SB22
148556-5
By Senator Bedford
RFD: Health
First Read: 05-FEB-13
PFD: 10/11/2012
ENROLLED, An Act,

Relating to breast cancer education and coverage; to require the Alabama Department of Public Health to develop, and to disseminate to breast cancer patients, a standardized written summary explaining methods of treating breast cancer, options for reconstruction, and the availability of coverage; and to require the physician issuing the report of the mammography to notify patients under certain conditions of potential problems associated with dense breast tissue.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) The Alabama Department of Public Health shall develop a standardized written summary, in plain nontechnical language, which shall contain all of the following:

1. An explanation of the alternative medically viable methods of treating breast cancer including, but not limited to, hormonal, radiological, chemotherapeutic, or surgical treatments, or combinations thereof.

2. Information on breast reconstructive surgery including, but not limited to, the use of breast implants, their side effects, risks, and other pertinent information to aid a person in deciding on a course of treatment.
(3) An explanation of the special provisions relating to mastectomy, lymph node dissection, lumpectomy, and breast reconstructive surgery coverage, and second opinion coverage, including out-of-network options, under the insurance law, Section 22-6-10, Section 22-6-11, and Chapter 50, Title 27, Code of Alabama 1975, and suggest that patients undergoing such procedures check their health plans or insurance policies, or both, for the details of their coverage.

(4) Any other information the department deems necessary.

(b) The standardized written summary for alternative breast cancer treatments shall be provided by a physician to each person under his or her care who has been diagnosed to be afflicted with breast cancer upon diagnosis, or as soon thereafter as practicable. Hospitals that provide mastectomy surgery, lymph node dissection, or a lumpectomy shall also provide the information developed by the department.

(c) The summary shall be updated as is necessary.

(d) Nothing in this article shall be construed to create a cause of action for lack of informed consent. Nothing in this act shall be construed to establish a standard of care for physicians or otherwise modify, amend, or supersede any provision of the Alabama Medical Liability Act of 1987 or the Alabama Medical Liability Act of 1996, commencing with Section
6-5-540, Code of Alabama 1975, et seq., or any amendment
thereto, or any judicial interpretation thereof.

Section 2. (a) If the mammogram of a patient
demonstrates dense breast tissue, the physician issuing the
report of the mammography results shall provide notification
to the patient that includes, but is not limited to, the
following statement:

"Your mammogram shows that your breast tissue is
dense. Dense breast tissue is very common and is not abnormal.
However, dense breast tissue may make it harder to find cancer
on a mammogram and may also be associated with an increased
risk of breast cancer. This information about the result of
your mammogram is given to you to raise your awareness. Use
this information to talk to your doctor about your own risks
for breast cancer. At that time, ask your doctor if more
screening tests might be useful, based on your risk. A report
of your results was sent to your physician."

(b) For the purposes of this section, dense breast
tissue means heterogeneously dense or extremely dense tissue
as defined in nationally recognized guidelines or systems for
breast imaging reporting of mammography screening including,
but not limited to, the breast imaging reporting and data
system of the American College of Radiology, and any
equivalent new terms, as such guidelines or systems are
updated.
Section 3. This act shall become effective on the first day of the third month following its passage and approval by the Governor, or its otherwise becoming law.
SB22

Kay Ivey
President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB22
Senate 19-FEB-13
I hereby certify that the within Act originated in and passed
the Senate, as amended.

Patrick Harris
Secretary

House of Representatives
Amended and passed 20-MAY-13

Senate concurred in House amendment 20-MAY-13

APPROVED May 21, 2013
By: Senator Bedford
TIME 2:22 p.m.

Robert Bentley
GOVERNOR

Alabama Secretary Of State
Act Num....: 2013-284
Bill Num....: S-22
Recv’d 05/22/13  11:08amSLF
I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill:

SB: 26

YEAS 26 NAYS 0 ABSTAIN

PATRICK HARRIS,
Secretary

I hereby certify that the notice & proof is attached to the Bill: SB: 26 as required in the General Acts of Alabama, 1975 Act No. 919.

PATRICK HARRIS,
Secretary

REPORT OF STANDING COMMITTEE
This bill having been referred by the House to its standing committee on Health was acted upon by such committee in session, and returned therefrom to the House with the recommendation that it be Passed w/amend(s) and w/sub This 30th day of March 2013.

Chairperson

CONFERENCE COMMITTEE
Senate Conterees

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill:

SB: 26

YEAS NAYS

JEFF WOODARD,
Clerk