State of Arkansas
92nd General Assembly
Regular Session, 2019

A Bill

HOUSE BILL 1473

By: Representative J. Mayberry

For An Act To Be Entitled

AN ACT TO REQUIRE HEALTHCARE PROVIDERS OF MAMMOGRAPHY SERVICES TO NOTIFY AND INFORM PATIENTS ABOUT BREAST DENSITY; AND FOR OTHER PURPOSES.

Subtitle

TO REQUIRE HEALTHCARE PROVIDERS OF MAMMOGRAPHY SERVICES TO NOTIFY AND INFORM PATIENTS ABOUT BREAST DENSITY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 20, Chapter 15, Subchapter 13, is amended to add an additional section to read as follows:

20-15-1305. Breast density notification and information.

(a) As used in this section, "dense breast tissue" means heterogeneously dense or extremely dense tissue as defined by nationally recognized guidelines or systems for breast imagining reporting of mammography screening.

(b) If a mammogram of a patient demonstrates dense breast tissue, the healthcare provider of mammography services shall include in a summary of the mammography report sent to the patient in accordance with the federal Mammography Quality Standards Act a notice that is substantially similar to the following:

"Your mammogram indicates that you have dense breast tissue. Dense breast tissue is normal and identified on mammograms in about fifty percent (50%) of women. Dense breast tissue can make it more difficult to detect cancer on a mammogram and may be associated with an increased risk for breast

cancer. Despite these limitations, screening mammograms have been proven to save lives. Continue to have routine screening mammography whether or not additional exams are suggested for you. This information is provided to raise your awareness of the impact of breast density on cancer detection. For further information about dense breast tissue, as well as other breast cancer risk factors, contact your breast imaging healthcare provider."

(c) A healthcare facility that performs mammography may update the language in subsection (b) of this section to reflect advances in science and technology if the healthcare facility continues to:

(1) Notify patients about dense breast tissue and the effects of dense breast tissue on the accuracy of mammograms; and

(2) Encourage patients to discuss the issue with their healthcare provider.

(d) This section does not create a duty of care or other legal obligation beyond the duty of notification described in this section.