
SENATE BILL 5262

State of Washington

62nd Legislature

2011 Regular Session

By Senators Keiser, Pridemore, Nelson, Prentice, Murray, and Chase

Read first time 01/19/11. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to providing patients with information on options
2 for breast reconstruction; adding a new section to chapter 70.41 RCW;
3 and adding a new section to chapter 70.230 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 70.41 RCW
6 to read as follows:

7 (1) A hospital in which a mastectomy, lymph node dissection, or
8 lumpectomy is performed shall provide the patient with information
9 regarding the option of postprocedure reconstructive surgery. The
10 information must be provided to the patient in writing and in advance
11 of obtaining consent to the procedure.

12 (2) The information must include at least the following:

13 (a) A description of the various reconstructive options and the
14 advantages and disadvantages of each;

15 (b) A description of the statutory provisions requiring coverage by
16 insurers for reconstructive surgery following a mastectomy in 29 U.S.C.
17 Sec. 1885b, RCW 48.20.395, 48.21.230, 48.44.330, and 48.46.280;

18 (c) A description of how a patient may access reconstructive care,

1 including the potential of transferring to another facility or choosing
2 to pursue reconstruction after the completion of breast cancer surgery
3 and chemotherapy or radiotherapy, if warranted; and

4 (d) Any other information as may be required by the department.

5 NEW SECTION. **Sec. 2.** A new section is added to chapter 70.230 RCW
6 to read as follows:

7 (1) An ambulatory surgical facility in which a mastectomy, lymph
8 node dissection, or lumpectomy is performed shall provide the patient
9 with information regarding the option of postprocedure reconstructive
10 surgery. The information must be provided to the patient in writing
11 and in advance of obtaining consent to the procedure.

12 (2) The information must include at least the following:

13 (a) A description of the various reconstructive options and the
14 advantages and disadvantages of each;

15 (b) A description of the statutory provisions requiring coverage by
16 insurers for reconstructive surgery following a mastectomy in 29 U.S.C.
17 Sec. 1885b, RCW 48.20.395, 48.21.230, 48.44.330, and 48.46.280;

18 (c) A description of how a patient may access reconstructive care,
19 including the potential of transferring to another facility or choosing
20 to pursue reconstruction after the completion of breast cancer surgery
21 and chemotherapy or radiotherapy, if warranted; and

22 (d) Any other information as may be required by the department.

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