

ACT No. 494

HOUSE BILL NO. 460

BY REPRESENTATIVES STOKES, AMEDEE, ANDERS, ARMES, BAGLEY, BAGNERIS, BILLIOT, BOUIE, BRASS, CHAD BROWN, TERRY BROWN, CARPENTER, GARY CARTER, CHANEY, CONNICK, COX, CROMER, DAVIS, FRANKLIN, GISCLAIR, GLOVER, JIMMY HARRIS, HILFERTY, HILL, HOFFMANN, HOLLIS, HORTON, HUNTER, HUVAL, IVEY, JACKSON, JAMES, JEFFERSON, JENKINS, JONES, JORDAN, LEGER, LYONS, MARCELLE, MARINO, GREGORY MILLER, MORENO, JAY MORRIS, NORTON, PIERRE, REYNOLDS, SEABAUGH, SMITH, STAGNI, TALBOT, THOMAS, WHITE, WRIGHT, AND ZERINGUE AND SENATORS ALARIO, ALLAIN, APPEL, BARROW, BISHOP, BOUDREAUX, CARTER, CHABERT, DONAHUE, ERDEY, HEWITT, JOHNS, LAFLEUR, LONG, LUNEAU, MARTINY, MILKOVICH, MILLS, MIZELL, PEACOCK, PETERSON, GARY SMITH, JOHN SMITH, THOMPSON, WALSWORTH, WARD, AND WHITE

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AN ACT

To amend and reenact R.S. 22:1028(A)(2)(introductory paragraph) and (4) and (D), R.S. 40:1105.13(B), and R.S. 46:975(B)(introductory paragraph),(C)(1), and (D), to enact R.S. 46:975(E) and 975.1, and to repeal R.S. 22:1028(B)(3), relative to mandatory coverage for breast cancer screening services; to define minimum mammography examination for health plan benefits; to define digital breast tomosynthesis; to define mammography examination for state cancer control and prevention programs; to designate certain breast cancer screening services as Medicaid covered services; to repeal outdated provisions; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:1028(A)(2)(introductory paragraph) and (4) and (D) are hereby amended and reenacted to read as follows:

1 §1028. Early screening and detection requirements; examination; coverage

2 A.

3 * * *

4 (2) In this Subsection, "minimum mammography examination" means
5 mammographic examinations, including but not limited to digital breast
6 tomosynthesis, performed no less frequently than the following schedule provides:

7 * * *

8 ~~(4) This Subsection shall apply to any new policy, contract, program, or~~
9 ~~health coverage plan issued on or after January 1, 1992. Any policy, contract, or~~
10 ~~health coverage plan in effect prior to January 1, 1992, shall convert to conform to~~
11 ~~the provisions of this Subsection on or before the renewal date but in no event later~~
12 ~~than January 1, 1993. In this Subsection, "digital breast tomosynthesis" means a~~
13 radiologic procedure that involves the acquisition of projection images over the
14 stationary breast to produce cross-sectional digital three-dimensional images of the
15 breast.

16 * * *

17 D. For the purposes of this Section, ~~effective July 1, 1998~~, a health coverage
18 plan shall include the ~~Office of Group Benefits~~ office of group benefits programs.

19 * * *

20 Section 2. R.S. 40:1105.13(B) is hereby amended and reenacted to read as follows:

21 §1105.13. Breast Cancer Control Program

22 * * *

23 B.(1) In this Section, "mammography examination" means mammographic
24 examinations, including but not limited to digital breast tomosynthesis, performed
25 routinely according to age requirements as set forth by department regulations, or
26 performed no less frequently than required by a treating physician.

1 (2) In this Section, "digital breast tomosynthesis" means a radiologic
 2 procedure that involves the acquisition of projection images over the stationary
 3 breast to produce cross-sectional digital three-dimensional images of the breast.

4 * * *

5 Section 3. R.S. 46:975(B)(introductory paragraph), (C)(1), and (D) are hereby
 6 amended and reenacted and R.S. 46:975(E) and 975.1 are hereby enacted to read as follows:

7 §975. Women's cancer prevention program

8 * * *

9 B. In this Section, "minimum mammography examination" means
 10 mammographic examinations, including but not limited to digital breast
 11 tomosynthesis, performed no less frequently than the following schedule provides:

12 * * *

13 C.(1) In this Section, "minimum mammography examination" means an
 14 examination, including but not limited to digital breast tomosynthesis, performed
 15 routinely according to age requirements as set forth by department regulations, or
 16 performed no less frequently than required by the treating physician.

17 * * *

18 D. In this Section, "digital breast tomosynthesis" means a radiologic
 19 procedure that involves the acquisition of projection images over the stationary
 20 breast to produce cross-sectional digital three-dimensional images of the breast.

21 E. The department shall adopt all regulations deemed necessary in order to
 22 effectuate the provisions of this Section.

23 §975.1. Mammography; medical assistance program

24 A. The minimum mammography examination for women age forty or older
 25 as provided for in R.S. 22:1028 shall be a covered service in the medical assistance
 26 program.

27 B. For the purposes of this Section, "medical assistance program" means the
 28 medical assistance program provided for in Title XIX of the Social Security Act as
 29 administered by the Louisiana Department of Health.

30 Section 4. R.S. 22:1028(B)(3) is hereby repealed in its entirety.

1 Section 5(A). This Act shall become effective on January 1, 2019.

2 (B) This Act shall apply to any new policy, contract, program, or health coverage
3 plan issued on and after January 1, 2019. Any policy, contract, or health coverage plan in
4 effect prior to January 1, 2019, shall convert to conform to the provisions of this Act on or
5 before the renewal date, but no later than January 1, 2019.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____