

STATE OF OKLAHOMA

1st Session of the 55th Legislature (2015)

HOUSE BILL 1695

By: Denney

AS INTRODUCED

An Act relating to public health and safety; creating the Breast Cancer Prevention Act; defining certain term; requiring facility performing mammograms to provide certain notice to certain patient; providing certain construction; providing for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-553.1 of Title 63, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Breast Cancer Prevention Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-553.2 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. As used in the Breast Cancer Prevention Act, "physician" means an individual licensed pursuant to the Oklahoma Allopathic

1 Medical and Surgical Licensure and Supervision Act and the Oklahoma
2 Osteopathic Medicine Act.

3 B. If a physician has determined after a mammogram is performed
4 that a patient has dense breasts or extremely dense breasts, based
5 on the breast imaging reporting and data system established by the
6 American College of Radiology, the facility where the mammogram was
7 performed shall provide the following notice to the patient:

8 "Your mammogram shows that your breast tissue is dense. Dense
9 breast tissue is common and is not abnormal. However, dense breast
10 tissue can make it harder to evaluate the results of your mammogram
11 and may also be associated with an increased risk of breast cancer.
12 This information about the results of your mammogram is given to you
13 to raise your awareness and to inform your conversations with your
14 doctor. Together, you can decide which screening options are right
15 for you. A report of your results was sent to your physician."

16 C. Nothing in the Breast Cancer Prevention Act shall be
17 construed to create or impose liability for failing to comply with
18 its requirements. Nothing in the Breast Cancer Prevention Act shall
19 be deemed to create a duty of care or other legal obligation beyond
20 the duty to provide notice as set forth in subsection B of this
21 section. Nothing in the Breast Cancer Prevention Act shall be
22 deemed to require a notice that is inconsistent with the provisions
23 of the federal Mammography Quality Standards Act, as compiled in 42
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1 U.S.C., Section 263b, or any regulations promulgated pursuant to
2 that act.

3 SECTION 3. This act shall become effective November 1, 2015.
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