

**HOUSE . . . . . No. 1043**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Ruth B. Balsler***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to insurance coverage for mammograms and breast cancer screening.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>	<i>2/17/2021</i>
<i>Brian W. Murray</i>	<i>10th Worcester</i>	<i>2/23/2021</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>2/24/2021</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>2/24/2021</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>2/25/2021</i>
<i>Jessica Ann Giannino</i>	<i>16th Suffolk</i>	<i>2/26/2021</i>
<i>Kevin G. Honan</i>	<i>17th Suffolk</i>	<i>2/26/2021</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>2/26/2021</i>
<i>Danillo A. Sena</i>	<i>37th Middlesex</i>	<i>3/8/2021</i>
<i>Hannah Kane</i>	<i>11th Worcester</i>	<i>3/16/2021</i>

**HOUSE . . . . . No. 1043**

By Ms. Balsler of Newton, a petition (accompanied by bill, House, No. 1043) of Ruth B. Balsler and others relative to insurance coverage for mammograms and breast cancer screening. Financial Services.

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Second General Court  
(2021-2022)**

An Act relative to insurance coverage for mammograms and breast cancer screening.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1: Section 47G of chapter 175 of the General Laws, as appearing in the 2012  
2 Official Edition, is hereby amended, in line 20, by striking the language after the word  
3 “examination” and inserting in place thereof the following language:-

4 : (1) said benefits shall provide: (i) for a baseline mammogram for women between the  
5 ages of thirty-five and forty and for a mammogram on an annual basis for women forty years of  
6 age or older; (ii) in the case of a woman under forty years of age who has a family history of  
7 breast cancer or other breast cancer risk factors, a mammogram examination at such age and  
8 intervals as deemed medically necessary by the woman’s health care provider; (iii) diagnostic  
9 mammography and ultrasound evaluation of an entire breast or both breasts if the screening  
10 mammogram shows any abnormality where additional examination is deemed medically  
11 necessary by the radiologist interpreting the screening mammogram, if the patient presents with a  
12 symptom including but not limited to palpable lump, pain, or discharge, or if deemed clinically

13 necessary based on prior diagnostic imaging, (iv) screening breast ultrasound or screening breast  
14 magnetic resonance imaging examination if the patient is deemed to be at increased lifetime risk  
15 for breast cancer (defined as > 20% lifetime risk by established risk models) or has additional  
16 risk factors for breast cancer including, but not limited to, family history, prior personal history  
17 of breast cancer, positive genetic testing, heterogeneously or extremely dense breast tissue based  
18 on the Breast Imaging Reporting and Data System established by the American College of  
19 Radiology, or other combination of risk factors as determined by the patient's health care  
20 provider, (v) for a diagnostic mammogram, diagnostic breast ultrasound evaluation or breast  
21 magnetic resonance imaging scan if the patient has a history of breast cancer, (vi) for magnetic  
22 resonance imaging in place of, or in addition to, a mammogram when a mammogram is unable to  
23 detect cancers due to dense breast tissue or inability to adequately position the breast for  
24 mammography as ordered by a patient's physician. Said benefits shall be exempt from any co-  
25 payment, co-insurance, deductible or dollar limit provisions in a policy or contract. Providers of  
26 health care services specified under this section shall be reimbursed at rates accurately reflecting  
27 the resource costs specific to each modality, including any increased resource cost. (2) For  
28 purposes of this section, "screening mammogram" means a radiologic procedure that is provided  
29 to an asymptomatic woman for the purpose of early detection of breast cancer. This includes  
30 digital mammography and digital breast tomosynthesis. Digital breast tomosynthesis means a  
31 radiologic procedure that involves the acquisition of projection images over the stationary breast  
32 to produce cross-sectional digital images of the breast with standard two-dimensional  
33 radiographic views. "Diagnostic examinations for breast cancer" means a medically necessary  
34 and appropriate examination for breast cancer to evaluate the abnormality in the breast that is  
35 seen or suspected from a screening examination for breast cancer, detected by another means of

36 examination, recommended based upon prior diagnostic evaluation, or suspected based on the  
37 medical history or family medical history of the individual.

