

2021 -- H 6377

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

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A N A C T

RELATING TO HEALTH AND SAFETY -- BREAST CANCER PATIENT NOTIFICATION

Introduced By: Representatives Fenton-Fung, Casey, Casimiro, and Chippendale

Date Introduced: May 28, 2021

Referred To: House Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 23-12.7-3 of the General Laws in Chapter 23-12.7 entitled "The  
2 Breast Cancer Act" is hereby amended to read as follows:

3 **23-12.7-3. Program established.**

4 (a) Through funding from the ~~Rhode Island Cancer Council~~ [Women's Cancer Screening](#)  
5 [Program provided through the CDC National Breast and Cervical Cancer Early Detection Program](#),  
6 the Rhode Island department of health is required to establish a program of free mammography  
7 screening according to American Cancer Society standards, and, where required, follow-up,  
8 diagnostic testing, and case management for women in the state who are uninsured or underinsured.

9 (b) The screening program shall:

10 (1) Secure radiology facilities to participate in the screening program;

11 (2) Pay for screening mammograms;

12 (3) Ensure that screening results are sent ~~directly~~ [by mail, electronically, or otherwise](#), to  
13 the patient in a timely manner; [provided, however, that any abnormal result may not be released to](#)  
14 [the patient until approved by the referring provider](#);

15 (4) Provide diagnostic tests as required to diagnose breast cancer;

16 (5) Provide case management facilitating appropriate contact to breast surgeons, medical  
17 oncologists, and radiation oncologists; and

18 (6) Provide follow-up support to women who are found to have breast cancer as a result of  
19 this screening program.

1 (c) The director of the Rhode Island department of health is required to provide a quarterly  
2 report to the general assembly on the program of free mammography screening, follow up  
3 diagnostic testing and case management, and public education. An advisory committee concerned  
4 with advocacy, outreach, and public education shall meet on a quarterly basis and report to the  
5 director.

6 SECTION 2. Section 23-12.9-2 of the General Laws in Chapter 23-12.9 entitled "Dense  
7 Breast Notification and Education" is hereby amended to read as follows:

8 **23-12.9-2. Public policy goals -- Department of health.**

9 The department of health, through the ~~Rhode Island Cancer Council~~ [Women's Cancer](#)  
10 [Screening Program with funding provided through the CDC National Breast and Cervical Cancer](#)  
11 [Early Detection Program](#), is authorized and mandated to implement the following public health  
12 policy goals as they relate to dense breast notification in Rhode Island. Commencing on October  
13 1, 2014, all healthcare facilities that perform mammography examinations shall include in the  
14 summary of the mammography report to be provided to a patient [by mail, electronically, or](#)  
15 [otherwise](#), information that identifies the patient's individual Breast Tissue Classification based on  
16 the Breast Imaging Reporting and Data System established by the American College of Radiology.  
17 If the facility determines that a patient has heterogeneously or extremely dense breasts, the  
18 summary of the mammography report shall also include the following notice:

19 "Your mammogram indicates that you have dense breast tissue. Dense breast tissue is  
20 relatively common and is found in about forty percent (40%) of women. The presence of dense  
21 tissue can make it more difficult to detect cancers in the breast by mammography because it can  
22 hide small abnormalities and may be associated with an increased risk. Hence, you may benefit  
23 from supplementary screening tests, which may include a breast ultrasound screening, or a breast  
24 MRI examination, or both, depending on your individual risk factors.

25 We are providing this information to raise your awareness of this important factor and to  
26 encourage you to discuss your dense breast tissue, as well as other breast cancer risk factors, with  
27 your healthcare provider. Together, you can decide which screening options are right for you.

28 A report of your results was sent to your physician. You should contact your physician if  
29 you have any questions or concerns about this report."

30 SECTION 3. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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1           This act would allow for a summary of a patient's mammography report be provided to the  
2 patient by mail, electronically, or otherwise; provided, that an abnormal result would be provided  
3 only upon approval by the referring provider.

4           This act would take effect upon passage.

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