

Senate Bill 420

Sponsored by Senators DINGFELDER, STEINER HAYWARD, Representative TOMEI; Senator ROSENBAUM (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

If mammogram shows dense breast tissue, requires person who performed mammogram to notify patient of results and possible increased risk of breast cancer and to advise patient to contact patient's health care provider regarding appropriateness of supplemental testing.

Requires health benefit plan to reimburse costs of breast ultrasound required because mammogram shows dense breast tissue.

Prohibits cost-sharing for mammograms and breast ultrasounds meeting specified criteria.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to women's health; creating new provisions; amending ORS 743A.100; and declaring an
3 emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. (1) A health care facility or a health maintenance organization, as those**
6 **terms are defined in ORS 442.015, or any person licensed to practice medical imaging under**
7 **ORS 688.405 to 688.605, must provide written notice, in the form prescribed by the Oregon**
8 **Health Authority under subsection (2) of this section, to a patient on whom the facility, or-**
9 **ganization or medical imaging licensee has performed a mammogram if the mammogram**
10 **shows the patient has dense breast tissue.**

11 **(2) The authority shall prescribe by rule the form and content of the notice provided**
12 **under subsection (1) of this section. The notice must include but is not limited to all of the**
13 **following:**

14 **(a) Information about breast density, based on the Breast Imaging Reporting and Data**
15 **System established by the American College of Radiology;**

16 **(b) An explanation that dense breast tissue can make it harder to find cancer on a**
17 **mammogram and that dense breast tissue may also be associated with an increased risk of**
18 **breast cancer;**

19 **(c) That the patient may benefit from supplementary screening or diagnostic testing in-**
20 **cluding a breast ultrasound; and**

21 **(d) That the patient should contact the patient's health care provider to find out whether**
22 **the health care provider recommends additional testing.**

23 **SECTION 2. ORS 743A.100 is amended to read:**

24 **743A.100. (1) Every *[health insurance policy]* health benefit plan as defined in ORS 743.730**
25 ***[that covers hospital, medical or surgical expenses, other than coverage limited to expenses from acci-***
26 ***dents or specific diseases,]* shall provide coverage *[of mammograms]* as follows **for:****

27 **(a) *[Mammograms]* A mammogram for the purpose of diagnosis in a symptomatic or high-risk**
28 ***[women]* woman at any time upon referral of the woman's health care provider; *and*].**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 (b) An annual mammogram for the purpose of early detection for a woman 40 years of age or
2 older, with or without referral from the woman's health care provider.

3 (c) **A breast ultrasound for a woman whose mammogram shows dense breast tissue.**

4 (2) *[An insurance policy described in subsection (1) of this section]* **A health benefit plan** must
5 not limit coverage of mammograms to the schedule provided in subsection [(1)] (1)(b) of this section
6 if *[the]* a woman is determined by her health care provider to be at high risk for breast cancer.

7 (3) **The services described in subsection (1) of this section shall be treated by an insurer**
8 **as screening procedures and may not be subject to cost-sharing requirements, including:**

9 (a) **Copayments;**

10 (b) **Coinsurance; and**

11 (c) **Deductibles.**

12 **SECTION 3.** The amendments to ORS 743A.100 by section 2 of this 2013 Act apply to
13 health benefit plans issued or renewed on or after the effective date of this 2013 Act.

14 **SECTION 4.** This 2013 Act being necessary for the immediate preservation of the public
15 peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect
16 on its passage.

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