

AMENDED IN ASSEMBLY JUNE 19, 2012

AMENDED IN SENATE MARCH 27, 2012

SENATE BILL

No. 1538

Introduced by Senator Simitian

(Principal coauthors: Senators Alquist and Runner)

(Coauthors: Senators Berryhill, *Blakeslee*, Calderon, Cannella, Corbett, Correa, De León, DeSaulnier, Dutton, Emmerson, Fuller, Gaines, Hancock, Harman, Huff, *Leno*, *Lieu*, Liu, Lowenthal, Negrete McLeod, Padilla, Price, Rubio, Steinberg, Strickland, Vargas, Walters, Wolk, and Wright, and *Yee*)

(Coauthors: Assembly Members Achadjian, Alejo, Allen, Beall, Bill Berryhill, Block, Bonilla, Brownley, Butler, Campos, Carter, Cedillo, Davis, Dickinson, Eng, Feuer, Fletcher, Fong, *Garrick*, Gatto, *Grove*, Hagman, Hall, Roger Hernández, Hill, Huber, Hueso, Huffman, *Jones*, Logue, Bonnie Lowenthal, Ma, Mansoor, *Miller*, Mitchell, Nestande, Nielsen, Portantino, Skinner, Smyth, Solorio, Swanson, Torres, Wieckowski, Williams, and Yamada)

February 24, 2012

An act to add and repeal Section 123222.3 of the Health and Safety Code, relating to mammograms.

LEGISLATIVE COUNSEL'S DIGEST

SB 1538, as amended, Simitian. Health care: mammograms.

Existing law requires specified information to be provided to patients regarding their health care. Existing federal law requires a written report of the results of each mammography examination and requires a summary of that report to be sent to the patient within a specified time period.

This bill, from April 1, 2013, until January 1, 2019, would require, under specified circumstances, a health facility at which a mammography examination is performed to include in the summary of the written report that is sent to the patient a prescribed notice on breast density.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 123222.3 is added to the Health and
2 Safety Code, to read:

3 123222.3. (a) A health facility at which a mammography
4 examination is performed shall, if a patient is categorized by the
5 facility as having heterogeneously dense breasts or extremely dense
6 breasts, based on the Breast Imaging Reporting and Data System
7 established by the American College of Radiology, include in the
8 summary of the written report that is sent to the patient, as required
9 by federal law, the following notice:

10 “Because your mammogram demonstrates that you have dense
11 breast tissue (*a relatively common condition*), which could hide
12 small abnormalities, you might benefit from supplementary
13 screening tests, depending on your individual risk factors. A report
14 of your mammography results, which contains information about
15 your breast density, has been sent to your physician’s office and
16 you should contact your physician if you have any questions or
17 concerns about this notice.”

18 (b) This section shall become operative on April 1, 2013.

19 (c) Nothing in this section shall be construed to create or impose
20 liability on a health care facility for failing to comply with the
21 requirements of this section prior to April 1, 2013.

22 (d) This section shall remain in effect only until January 1, 2019,
23 and as of that date is repealed, unless a later enacted statute, that
24 is enacted before January 1, 2019, deletes or extends that date.

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