

# HOUSE BILL 312

J3, J1

3lr0844  
CF SB 334

---

By: Delegates Pena–Melnyk, Afzali, Barkley, Beidle, Bobo, Braveboy, Bromwell, Carr, Carter, Costa, Cullison, Eckardt, Elliott, Frank, Frush, Gaines, George, Glenn, Griffith, Gutierrez, Haddaway–Riccio, Healey, Holmes, Hubbard, Ivey, Jameson, Jones, A. Kelly, Kipke, Krebs, Lee, Luedtke, McComas, A. Miller, Mizeur, Morhaim, Murphy, Nathan–Pulliam, O’Donnell, Oaks, Ready, Reznik, Rosenberg, Schuh, Sophocleus, Summers, Szeliga, Tarrant, V. Turner, Valderrama, Vitale, Walker, and Wilson

Introduced and read first time: January 24, 2013

Assigned to: Health and Government Operations

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Mammograms – Dense Breast Tissue – Notification**

3 FOR the purpose of requiring certain centers that produce, develop, or interpret  
4 mammograms to provide a certain notice to certain patients under certain  
5 circumstances; altering a certain definition; defining a certain term; and  
6 generally relating to mammograms, dense breast tissue, and notification.

7 BY repealing and reenacting, with amendments,  
8 Article – Health – General  
9 Section 20–115  
10 Annotated Code of Maryland  
11 (2009 Replacement Volume and 2012 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article – Health – General**

15 20–115.

16 (a) (1) In this section the following words have the meanings indicated.

17 (2) (i) “Center” means any facility that produces, develops, or  
18 interprets:

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1                                   1.     Screening MAMMOGRAMS; OR
- 2                                   2.     Diagnostic mammograms[; or
- 3                                   3.     Both].

4                                   (ii)    “Center” includes a hospital, outpatient department, medical  
5 laboratory, clinic, radiology practice, office of a health care provider, or other testing  
6 facility conducting mammography testing.

7                                   (iii)  “Center” does not include a facility of the federal  
8 Department of Veterans Affairs.

9                                   **(3)    “DENSE BREAST TISSUE” MEANS HETEROGENEOUSLY DENSE**  
10 **OR EXTREMELY DENSE TISSUE AS DEFINED IN NATIONALLY RECOGNIZED**  
11 **GUIDELINES OR SYSTEMS FOR BREAST IMAGING REPORTING OF MAMMOGRAPHY**  
12 **SCREENING, INCLUDING THE BREAST IMAGING REPORTING AND DATA SYSTEM**  
13 **OF THE AMERICAN COLLEGE OF RADIOLOGY.**

14                                  **[(3)] (4)**    “Mammogram” means a radiographic image produced  
15 through mammography.

16                                  **[(4)] (5)**    “Mammography testing” means the imaging of the breast  
17 with ionizing radiation.

18                                  (b)    On or after July 1, 1992, a person may not perform mammography  
19 testing unless:

20                                  (1)    The individual performing mammography testing is qualified  
21 under Title 14 of the Health Occupations Article; and

22                                  (2)    The center where the mammography testing is performed:

23                                               (i)    Is accredited or has applied for accreditation under the  
24 American College of Radiology Screening Mammography Accreditation Program; and

25                                               (ii)   Has obtained a certificate of approval from the federal Food  
26 and Drug Administration as specified in the federal Mammography Quality Standards  
27 Act of 1992.

28                                  **(C)    IF A MAMMOGRAM OF A PATIENT DEMONSTRATES DENSE BREAST**  
29 **TISSUE, THE CENTER WHERE THE MAMMOGRAPHY TESTING WAS PERFORMED**  
30 **SHALL PROVIDE WRITTEN NOTIFICATION TO THE PATIENT THAT INCLUDES THE**  
31 **FOLLOWING STATEMENT: “YOUR MAMMOGRAM SHOWS THAT YOUR BREAST**  
32 **TISSUE IS DENSE. DENSE BREAST TISSUE IS VERY COMMON AND IS NOT**

1 ABNORMAL. HOWEVER, DENSE BREAST TISSUE CAN MAKE IT HARDER TO FIND  
2 CANCER ON A MAMMOGRAM AND MAY ALSO BE ASSOCIATED WITH AN  
3 INCREASED RISK OF BREAST CANCER.

4 THIS INFORMATION ABOUT THE RESULT OF YOUR MAMMOGRAM IS GIVEN  
5 TO YOU TO RAISE YOUR AWARENESS. USE THIS INFORMATION TO TALK TO YOUR  
6 DOCTOR ABOUT YOUR OWN RISKS FOR BREAST CANCER. AT THAT TIME, ASK  
7 YOUR DOCTOR IF MORE SCREENING TESTS MIGHT BE USEFUL, BASED ON YOUR  
8 RISK. A REPORT OF YOUR RESULTS WAS SENT TO YOUR DOCTOR.”.

9 [(c)] (D) Notwithstanding any other provision of this title, the penalty for a  
10 violation of SUBSECTION (B) OF this section may not exceed \$1,000.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
12 October 1, 2013.