

1                   A bill to be entitled  
 2           An act relating to mammography; creating s. 381.933,  
 3           F.S.; defining the terms "facility," "mammography,"  
 4           and "mammography report"; requiring facilities  
 5           performing mammography to include certain information  
 6           in a summary of the mammography report which must be  
 7           provided to each patient; providing applicability;  
 8           authorizing the Department of Health and the Agency  
 9           for Health Care Administration to adopt rules;  
 10          providing for future repeal; providing an effective  
 11          date.

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

15           Section 1. Section 381.933, Florida Statutes, is created  
 16 to read:

17           381.933 Mammography reports.—

18           (1) DEFINITIONS.—As used in this section, the term:

19           (a) "Facility" has the same meaning as in 21 C.F.R. s.  
 20 900.2(q).

21           (b) "Mammography" has the same meaning as in 21 C.F.R. s.  
 22 900.2(aa).

23           (c) "Mammography report" has the same meaning as in 21  
 24 C.F.R. s. 900.12(c).

25           (2) MAMMOGRAPHY REPORTS; RESULTS.—A facility that performs

26 mammography shall send a summary of a patient's mammography  
27 report to each patient in accordance with 21 C.F.R. s.  
28 900.12(c). If a facility determines that a patient has  
29 heterogeneously or extremely dense breasts, the summary must  
30 include the following notice:

31  
32 "Your mammogram shows that your breast tissue is dense.  
33 Dense breast tissue is relatively common and is found in  
34 approximately 50 percent of women. The presence of dense breast  
35 tissue can make it more difficult to detect some abnormalities  
36 in the breast and may also be associated with an increased risk  
37 of breast cancer. This information about the results of your  
38 mammogram is given to you to raise your awareness. A report of  
39 your results was sent to your health care provider. Further  
40 recommendations may be added at the discretion of the  
41 interpreting radiologist. Please be aware that additional  
42 screening studies may not be covered by your insurance."

43  
44 (a) This subsection does not create a duty, standard of  
45 care, or other legal obligation beyond the duty to provide  
46 notice as set forth in this subsection.

47 (b) This subsection does not require a notice that is  
48 inconsistent with the federal Mammography Quality Standards Act  
49 or any regulation promulgated pursuant to that act.

50 (3) RULES.—The Department of Health and the Agency for

CS/HB 735

2018

51 Health Care Administration may adopt rules to implement this  
52 section.

53 (4) REPEAL.—This section is repealed June 30, 2023.

54 Section 2. This act shall take effect July 1, 2018.