

ENROLLED

CS/CS/HB 735

2018 Legislature

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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 providing for future repeal; providing an effective
9 date.

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

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13 Section 1. Section 381.933, Florida Statutes, is created
14 to read:

15 381.933 Mammography reports.-

16 (1) DEFINITIONS.-As used in this section, the term:

17 (a) "Facility" has the same meaning as in 21 C.F.R. s.
18 900.2(q).

19 (b) "Mammography" has the same meaning as in 21 C.F.R. s.
20 900.2(aa).

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

23 (2) MAMMOGRAPHY REPORTS; RESULTS.-A facility that performs
24 mammography shall send a summary of a patient's mammography
25 report to each patient in accordance with 21 C.F.R. s.

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26 | 900.12(c). If a facility determines that a patient has
27 | heterogeneously or extremely dense breasts, the summary must
28 | include the following notice:

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

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

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

48 | (3) REPEAL.—This section is repealed June 30, 2023.

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