

1 **SENATE FLOOR VERSION**

2 April 4, 2024

3 ENGROSSED HOUSE
4 BILL NO. 4152

By: Schreiber, Hefner, and
Swope of the House

5 and

6 Stanley of the Senate

7
8
9 An Act relating to public health and safety; amending
10 63 O.S. 2021, Section 1-553.1, which relates to
11 summary of mammography report for patient; changing
12 the breast density notice; and providing an effective
13 date.

14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. AMENDATORY 63 O.S. 2021, Section 1-553.1, is
16 amended to read as follows:

17 Section 1-553.1 A. All health care facilities that perform
18 mammography examinations shall include in the summary of the
19 mammography report, required by federal law to be provided to a
20 patient, information that identifies the patient's individual breast
21 density classification ~~based on the Breast Imaging Reporting and~~
22 ~~Data System established by the American College of Radiology as~~
23 dense or not dense. If the patient elects to receive the summary of
24 the mammography report by electronic mail and provides an electronic

1 mail address, the summary shall be sent by electronic mail. If the
2 facility determines that a patient has heterogeneously or extremely
3 dense breast tissue, the summary of the mammography report shall
4 include the following notice:

5 ~~"Your mammogram indicates that you have dense breast tissue.
6 Dense breast tissue is common and is found in more than fifty
7 percent (50%) of women and is not abnormal. However, dense breast
8 tissue may make it more difficult to detect breast cancer and may be
9 associated with an increased risk of breast cancer. This
10 information is being provided to raise your awareness and to
11 encourage you and your health care provider to discuss this and
12 other breast cancer risk factors. Together, you and your health
13 care provider can decide if additional screening options may be
14 right for you. A report of your results was sent to your health
15 care provider."~~

16 "Breast tissue can be either dense or not dense. Dense tissue
17 makes it harder to find breast cancer on a mammogram and also raises
18 the risk of developing breast cancer. Your breast tissue is dense.
19 In some people with dense tissue, other imaging tests in addition to
20 a mammogram may help find cancers. Talk to your health care
21 provider about breast density, risks for breast cancer, and your
22 individual situation."

23 B. Patients who receive diagnostic or screening mammograms may
24 be directed to informative material about breast density. This

1 informative material may include the American College of Radiology's
2 most current brochure on the subject of breast density available on
3 the American College of Radiology's website. Patients and health
4 care providers can be further informed by material from the American
5 Cancer Society or Mammography Saves Lives organizations.

6 C. Nothing in this section shall be deemed to create a duty of
7 care or other legal obligation beyond the duty to provide notice as
8 set forth in subsection A of this section. Nothing in this section
9 shall be deemed to require a notice that is inconsistent with the
10 provisions of the federal Mammography Quality Standards Act or any
11 regulations promulgated pursuant thereto.

12 SECTION 2. This act shall become effective November 1, 2024.

13 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES
14 April 4, 2024 - DO PASS

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