

**SENATE . . . . . No. 697**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Joan B. Lovely***

*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:	
<i>Joan B. Lovely</i>	<i>Second Essex</i>	
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>2/26/2021</i>
<i>Jessica Ann Giannino</i>	<i>16th Suffolk</i>	<i>2/26/2021</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>3/8/2021</i>
<i>Susan L. Moran</i>	<i>Plymouth and Barnstable</i>	<i>3/15/2021</i>
<i>Hannah Kane</i>	<i>11th Worcester</i>	<i>3/15/2021</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>	<i>3/15/2021</i>
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>3/19/2021</i>

**SENATE . . . . . No. 697**

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By Ms. Lovely, a petition (accompanied by bill, Senate, No. 697) of Joan B. Lovely, Kay Khan, Jessica Ann Giannino, Michael O. Moore and other members of the General Court for legislation relative to insurance coverage for mammograms and breast cancer screening. Financial Services.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 616 OF 2019-2020.]

**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 2018  
2 Official Edition, is hereby amended, in line 22, by striking the language after the word  
3 “examination” and inserting in place thereof the following language:-

4           : (1) said benefits shall provide for: (i) 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 healthcare 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 greater than a 20% lifetime risk by established risk models) or has  
16 additional risk factors for breast cancer including, but not limited to, family history, prior  
17 personal history of breast cancer, positive genetic testing, heterogeneously or extremely dense  
18 breast tissue based on the Breast Imaging Reporting and Data System established by the  
19 American College of Radiology, or other combination of risk factors as determined by the  
20 patient's healthcare provider; (v) a diagnostic mammogram, diagnostic breast ultrasound  
21 evaluation or breast magnetic resonance imaging scan if the patient has a history of breast  
22 cancer; (vi) magnetic resonance imaging in place of, or in addition to, a mammogram when a  
23 mammogram is unable to detect cancers due to insufficient breast tissue as ordered by a patient's  
24 physician. Said benefits shall be exempt from any co-payment, co-insurance, deductible or dollar  
25 limit provisions in a policy or contract. Providers of healthcare services specified under this  
26 section shall be reimbursed at rates accurately reflecting the resource costs specific to each  
27 modality, including any increased resource cost.

28 (2) For purposes of this section, "screening mammogram" means a radiologic procedure  
29 that is provided to an asymptomatic woman for the purpose of early detection of breast cancer.  
30 This includes digital mammography and digital breast tomosynthesis. Digital breast  
31 tomosynthesis means a radiologic procedure that involves the acquisition of projection images  
32 over the stationary breast to produce cross-sectional digital images of the breast with standard  
33 two-dimensional radiographic views. Diagnostic examinations for breast cancer means a

34 medically necessary and appropriate examination for breast cancer to evaluate the abnormality in  
35 the breast that is seen or suspected from a screening examination for breast cancer, detected by  
36 another means of examination, recommended based upon prior diagnostic evaluation, or  
37 suspected based on the 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 2018  
39 Official Edition, is hereby amended, in line 368, by striking the language after the word  
40 “examination” and inserting in place thereof the following language:-

41 : (1) said benefits shall provide for: (i) 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 healthcare 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 is deemed to be at increased lifetime risk  
52 for breast cancer (defined as greater than a 20% lifetime risk by established risk models) or has  
53 additional risk factors for breast cancer including, but not limited to, family history, prior  
54 personal history of breast cancer, positive genetic testing, heterogeneously or extremely dense  
55 breast tissue based on the Breast Imaging Reporting and Data System established by the  
56 American College of Radiology, or other combination of risk factors as determined by the

57 patient's healthcare provider; (v) a diagnostic mammogram, diagnostic breast ultrasound  
58 evaluation or breast magnetic resonance imaging scan if the patient has a history of breast  
59 cancer; (vi) magnetic resonance imaging in place of, or in addition to, a mammogram when a  
60 mammogram is unable to detect cancers due to insufficient breast tissue as ordered by a patient's  
61 physician. Said benefits shall be exempt from any co-payment, co-insurance, deductible or dollar  
62 limit provisions in a policy or contract. Providers of healthcare services specified under this  
63 section shall be reimbursed at rates accurately reflecting the resource costs specific to each  
64 modality, including any increased resource cost.

65 (2) For purposes of this section, "screening mammogram" means a radiologic procedure  
66 that is provided to an asymptomatic woman for the purpose of early detection of breast cancer.  
67 This includes digital mammography and digital breast tomosynthesis. Digital breast  
68 tomosynthesis means a radiologic procedure that involves the acquisition of projection images  
69 over the stationary breast to produce cross-sectional digital images of the breast with standard  
70 two-dimensional radiographic views. Diagnostic examinations for breast cancer means a  
71 medically necessary and appropriate examination for breast cancer to evaluate the abnormality in  
72 the breast that is seen or suspected from a screening examination for breast cancer, detected by  
73 another means of examination, recommended based upon prior diagnostic evaluation, or  
74 suspected based on the medical history or family medical history of the individual.

