

# An Act

ENROLLED SENATE  
BILL NO. 443

By: Pugh of the Senate

and

Moore of the House

An Act relating to mammography examinations; amending Section 1, Chapter 131, O.S.L. 2016 (63 O.S. Supp. 2018, Section 1-553.1), which relates to mammography reports; requiring health care facilities to send summary of mammography report by electronic mail upon request; providing for noncodification; and providing an effective date.

SUBJECT: Mammography examinations

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

SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

This act shall be known and may be cited as "Nancy's Law".

SECTION 2. AMENDATORY Section 1, Chapter 131, O.S.L. 2016 (63 O.S. Supp. 2018, Section 1-553.1), is amended to read as follows:

Section 1-553.1. A. All health care facilities that perform mammography examinations shall include in the summary of the mammography report, required by federal law to be provided to a patient, information that identifies the patient's individual breast density classification based on the Breast Imaging Reporting and Data System established by the American College of Radiology. If

the patient elects to receive the summary of the mammography report by electronic mail and provides an electronic mail address, the summary shall be sent by electronic mail. If the facility determines that a patient has heterogeneously or extremely dense breast tissue, the summary of the mammography report shall include the following notice:

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

B. Patients who receive diagnostic or screening mammograms may be directed to informative material about breast density. This informative material may include the American College of Radiology's most current brochure on the subject of breast density available on the American College of Radiology's website. Patients and health care providers can be further informed by material from the American Cancer Society or Mammography Saves Lives organizations.

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

SECTION 3. This act shall become effective November 1, 2019.

Passed the Senate the 1st day of May, 2019.

\_\_\_\_\_  
Presiding Officer of the Senate

Passed the House of Representatives the 4th day of April, 2019.

\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_

Approved by the Governor of the State of Oklahoma this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_