
DIGEST

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HB 186 Engrossed

2015 Regular Session

Montoucet

Abstract: Requires that a notification concerning supplemental breast cancer screening be transmitted to patients pursuant to any screening mammogram or breast ultrasound examination.

Present law relative to access to mammograms provides that any person who may legally perform a mammography in this state may perform a screening mammography without the direction to do so by prescription of a licensed practitioner. Provides for notification to patients of results of screening mammograms.

Proposed law retains present law, and adds thereto the following:

- (1) Designation of breast ultrasound examinations in addition to mammograms as breast cancer screening procedures which may be performed without direction to do so by prescription of a licensed practitioner.
- (2) A requirement that, in addition to any letters or reports to patients pursuant to any screening mammogram or breast ultrasound examination as may be required by federal law, the following notice be transmitted to patients pursuant to such mammograms and ultrasound examinations:

"If your mammogram or ultrasound examination demonstrates that you have dense breast tissue, which could hide abnormalities, and you have other risk factors for breast cancer that have been identified, you might benefit from supplemental screening tests that may be suggested by your ordering physician.

Dense breast tissue, in and of itself, is a relatively common condition. Therefore, this information is not provided to cause undue concern, but rather to raise your awareness and to promote discussion with your physician regarding the presence of other risk factors, in addition to dense breast tissue."

Proposed law provides that the notification concerning supplemental screening required by proposed law may be transmitted by either regular mail or certified mail via the U.S. Postal Service, or by any other commercial mail delivery service.

Proposed law provides that compliance with proposed law and present law does not create a cause of action or create a standard of care, obligation, or duty that provides a basis for a cause of action.

Proposed law provides a legislative declaration indicating that early detection of breast cancer saves lives, and that facilitating early detection of all forms of cancer is a public health priority of this state.

Proposed law shall be known as the "Monica Landry Helo Early Detection Act".

Effective Jan. 1, 2016.

(Amends R.S. 40:1300.181(A), 1300.182, and 1300.183)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the original bill:

1. Specify that the notification concerning supplemental screening required by proposed law shall be transmitted to patients pursuant to any screening mammogram or breast ultrasound examination, regardless of whether the procedure was directed by prescription or performed pursuant to self-referral by a patient.
2. Provide that the notification concerning supplemental screening required by proposed law may be transmitted by either regular mail or certified mail via the U.S. Postal Service, or by any other commercial mail delivery service.
3. Delete proposed law providing that the information concerning supplemental screening required by proposed law or evidence that a person violated the provisions of proposed law is not admissible in a civil, judicial, or administrative proceeding.
4. Make technical changes.