

By the Committee on Judiciary; and Senator Lynn

308-2646-04

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A bill to be entitled

An act relating to radiologists performing mammograms; providing legislative findings; providing for studies; providing for membership of a workgroup; providing for reports; providing an effective date.

WHEREAS, breast cancer is the second leading cause of cancer deaths in women, and

WHEREAS, mammography is an imperfect screening test but the best tool available to detect breast cancer, and

WHEREAS, early detection of breast cancer decreases mortality by 30 percent, and

WHEREAS, the population of women who will need screening is increasing, NOW, THEREFORE,

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

Section 1. The Legislature finds that it is of the utmost public importance that quality mammography services and other diagnostic tools remain available to detect and treat breast cancer. The Office of Program Policy Analysis and Government Accountability and the Department of Health shall study issues relating to the availability utilization, quality, and cost of mammography services in all facilities performing mammography. The study shall include, but need not be limited to, examining the following factors that impact availability utilization, quality, and cost: reimbursement fees, copayment fees paid by patients, incidence of lawsuits filed, equipment and liability insurance costs and insurance availability, equipment maintenance and calibration, staffing

1 requirements and training, type and number of facilities  
2 performing mammography, facilities surveyed by the Bureau of  
3 Radiation Control of the Department of Health, population  
4 density of females aged 40 and older in each county, and other  
5 factors that relate to the demand and availability of  
6 mammography services. The Office of Program Policy Analysis  
7 and Government Accountability shall complete its study and  
8 submit its report to the Legislature by December 15, 2004.

9 (1) There is also created the Workgroup on Mammography  
10 Accessibility within the Department of Health. The workgroup  
11 shall study:

12 (a) The availability, quality of care, and  
13 accessibility of mammography in this state.

14 (b) The need for research and educational facilities,  
15 including facilities with institutional training programs and  
16 community training programs for doctors of radiological  
17 medicine at the student, internship, and residency levels.

18 (c) The availability of resources, including health  
19 personnel and management personnel for mammography programs.

20 (d) The patient wait times for screening and  
21 diagnostic mammography.

22 (2) The workgroup shall consist of 13 members and be  
23 staffed by the Department of Health. It shall be chaired by  
24 the Secretary of Health or his or her designee. The remaining  
25 12 members shall be appointed as follows: the Governor shall  
26 appoint four members, the President of the Senate shall  
27 appoint four members one of whom shall be a member of the  
28 Senate, and the Speaker of the House of Representatives shall  
29 appoint four members one of whom shall be a member of the  
30 House of Representatives. The Governor's appointees and the  
31 Legislature's appointees who are not members of the

1 Legislature must have a background in mammography by either  
2 practicing or teaching or both as a physician in the field of  
3 mammography, insuring mammography health care providers, or  
4 trying or defending medical malpractice cases as an attorney.

5 (3) By December 15, 2004, the department shall submit  
6 a report to the Governor, the President of the Senate, the  
7 Speaker of the House of Representatives, and the substantive  
8 legislative committees which provides the findings of the  
9 workgroup and recommendations for Legislative action.

10 Section 2. This act shall take effect upon becoming a  
11 law.

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1                   STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
2                   COMMITTEE SUBSTITUTE FOR  
3                   Senate Bill 2306

4 This CS makes the following changes:

- 5 - Provides legislative finding that it is of the utmost  
6 public importance that quality mammography services  
7 remain available to detect and treat breast cancer.
- 8 - Requires OPPAGA and the Department of Health to study  
9 issues relating to the availability utilization, quality  
10 and cost of mammography services, including reimbursement  
11 and co-payment fees, incidence of lawsuits filed,  
12 equipment and liability insurance costs and insurance  
13 availability, equipment maintenance and calibration,  
14 staffing requirements and training, type and number of  
15 facilities performing mammography, facilities surveyed by  
16 the Bureau of Radiation Control, Department of Health,  
17 population density of females aged forty and older.  
18 OPPAGA is to complete and submit its study to the  
19 Legislature by December 15, 2004.
- 20 - Creates the Workgroup on Mammography Accessibility within  
21 the Department of Health, to study the availability,  
22 quality of care, and accessibility of mammography in this  
23 state, the need for research and educational facilities,  
24 availability of resources, and patient wait times for  
25 screening and diagnostic mammography.
- 26 - Provides for the composition of the workgroup, to be  
27 chaired by the Secretary of the Department of Health, and  
28 composed of members appointed by the Governor, the Senate  
29 President, and the House Speaker.
- 30 - Requires the Department of Health to submit a report of  
31 findings and recommendations of the workgroup to the  
Governor, Senate President, House Speaker, and the  
substantive legislative committees by December 15, 2004.