38 SECTION 2: Section 110 of Chapter 175 of the General Laws, as appearing in the 2012  
39 Official Edition, is hereby amended, in line 322, by striking the language after the word  
40 “examination” and inserting in place thereof the following language:-

41 : (1) said benefits shall provide: (i) for a baseline mammogram for women between the  
42 ages of thirty-five and forty and for a mammogram on an annual basis for women forty years of  
43 age or older; (ii) in the case of a woman under forty years of age who has a family history of  
44 breast cancer or other breast cancer risk factors, a mammogram examination at such age and  
45 intervals as deemed medically necessary by the woman’s health care provider; (iii) diagnostic  
46 mammography and ultrasound evaluation of an entire breast or both breasts if the screening  
47 mammogram shows any abnormality where additional examination is deemed medically  
48 necessary by the radiologist interpreting the screening mammogram, if the patient presents with a  
49 symptom including but not limited to palpable lump, pain, or discharge, or if deemed clinically  
50 necessary based on prior diagnostic imaging, (iv) screening breast ultrasound or screening breast  
51 magnetic resonance imaging examination if the patient has additional risk factors for breast  
52 cancer including, but not limited to, family history, prior personal history of breast cancer,  
53 positive genetic testing, heterogeneously or extremely dense breast tissue based on the Breast  
54 Imaging Reporting and Data System established by the American College of Radiology, or other  
55 indications as determined by the patient’s health care provider, (v) for a diagnostic  
56 mammogram, diagnostic breast ultrasound evaluation or breast magnetic resonance imaging scan  
57 if the patient has a history of breast cancer, (vi) for magnetic resonance imaging in place of, or  
58 in addition to, a mammogram when a mammogram is unable to detect cancers due to dense

59 breast tissue or inability to adequately position the breast for mammography as ordered by a  
60 patient's physician. Said benefits shall be exempt from any co-payment, co-insurance, deductible  
61 or dollar limit provisions in a policy or contract. Providers of health care services specified under  
62 this section shall be reimbursed at rates accurately reflecting the resource costs specific to each  
63 modality, including any increased resource cost. (2) For purposes of this section, "screening  
64 mammogram" means a radiologic procedure that is provided to an asymptomatic woman for the  
65 purpose of early detection of breast cancer. This includes digital mammography and digital  
66 breast tomosynthesis. Digital breast tomosynthesis means a radiologic procedure that involves  
67 the acquisition of projection images over the stationary breast to produce cross-sectional digital  
68 images of the breast with standard two-dimensional radiographic views. "Diagnostic  
69 examinations for breast cancer" means a medically necessary and appropriate examination for  
70 breast cancer to evaluate the abnormality in the breast that is seen or suspected from a screening  
71 examination for breast cancer, detected by another means of examination, recommended based  
72 upon prior diagnostic evaluation, or suspected based on the medical history or family medical  
73 history of the individual.

74 SECTION 3: Section 8J of Chapter 176A of the General Laws, as appearing in the 2012  
75 Official Edition, is hereby amended, in line 12, by striking the language after the word  
76 "examination" and inserting in place thereof the following language:-

77 : (1) said benefits shall provide: (i) for a baseline mammogram for women between the  
78 ages of thirty-five and forty and for a mammogram on an annual basis, for women forty years of  
79 age or older; (ii) in the case of a woman under forty years of age who has a family history of  
80 breast cancer or other breast cancer risk factors, a mammogram examination at such age and  
81 intervals as deemed medically necessary by the woman's health care provider; (iii) diagnostic

