

By Senator Ring

29-00357-16

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1                                   A bill to be entitled  
2           An act relating to mammography reports; amending ss.  
3           627.6418, 627.6613, and 641.31095, F.S.; requiring  
4           that mammography reports include a specified notice  
5           regarding breast density; making technical changes;  
6           providing an effective 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 recommendation of the patient's  
21   physician ~~physician's recommendation~~.

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

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

29-00357-16

2016266\_\_

30 before the age of 30.

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

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

58 (4)~~(3)~~ This section does not apply to disability income,

29-00357-16

2016266\_\_

59 specified disease, or hospital indemnity policies.

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

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

67 627.6613 Coverage for mammograms.—

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

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

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

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

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

86 (2) Each mammography report provided to a patient must  
87 include information about breast density based on the Breast

29-00357-16

2016266\_\_

88 Imaging Reporting and Data System established by the American  
89 College of Radiology and must include the following notice:  
90 "Dense breast tissue may hide small abnormalities. If your  
91 mammogram indicates that you have dense breast tissue, you may  
92 benefit from supplementary screening tests, including a breast  
93 ultrasound screening, a breast MRI examination, or both,  
94 depending on your individual risk factors. A report of your  
95 mammography results, including information about your breast  
96 density, has been sent to your physician's office. If you have  
97 any questions or concerns about this report, you should contact  
98 your physician."

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

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

29-00357-16

2016266\_\_

117 deductible or coinsurance provisions of the policy.

118 Section 3. Section 641.31095, Florida Statutes, is amended  
119 to read:

120 641.31095 Coverage for mammograms.—

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

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

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

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

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

139 (2) Each mammography report provided to a patient must  
140 include information about breast density based on the Breast  
141 Imaging Reporting and Data System established by the American  
142 College of Radiology and must include the following notice:  
143 "Dense breast tissue may hide small abnormalities. If your  
144 mammogram indicates that you have dense breast tissue, you may  
145 benefit from supplementary screening tests, including a breast

29-00357-16

2016266\_\_

146 ultrasound screening, a breast MRI examination, or both,  
147 depending on your individual risk factors. A report of your  
148 mammography results, including information about your breast  
149 density, has been sent to your physician's office. If you have  
150 any questions or concerns about this report, you should contact  
151 your physician."

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

160 Section 4. This act shall take effect October 1, 2016.