

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

HOUSE BILL 3934

By: Provenzano

AS INTRODUCED

An Act relating to public health; amending 36 O.S. 2021, Section 6060, as amended by Section 1, Chapter 294, O.S.L. 2022 (36 O.S. Supp. 2023, Section 6060), which relates to coverage for low-dose mammography screening; adding a definition; and providing an effective date.

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

SECTION 1. AMENDATORY 36 O.S. 2021, Section 6060, as amended by Section 1, Chapter 294, O.S.L. 2022 (36 O.S. Supp. 2023, Section 6060), is amended to read as follows:

Section 36-6060. A. For the purposes of this section:

1. "Breast magnetic resonance imaging" means a diagnostic tool used to produce detailed pictures of the structure of the breast;

2. "Breast tomosynthesis" means a radiologic mammography procedure involving the acquisition of projection images over a stationary breast to produce cross-sectional digital three-dimensional images of the breast from which breast cancer screening diagnoses may be made;

1       ~~2.~~ 3. "Breast ultrasound" means a noninvasive, diagnostic  
2 imaging technique that uses high-frequency sound waves to produce  
3 detailed images of the breast;

4       ~~3.~~ 4. "Diagnostic examination for breast cancer" means a  
5 medically necessary and clinically appropriate examination, as  
6 defined by current guidelines and as determined by a clinician who  
7 is evaluating the individual for breast cancer, to evaluate the  
8 abnormality in the breast that is:

- 9           a. seen or suspected from a screening examination for  
10           breast cancer,  
11           b. detected by another means of examination, or  
12           c. suspected based on the medical history or family  
13           medical history of the individual.

14       This examination may include, but is not limited to, a  
15 diagnostic mammogram, breast magnetic resonance imaging, or a breast  
16 ultrasound;

17       ~~4.~~ 5. "Diagnostic mammography" means a diagnostic tool that:

- 18           a. uses X-ray, and  
19           b. is designed to evaluate abnormality in a breast;

20       ~~5.~~ 6. "Health benefit plan" means any plan or arrangement as  
21 defined in subsection C of Section 6060.4 of this title;

22       ~~6.~~ 7. "Low-dose mammography" means:

- 23           a. the X-ray examination of the breast using equipment  
24           specifically dedicated for such purpose, with an  
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- 1 average radiation exposure delivery of less than one  
2 rad mid-breast and with two views for each breast,  
3 b. digital mammography, or  
4 c. breast tomosynthesis;

5 ~~7. "Breast tomosynthesis" means a radiologic mammography~~  
6 ~~procedure involving the acquisition of projection images over a~~  
7 ~~stationary breast to produce cross-sectional digital three-~~  
8 ~~dimensional images of the breast from which breast cancer screening~~  
9 ~~diagnoses may be made; and~~

10 8. "Screening mammography" means a radiologic procedure  
11 provided to a woman, who has no signs or symptoms of breast cancer,  
12 for the purpose of early detection of breast cancer, including  
13 breast tomosynthesis; and

14 9. "Supplemental breast examinations" means a medically  
15 necessary and clinically appropriate examination of the breast,  
16 including but not limited to, as examination using contrast-enhanced  
17 mammography, diagnostic mammography, breast magnetic resonance  
18 imaging, or breast ultrasound that is:

- 19 a. used to screen for breast cancer when there is no  
20 abnormality seen or suspected, and  
21 b. based on personal or family medical history, or  
22 additional factors that may increase the individual's  
23 risk of breast cancer.

1 B. All health benefit plans shall include the coverage  
2 specified by this section for a low-dose mammography screening for  
3 the presence of occult breast cancer and a diagnostic examination  
4 for breast cancer. Such coverage shall not:

5 1. Be subject to the policy deductible, co-payments and co-  
6 insurance limits of the plan; or

7 2. Require that a female undergo a mammography screening at a  
8 specified time as a condition of payment.

9 C. 1. Any female thirty-five (35) through thirty-nine (39)  
10 years of age shall be entitled pursuant to the provisions of this  
11 section to coverage for a low-dose mammography screening once every  
12 five (5) years.

13 2. Any female forty (40) years of age or older shall be  
14 entitled pursuant to the provisions of this section to coverage for  
15 an annual low-dose mammography screening.

16 D. If application of this act would result in health savings  
17 account ineligibility under Section 223 of the federal Internal  
18 Revenue Code, as amended, the provisions of this section shall only  
19 apply to health savings accounts with qualified high\_deductible  
20 health plans with respect to the deductible of such a plan after the  
21 enrollee has satisfied the minimum deductible. Provided, however,  
22 the provisions of this section shall apply to items of services that  
23 are preventive care pursuant to Section 223(c)(2)(c) of the federal  
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Internal Revenue Code, as amended, regardless of whether the minimum deductible has been satisfied.

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

59-2-9087 TJ 12/07/23