75 Section 3: Section 8J of Chapter 176A of the General Laws, as appearing in the 2018  
76 Official Edition, is hereby amended, in line 13, by striking the language after the word  
77 "examination" and inserting in place thereof the following language:-

78 : (1) said benefits shall provide for: (i) a baseline mammogram for women between the  
79 ages of thirty-five and forty and for a mammogram on an annual basis for women forty years of  
80 age or older; (ii) in the case of a woman under forty years of age who has a family history of  
81 breast cancer or other breast cancer risk factors, a mammogram examination at such age and  
82 intervals as deemed medically necessary by the woman's healthcare provider; (iii) diagnostic  
83 mammography and ultrasound evaluation of an entire breast or both breasts if the screening  
84 mammogram shows any abnormality where additional examination is deemed medically  
85 necessary by the radiologist interpreting the screening mammogram if the patient presents with a  
86 symptom including, but not limited to, palpable lump, pain, or discharge, or if deemed clinically  
87 necessary based on prior diagnostic imaging; (iv) screening breast ultrasound or screening breast  
88 magnetic resonance imaging examination if the patient is deemed to be at increased lifetime risk  
89 for breast cancer (defined as greater than a 20% lifetime risk by established risk models) or has  
90 additional risk factors for breast cancer including, but not limited to, family history, prior  
91 personal history of breast cancer, positive genetic testing, heterogeneously or extremely dense  
92 breast tissue based on the Breast Imaging Reporting and Data System established by the  
93 American College of Radiology, or other combination of risk factors as determined by the  
94 patient's healthcare provider; (v) a diagnostic mammogram, diagnostic breast ultrasound  
95 evaluation or breast magnetic resonance imaging scan if the patient has a history of breast  
96 cancer; (vi) magnetic resonance imaging in place of, or in addition to, a mammogram when a  
97 mammogram is unable to detect cancers due to insufficient breast tissue as ordered by a patient's  
98 physician. Said benefits shall be exempt from any co-payment, co-insurance, deductible or dollar  
99 limit provisions in a policy or contract. Providers of healthcare services specified under this

100 section shall be reimbursed at rates accurately reflecting the resource costs specific to each  
101 modality, including any increased resource cost.

102 (2) For purposes of this section, "screening mammogram" means a radiologic procedure  
103 that is provided to an asymptomatic woman for the purpose of early detection of breast cancer.  
104 This includes digital mammography and digital breast tomosynthesis. Digital breast  
105 tomosynthesis means a radiologic procedure that involves the acquisition of projection images  
106 over the stationary breast to produce cross-sectional digital images of the breast with standard  
107 two-dimensional radiographic views. Diagnostic examinations for breast cancer means a  
108 medically necessary and appropriate examination for breast cancer to evaluate the abnormality in  
109 the breast that is seen or suspected from a screening examination for breast cancer, detected by  
110 another means of examination, recommended based upon prior diagnostic evaluation, or  
111 suspected based on the medical history or family medical history of the individual.

112 Section 4: Section 4I of Chapter 176B of the General Laws, as appearing in the 2018  
113 Official Edition, is hereby amended, in line 13, by striking the language after the word  
114 "examination" and inserting in place thereof the following language:-

115 : (1) said benefits shall provide for: (i) a baseline mammogram for women between the  
116 ages of thirty-five and forty and for a mammogram on an annual basis for women forty years of  
117 age or older; (ii) in the case of a woman under forty years of age who has a family history of  
118 breast cancer or other breast cancer risk factors, a mammogram examination at such age and  
119 intervals as deemed medically necessary by the woman's healthcare provider; (iii) diagnostic  
120 mammography and ultrasound evaluation of an entire breast or both breasts if the screening  
121 mammogram shows any abnormality where additional examination is deemed medically

122 necessary by the radiologist interpreting the screening mammogram if the patient presents with a  
123 symptom including, but not limited to, palpable lump, pain, or discharge, or if deemed clinically  
124 necessary based on prior diagnostic imaging; (iv) screening breast ultrasound or screening breast  
125 magnetic resonance imaging examination if the patient is deemed to be at increased lifetime risk  
126 for breast cancer (defined as greater than a 20% lifetime risk by established risk models) or has  
127 additional risk factors for breast cancer including, but not limited to, family history, prior  
128 personal history of breast cancer, positive genetic testing, heterogeneously or extremely dense  
129 breast tissue based on the Breast Imaging Reporting and Data System established by the  
130 American College of Radiology, or other combination of risk factors as determined by the  
131 patient's healthcare provider; (v) a diagnostic mammogram, diagnostic breast ultrasound  
132 evaluation or breast magnetic resonance imaging scan if the patient has a history of breast  
133 cancer; (vi) magnetic resonance imaging in place of, or in addition to, a mammogram when a  
134 mammogram is unable to detect cancers due to insufficient breast tissue as ordered by a patient's  
135 physician. Said benefits shall be exempt from any co-payment, co-insurance, deductible or dollar  
136 limit provisions in a policy or contract. Providers of healthcare services specified under this  
137 section shall be reimbursed at rates accurately reflecting the resource costs specific to each  
138 modality, including any increased resource cost.

139 (2) For purposes of this section, "screening mammogram" means a radiologic procedure  
140 that is provided to an asymptomatic woman for the purpose of early detection of breast cancer.  
141 This includes digital mammography and digital breast tomosynthesis. Digital breast  
142 tomosynthesis means a radiologic procedure that involves the acquisition of projection images  
143 over the stationary breast to produce cross-sectional digital images of the breast with standard  
144 two-dimensional radiographic views. Diagnostic examinations for breast cancer means a

145 medically necessary and appropriate examination for breast cancer to evaluate the abnormality in  
146 the breast that is seen or suspected from a screening examination for breast cancer, detected by  
147 another means of examination, recommended based upon prior diagnostic evaluation, or  
148 suspected based on the medical history or family medical history of the individual.