S T A T E O F N E W Y O R K

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I N A S S E M B L Y

March 20, 2012

Introduced by M. of A. JAFFEE, SWEENEY, GUNTHER, McENENY, ABINANTI, LANCMAN, COLTON, JACOBS, MILLMAN, BARRON, N. RIVERA, MAISEL, HOOPER, ROBERTS, RUSSELL, CASTRO, QUART, CAHILL, GALEF, ENGLEBRIGHT, O'DONNELL, SCHIMEL, SCARBOROUGH, WEPRIN, LINARES, COOK, ROBINSON, CLARK, CYMBROWITZ, LATIMER, LIFTON, LAVINE, BRAUNSTEIN, PRETLOW, MOYA, J. RIVERA, GRAF, SIMANOWITZ, STEVENSON, TITUS, MAGNARELLI, MENG, GIBSON, MORELLE, CUSICK, RAMOS, GABRYSZAK, ROSENTHAL, SCHIMMINGER, SIMOTAS, REILLY -- Multi-Sponsored by -- M. of A. ABBATE, AMEDORE, ARROYO, AUBRY, BRENNAN, BURLING, BUTLER, CALHOUN, CONTE, CRESPO, CROUCH, CURRAN, DenDEKKER, DINOWITZ, DUPREY, HAWLEY, HEVESI, LOSQUADRO, LUPARDO, MAGEE, MARKEY, J. MILLER, MONTESANO, MURRAY, PEOPLES-STOKES, PERRY, RA, RAIA, P. RIVERA, SALADINO, SAYWARD, TENNEY, THIELE, TITONE, WEISENBERG -- read once and referred to the Committee on Insurance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee -- reference changed to the Committee on Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to supplemental screenings

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The public health law is amended by adding a new section 2404-c to read as follows:

S 2404-C. BREAST CANCER; DUTY OF PROVIDERS OF MAMMOGRAPHY SERVICES TO NOTIFY AND INFORM. EVERY PROVIDER OF MAMMOGRAPHY SERVICES SHALL, IF A PATIENT'S MAMMOGRAM DEMONSTRATES DENSE BREAST TISSUE, PROVIDE NOTIFICATION TO SUCH PATIENT THAT SHALL INCLUDE, BUT NOT BE LIMITED TO, THE FOLLOWING INFORMATION, IN ANY SUMMARY OF THE MAMMOGRAPHY REPORT SENT, PURSUANT TO THE FEDERAL MAMMOGRAPHY QUALITY STANDARDS ACT, TO THE PATIENT:

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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YOUR MAMMOGRAM SHOWS THAT YOUR BREAST TISSUE IS DENSE. DENSE BREAST TISSUE IS VERY COMMON AND IS NOT ABNORMAL. HOWEVER, DENSE BREAST TISSUE CAN MAKE IT HARDER TO FIND CANCER ON A MAMMOGRAM AND MAY ALSO BE ASSOCIATED WITH AN INCREASED RISK OF BREAST CANCER.

THIS INFORMATION ABOUT THE RESULT OF YOUR MAMMOGRAM IS GIVEN TO YOU TO RAISE YOUR AWARENESS. USE THIS INFORMATION TO TALK TO YOUR DOCTOR ABOUT YOUR OWN RISKS FOR BREAST CANCER. AT THAT TIME, ASK YOUR DOCTOR IF MORE SCREENING TESTS MIGHT BE USEFUL, BASED ON YOUR RISK. A REPORT OF YOUR RESULTS WAS SENT TO YOUR PHYSICIAN.

FOR THE PURPOSES OF THIS SECTION DENSE BREAST TISSUE SHALL MEAN HETEROGENEOUSLY DENSE OR EXTREMELY DENSE TISSUE AS DEFINED IN NATIONALLY RECOGNIZED GUIDELINES OR SYSTEMS FOR BREAST IMAGING REPORTING OF MAMMOGRAPHY SCREENING, INCLUDING, BUT NOT LIMITED TO, THE BREAST IMAGING REPORTING AND DATA SYSTEM OF THE AMERICAN COLLEGE OF RADIOLOGY, AND ANY EQUIVALENT NEW TERMS, AS SUCH GUIDELINES OR SYSTEMS ARE UPDATED.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.