

By Senator Ring

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1 A bill to be entitled
2 An act relating to mammogram reports; amending ss.
3 627.6418, 627.6613, and 641.31095, F.S.; requiring
4 that all mammography reports include information and a
5 notice about breast density; providing an effective
6 date.

7

8 Be It Enacted by the Legislature of the State of Florida:

9

10 Section 1. Section 627.6418, Florida Statutes, is amended
11 to read:

12 627.6418 Coverage for mammograms.—

13 (1) An accident or health insurance policy issued, amended,
14 delivered, or renewed in this state must provide coverage for at
15 least the following:

16 (a) A baseline mammogram for any woman who is 35 years of
17 age or older, but younger than 40 years of age.

18 (b) A mammogram every 2 years for any woman who is 40 years
19 of age or older, but younger than 50 years of age, or more
20 frequently based on the patient's physician's recommendation.

21 (c) A mammogram every year for any woman who is 50 years of
22 age or older.

23 (d) One or more mammograms a year, based upon a physician's
24 recommendation, for any woman who is at risk for breast cancer
25 because of a personal or family history of breast cancer,
26 because of having a history of biopsy-proven benign breast
27 disease, because of having a mother, sister, or daughter who has
28 or has had breast cancer, or because a woman has not given birth
29 before the age of 30.

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30 (2) Each mammography report provided to a patient shall
31 include information about breast density based on the Breast
32 Imaging Reporting and Data System established by the American
33 College of Radiology. Where applicable, such report shall
34 include the following notice: "If your mammogram demonstrates
35 that you have dense breast tissue, which could hide small
36 abnormalities, you might benefit from supplementary screening
37 tests, including a breast ultrasound screening or a breast MRI
38 examination, or both, depending on your individual risk factors.
39 A report of your mammography results, which contains information
40 about your breast density, has been sent to your physician's
41 office and you should contact your physician if you have any
42 questions or concerns about this report."

43 (3)~~(2)~~ Except as provided in paragraph (1) (b), for
44 mammograms done more frequently than every 2 years for women 40
45 years of age or older but younger than 50 years of age, the
46 coverage required by subsection (1) applies, with or without a
47 physician prescription, if the insured obtains a mammogram in an
48 office, facility, or health testing service that uses
49 radiological equipment registered with the Department of Health
50 for breast cancer screening. The coverage is subject to the
51 deductible and coinsurance provisions applicable to outpatient
52 visits, and is also subject to all other terms and conditions
53 applicable to other benefits. This section does not affect any
54 requirements or prohibitions relating to who may perform,
55 analyze, or interpret a mammogram or the persons to whom the
56 results of a mammogram may be furnished or released.

57 (4)~~(3)~~ This section does not apply to disability income,
58 specified disease, or hospital indemnity policies.

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59 (5)~~(4)~~ Every insurer subject to the requirements of this
60 section shall make available to the policyholder as part of the
61 application, for an appropriate additional premium, the coverage
62 required in this section without such coverage being subject to
63 the deductible or coinsurance provisions of the policy.

64 Section 2. Section 627.6613, Florida Statutes, is amended
65 to read:

66 627.6613 Coverage for mammograms.—

67 (1) A group, blanket, or franchise accident or health
68 insurance policy issued, amended, delivered, or renewed in this
69 state must provide coverage for at least the following:

70 (a) A baseline mammogram for any woman who is 35 years of
71 age or older, but younger than 40 years of age.

72 (b) A mammogram every 2 years for any woman who is 40 years
73 of age or older, but younger than 50 years of age, or more
74 frequently based on the patient's physician's recommendation.

75 (c) A mammogram every year for any woman who is 50 years of
76 age or older.

77 (d) One or more mammograms a year, based upon a physician's
78 recommendation, for any woman who is at risk for breast cancer
79 because of a personal or family history of breast cancer,
80 because of having a history of biopsy-proven benign breast
81 disease, because of having a mother, sister, or daughter who has
82 or has had breast cancer, or because a woman has not given birth
83 before the age of 30.

84 (2) Each mammography report provided to a patient shall
85 include information about breast density based on the Breast
86 Imaging Reporting and Data System established by the American
87 College of Radiology. Where applicable, such report shall

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88 include the following notice: "If your mammogram demonstrates
89 that you have dense breast tissue, which could hide small
90 abnormalities, you might benefit from supplementary screening
91 tests, including a breast ultrasound screening or a breast MRI
92 examination, or both, depending on your individual risk factors.
93 A report of your mammography results, which contains information
94 about your breast density, has been sent to your physician's
95 office and you should contact your physician if you have any
96 questions or concerns about this report."

97 (3)~~(2)~~ Except as provided in paragraph (1) (b), for
98 mammograms done more frequently than every 2 years for women 40
99 years of age or older but younger than 50 years of age, the
100 coverage required by subsection (1) applies, with or without a
101 physician prescription, if the insured obtains a mammogram in an
102 office, facility, or health testing service that uses
103 radiological equipment registered with the Department of Health
104 for breast cancer screening. The coverage is subject to the
105 deductible and coinsurance provisions applicable to outpatient
106 visits, and is also subject to all other terms and conditions
107 applicable to other benefits. This section does not affect any
108 requirements or prohibitions relating to who may perform,
109 analyze, or interpret a mammogram or the persons to whom the
110 results of a mammogram may be furnished or released.

111 (4)~~(3)~~ Every insurer referred to in subsection (1) shall
112 make available to the policyholder as part of the application,
113 for an appropriate additional premium, the coverage required in
114 this section without such coverage being subject to the
115 deductible or coinsurance provisions of the policy.

116 Section 3. Section 641.31095, Florida Statutes, is amended

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117 to read:

118 641.31095 Coverage for mammograms.—

119 (1) Every health maintenance contract issued or renewed on
120 or after January 1, 1996, shall provide coverage for at least
121 the following:

122 (a) A baseline mammogram for any woman who is 35 years of
123 age or older, but younger than 40 years of age.

124 (b) A mammogram every 2 years for any woman who is 40 years
125 of age or older, but younger than 50 years of age, or more
126 frequently based on the patient's physician's recommendations.

127 (c) A mammogram every year for any woman who is 50 years of
128 age or older.

129 (d) One or more mammograms a year, based upon a physician's
130 recommendation for any woman who is at risk for breast cancer
131 because of a personal or family history of breast cancer,
132 because of having a history of biopsy-proven benign breast
133 disease, because of having a mother, sister, or daughter who has
134 had breast cancer, or because a woman has not given birth before
135 the age of 30.

136 (2) Each mammography report provided to a patient shall
137 include information about breast density based on the Breast
138 Imaging Reporting and Data System established by the American
139 College of Radiology. Where applicable, such report shall
140 include the following notice: "If your mammogram demonstrates
141 that you have dense breast tissue, which could hide small
142 abnormalities, you might benefit from supplementary screening
143 tests, including a breast ultrasound screening or a breast MRI
144 examination, or both, depending on your individual risk factors.
145 A report of your mammography results, which contains information

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146 about your breast density, has been sent to your physician's
147 office and you should contact your physician if you have any
148 questions or concerns about this report."

149 (3)~~(2)~~ The coverage required by this section is subject to
150 the deductible and copayment provisions applicable to outpatient
151 visits, and is also subject to all other terms and conditions
152 applicable to other benefits. A health maintenance organization
153 shall make available to the subscriber as part of the
154 application, for an appropriate additional premium, the coverage
155 required in this section without such coverage being subject to
156 any deductible or copayment provisions in the contract.

157 Section 4. This act shall take effect October 1, 2011.