

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 that
 4 all mammography reports include information and a notice
 5 about breast density; providing an effective date.

6
 7 Be It Enacted by the Legislature of the State of Florida:

8
 9 Section 1. Section 627.6418, Florida Statutes, is amended
 10 to read:

11 627.6418 Coverage for mammograms.—

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

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

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

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

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

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

42 (3)~~(2)~~ Except as provided in paragraph (1)(b), for
43 mammograms done more frequently than every 2 years for women 40
44 years of age or older but younger than 50 years of age, the
45 coverage required by subsection (1) applies, with or without a
46 physician prescription, if the insured obtains a mammogram in an
47 office, facility, or health testing service that uses
48 radiological equipment registered with the Department of Health
49 for breast cancer screening. The coverage is subject to the
50 deductible and coinsurance provisions applicable to outpatient
51 visits, and is also subject to all other terms and conditions
52 applicable to other benefits. This section does not affect any
53 requirements or prohibitions relating to who may perform,
54 analyze, or interpret a mammogram or the persons to whom the
55 results of a mammogram may be furnished or released.

56 (4)~~(3)~~ This section does not apply to disability income,

57 | specified disease, or hospital indemnity policies.

58 | (5)~~(4)~~ Every insurer subject to the requirements of this
 59 | section shall make available to the policyholder as part of the
 60 | application, for an appropriate additional premium, the coverage
 61 | required in this section without such coverage being subject to
 62 | the deductible or coinsurance provisions of the policy.

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

65 | 627.6613 Coverage for mammograms.—

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

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

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

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

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

83 | (2) Each mammography report provided to a patient shall
 84 | include information about breast density based on the Breast

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

96 (3)~~(2)~~ Except as provided in paragraph (1)(b), for
97 mammograms done more frequently than every 2 years for women 40
98 years of age or older but younger than 50 years of age, the
99 coverage required by subsection (1) applies, with or without a
100 physician prescription, if the insured obtains a mammogram in an
101 office, facility, or health testing service that uses
102 radiological equipment registered with the Department of Health
103 for breast cancer screening. The coverage is subject to the
104 deductible and coinsurance provisions applicable to outpatient
105 visits, and is also subject to all other terms and conditions
106 applicable to other benefits. This section does not affect any
107 requirements or prohibitions relating to who may perform,
108 analyze, or interpret a mammogram or the persons to whom the
109 results of a mammogram may be furnished or released.

110 (4)~~(3)~~ Every insurer referred to in subsection (1) shall
111 make available to the policyholder as part of the application,
112 for an appropriate additional premium, the coverage required in

113 | this section without such coverage being subject to the
 114 | deductible or coinsurance provisions of the policy.

115 | Section 3. Section 641.31095, Florida Statutes, is amended
 116 | to read:

117 | 641.31095 Coverage for mammograms.—

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

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

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

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

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

135 | (2) Each mammography report provided to a patient shall
 136 | include information about breast density based on the Breast
 137 | Imaging Reporting and Data System established by the American
 138 | College of Radiology. Where applicable, such report shall
 139 | include the following notice: "If your mammogram demonstrates
 140 | that you have dense breast tissue, which could hide small

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141 abnormalities, you might benefit from supplementary screening
142 tests, including a breast ultrasound screening or a breast MRI
143 examination, or both, depending on your individual risk factors.
144 A report of your mammography results, which contains information
145 about your breast density, has been sent to your physician's
146 office and you should contact your physician if you have any
147 questions or concerns about this report."

148 (3)~~(2)~~ The coverage required by this section is subject to
149 the deductible and copayment provisions applicable to outpatient
150 visits, and is also subject to all other terms and conditions
151 applicable to other benefits. A health maintenance organization
152 shall make available to the subscriber as part of the
153 application, for an appropriate additional premium, the coverage
154 required in this section without such coverage being subject to
155 any deductible or copayment provisions in the contract.

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