated.--**

23 (a) Commencing on October 1, 2014, each mammography report provided to a patient
24 shall include information about breast density, based on the Breast Imaging Reporting and Data
25 System established by the American College of Radiology. Where applicable, such report shall
26 include the following notice: "If your mammogram demonstrates that you have dense breast
27 tissue, which could hide small abnormalities, you might benefit from supplementary screening
28 tests, which can include a breast ultrasound screening or a breast MRI examination, or both,
29 depending on your individual risk factors. A report of your mammography results, which contains
30 information about your breast density, has been sent to your physician's office and you should
31 contact your physician if you have any questions or concerns about this report."

32 (b) Every individual or group hospital or medical expense insurance policy or individual
33 or group hospital or medical services plan contract delivered, issued for delivery, or renewed in
34 this state shall provide coverage for comprehensive ultrasound screening of an entire breast or

1 breasts if a mammogram demonstrates heterogeneous or dense breast tissue based on the Breast
2 Imaging Reporting and Data System established by the American College of Radiology or if a
3 woman is believed to be at increased risk for breast cancer due to family history or prior personal
4 history of breast cancer, positive genetic testing or other indications as determined by a woman's
5 physician or advanced practice registered nurse. Provided, this section does not apply to
6 insurance coverage providing benefits for: (1) Hospital confinement indemnity; (2) Disability
7 income; (3) Accident only; (4) Long-term care; (5) Medicare supplement; (6) Limited benefit
8 health; (7) Specific disease indemnity; (8) Sickness or bodily injury or death by accident or both;
9 and (9) Other limited benefit policies.

10 SECTION 5. Chapter 27-19 of the General Laws entitled "Accident and Sickness
11 Insurance Policies" is hereby amended by adding thereto the following section:

12 **27-19-73. Ultrasound Breast Cancer detection -Notice - Coverage mandated.--**

13 (a) Commencing on October 1, 2014, each mammography report provided to a patient
14 shall include information about breast density, based on the Breast Imaging Reporting and Data
15 System established by the American College of Radiology. Where applicable, such report shall
16 include the following notice: "If your mammogram demonstrates that you have dense breast
17 tissue, which could hide small abnormalities, you might benefit from supplementary screening
18 tests, which can include a breast ultrasound screening or a breast MRI examination, or both,
19 depending on your individual risk factors. A report of your mammography results, which contains
20 information about your breast density, has been sent to your physician's office and you should
21 contact your physician if you have any questions or concerns about this report."

22 (b) Every individual or group hospital or medical expense insurance policy or individual
23 or group hospital or medical services plan contract delivered, issued for delivery, or renewed in
24 this state shall provide coverage for comprehensive ultrasound screening of an entire breast or
25 breasts if a mammogram demonstrates heterogeneous or dense breast tissue based on the Breast
26 Imaging Reporting and Data System established by the American College of Radiology or if a
27 woman is believed to be at increased risk for breast cancer due to family history or prior personal
28 history of breast cancer positive genetic testing or other indications as determined by a woman's
29 physician or advanced practice registered nurse. Provided, this section does not apply to
30 insurance coverage providing benefits for: (1) Hospital confinement indemnity; (2) Disability
31 income; (3) Accident only; (4) Long-term care; (5) Medicare supplement; (6) Limited benefit
32 health; (7) Specific disease indemnity; (8) Sickness or bodily injury or death by accident or both;
33 and (9) Other limited benefit policies.

34 SECTION 6. Chapter 27-41 of the General Laws entitled "Health Maintenance

1 Organizations" is hereby amended by adding thereto the following section:

2 **27-41-86. Ultrasound Breast Cancer detection - Notice- Coverage mandated.--**

3 (a) Commencing on October 1, 2014, each mammography report provided to a patient
4 shall include information about breast density, based on the Breast Imaging Reporting and Data
5 S)'stem established by the American College of Radiology. Where applicable, such report shall
6 include the following notice: "If your mammogram demonstrates that you have dense breast
7 tissue which could hide small abnormalities, you might benefit from supplementary screening
8 tests, which can include a breast ultrasound screening or a breast MRI examination, or both
9 depending on your individual risk factors. A report of your mammography results, which contains
10 information about your breast density, has been sent to your physician's office and you should
11 contact your physician if you have any questions or concerns about this report."

12 (b) Every individual or group hospital or medical expense insurance policy or individual
13 or group hospital or medical services plan contract delivered, issued for delivery, or renewed in
14 this state shall provide coverage for comprehensive ultrasound screening of an entire breast or
15 breasts if a mammogram demonstrates heterogeneous or dense breast tissue based on the Breast
16 Imaging Reporting and Data System established by the American College of Radiology or if a
17 woman is believed to be at increased risk for breast cancer due to family history or prior personal
18 history of breast cancer, positive genetic testing or other indications as determined by a woman's
19 physician or advanced practice registered nurse. Provided, this section does not apply to
20 insurance coverage providing benefits for: (1) Hospital confinement indemnity; (2) Disability
21 income; (3) Accident only; (4) Long-term care; (5) Medicare supplement; (6) Limited benefit
22 health; (7) Specific disease indemnity; (8) Sickness or bodily injury or death by accident or both;
23 and (9) Other limited benefit policies.

24 SECTION 7. This act shall take effect on October 1, 2014.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO INSURANCE - HEALTH AND SAFETY - THE BREAST CANCER ACT

1 This act would require that each mammography report given to a patient must include
2 information about the patient's breast density and to advise that under certain circumstances the
3 patient may benefit from a breast ultrasound screening. In addition, most insurance policies shall
4 be required to provide coverage for the ultrasound screening.

5 This act would take effect on October 1, 2014.

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