82 mammography and ultrasound evaluation of an entire breast or both breasts if the screening  
83 mammogram shows any abnormality where additional examination is deemed medically  
84 necessary by the radiologist interpreting the screening mammogram, if the patient presents with a  
85 symptom including but not limited to palpable lump, pain, or discharge, or if deemed clinically  
86 necessary based on prior diagnostic imaging, , (iv) screening breast ultrasound or screening  
87 breast magnetic resonance imaging examination if the patient has additional risk factors for  
88 breast cancer including, but not limited to, family history, prior personal history of breast cancer,  
89 positive genetic testing, heterogeneously or extremely dense breast tissue based on the Breast  
90 Imaging Reporting and Data System established by the American College of Radiology, or other  
91 indications as determined by the patient's health care provider, (v) for a diagnostic  
92 mammogram, diagnostic breast ultrasound evaluation or breast magnetic resonance imaging scan  
93 if the patient has a history of breast cancer, (vi) for magnetic resonance imaging in place of, or  
94 in addition to, a mammogram when a mammogram is unable to detect cancers due to dense  
95 breast tissue or inability to adequately position the breast for mammography as ordered by a  
96 patient's physician. Said benefits shall be exempt from any co-payment, co-insurance, deductible  
97 or dollar limit provisions in a policy or contract. Providers of health care services specified under  
98 this section shall be reimbursed at rates accurately reflecting the resource costs specific to each  
99 modality, including any increased resource cost. (2) For purposes of this section, "screening  
100 mammogram" means a radiologic procedure that is provided to an asymptomatic woman for the  
101 purpose of early detection of breast cancer. This includes digital mammography and digital  
102 breast tomosynthesis. Digital breast tomosynthesis means a radiologic procedure that involves  
103 the acquisition of projection images over the stationary breast to produce cross-sectional digital  
104 images of the breast with standard two-dimensional radiographic views. "Diagnostic

105 examinations for breast cancer” means a medically necessary and appropriate examination for  
106 breast cancer to evaluate the abnormality in the breast that is seen or suspected from a screening  
107 examination for breast cancer, detected by another means of examination, recommended based  
108 upon prior diagnostic evaluation, or suspected based on the medical history or family medical  
109 history of the individual.

110 SECTION 4: Section 4I of Chapter 176B of the General Laws, as appearing in the 2012  
111 Official Edition, is hereby amended, in line 12, by striking the language after the word  
112 “examination” and inserting in place thereof the following language:-

113 : (1) said benefits shall provide: (i) for a baseline mammogram for women between the  
114 ages of thirty-five and forty and for a mammogram on an annual basis, for women forty years of  
115 age or older; (ii) in the case of a woman under forty years of age who has a family history of  
116 breast cancer or other breast cancer risk factors, a mammogram examination at such age and  
117 intervals as deemed medically necessary by the woman’s health care provider; (iii) diagnostic  
118 mammography and ultrasound evaluation of an entire breast or both breasts if the screening  
119 mammogram shows any abnormality where additional examination is deemed medically  
120 necessary by the radiologist interpreting the screening mammogram, if the patient presents with a  
121 symptom including but not limited to palpable lump, pain, or discharge, or if deemed clinically  
122 necessary based on prior diagnostic imaging, , (iv) screening breast ultrasound or screening  
123 breast magnetic resonance imaging examination if the patient has additional risk factors for  
124 breast cancer including, but not limited to, family history, prior personal history of breast cancer,  
125 positive genetic testing, heterogeneously or extremely dense breast tissue based on the Breast  
126 Imaging Reporting and Data System established by the American College of Radiology, or other  
127 indications as determined by the patient’s health care provider, (v) for a diagnostic

128 mammogram, diagnostic breast ultrasound evaluation or breast magnetic resonance imaging scan  
129 if the patient has a history of breast cancer, (vi) for magnetic resonance imaging in place of, or  
130 in addition to, a mammogram when a mammogram is unable to detect cancers due to dense  
131 breast tissue or an inability to adequately position the breast for mammography as ordered by a  
132 patient's physician. Said benefits shall be exempt from any co-payment, co-insurance, deductible  
133 or dollar limit provisions in a policy or contract. Providers of health care services specified under  
134 this section shall be reimbursed at rates accurately reflecting the resource costs specific to each  
135 modality, including any increased resource cost. (2) For purposes of this section, "screening  
136 mammogram" means a radiologic procedure that is provided to an asymptomatic woman for the  
137 purpose of early detection of breast cancer. This includes digital mammography and digital  
138 breast tomosynthesis. Digital breast tomosynthesis means a radiologic procedure that involves  
139 the acquisition of projection images over the stationary breast to produce cross-sectional digital  
140 images of the breast with standard two-dimensional radiographic views. "Diagnostic  
141 examinations for breast cancer" means a medically necessary and appropriate examination for  
142 breast cancer to evaluate the abnormality in the breast that is seen or suspected from a screening  
143 examination for breast cancer, detected by another means of examination, recommended based  
144 upon prior diagnostic evaluation, or suspected based on the medical history or family medical  
145 history of the individual.