

SENATE BILL NO. 556

BY SENATORS CARTER, ALARIO, APPEL, BARROW, BISHOP, BOUDREAUX, CHABERT, CLAITOR, CORTEZ, DONAHUE, ERDEY, FANNIN, GATTI, HEWITT, JOHNS, LAFLEUR, LONG, LUNEAU, MARTINY, MILKOVICH, MILLS, MIZELL, MORRELL, PEACOCK, PRICE, RISER, GARY SMITH, JOHN SMITH, TARVER, THOMPSON, WALSWORTH AND WHITE AND REPRESENTATIVES BAGLEY, GARY CARTER, CHANEY, COX, HOFFMANN, HORTON, JACKSON, LEBAS, DUSTIN MILLER, POPE AND STOKES

1 AN ACT

2 To amend and reenact R.S. 40:1103.1 and to enact R.S. 40:1103.5, relative to health care;
3 to provide for information and access to breast reconstructive surgery; and to provide
4 for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 40:1103.1 is hereby amended and reenacted and R.S. 40:1103.5 is
7 hereby enacted to read as follows:

8 §1103.1. Short title

9 This Part shall be known and may be cited as the "Carter Stokes Oral and
10 Written Summary of Breast Cancer Treatment Alternatives and Access to Breast
11 Reconstruction Surgery Information Law".

12 * * *

13 **§1103.5. Information and access to breast reconstructive surgery**

14 **Every hospital licensed by the Louisiana Department of Health pursuant**
15 **to R.S. 40:2100 et seq., and every Louisiana physician who provides mastectomy**
16 **surgery, lymph node dissection, or a lumpectomy shall provide information to**
17 **the patient concerning the option of reconstructive surgery following such**
18 **procedures, including the availability of coverage for reconstructive surgery, in**
19 **accordance with the state insurance law and applicable provisions of federal**
20 **law. The information shall be provided to the patient in writing and in advance**
21 **of obtaining consent to the surgical procedure. At a minimum, the information**
22 **provided shall include the following:**

1 (1) A description of the various reconstructive options and the
2 advantages and disadvantages of each.

3 (2) A description of the provisions assuring coverage by public and
4 private insurance plans of the costs related to reconstructive surgery under
5 federal and state law.

6 (3) A description of how a patient may access reconstructive care,
7 including the potential of transferring care to a facility that provides
8 reconstructive care or choosing to pursue reconstruction after completion of
9 breast cancer surgery and chemotherapy or radiotherapy, if warranted.

10 (4) Other information as may be required by the secretary of health,
11 consistent with information developed by the Louisiana Department of Health
12 and the Louisiana Cancer and Lung Trust Fund Board and circulated to
13 providers and patients by the Louisiana State Board of Medical Examiners.

14 Section 2. This Act shall become effective upon signature by the governor or, if not
15 signed by the governor, upon expiration of the time for bills to become law without signature
16 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
17 vetoed by the governor and subsequently approved by the legislature, this Act shall become
18 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____