

HOUSE No. 1043**The Commonwealth of Massachusetts**

PRESENTED BY:

Ruth B. Balser

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:	DATE ADDED:
<i>Ruth B. Balser</i>	<i>12th Middlesex</i>	<i>2/17/2021</i>
<i>Brian W. Murray</i>	<i>10th Worcester</i>	<i>2/23/2021</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>2/24/2021</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>2/24/2021</i>
<i>Carmin Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>2/25/2021</i>
<i>Jessica Ann Giannino</i>	<i>16th Suffolk</i>	<i>2/26/2021</i>
<i>Kevin G. Honan</i>	<i>17th Suffolk</i>	<i>2/26/2021</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>2/26/2021</i>
<i>Danillo A. Sena</i>	<i>37th Middlesex</i>	<i>3/8/2021</i>
<i>Hannah Kane</i>	<i>11th Worcester</i>	<i>3/16/2021</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>5/25/2021</i>
<i>Mindy Domb</i>	<i>3rd Hampshire</i>	<i>10/22/2021</i>

HOUSE No. 1043

By Ms. Balser of Newton, a petition (accompanied by bill, House, No. 1043) of Ruth B. Balser and others relative to insurance coverage for mammograms and breast cancer screening. Financial Services.

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 2012
2 Official Edition, is hereby amended, in line 20, by striking the language after the word
3 “examination” and inserting in place thereof the following language:-

4 : (1) said benefits shall provide: (i) for 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 health care 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

necessary based on prior diagnostic imaging, (iv) screening breast ultrasound or screening breast magnetic resonance imaging examination if the patient is deemed to be at increased lifetime risk for breast cancer (defined as > 20% lifetime risk by established risk models) or has additional risk factors for breast cancer including, but not limited to, family history, prior personal history of breast cancer, positive genetic testing, heterogeneously or extremely dense breast tissue based on the Breast Imaging Reporting and Data System established by the American College of Radiology, or other combination of risk factors as determined by the patient's health care provider, (v) for a diagnostic mammogram, diagnostic breast ultrasound evaluation or breast magnetic resonance imaging scan if the patient has a history of breast cancer, (vi) for magnetic resonance imaging in place of, or in addition to, a mammogram when a mammogram is unable to detect cancers due to dense breast tissue or inability to adequately position the breast for mammography as ordered by a patient's physician. Said benefits shall be exempt from any co-payment, co-insurance, deductible or dollar limit provisions in a policy or contract. Providers of health care services specified under this section shall be reimbursed at rates accurately reflecting the resource costs specific to each modality, including any increased resource cost. (2) For purposes of this section, "screening mammogram" means a radiologic procedure that is provided to an asymptomatic woman for the purpose of early detection of breast cancer. This includes digital mammography and digital breast tomosynthesis. Digital breast tomosynthesis means a radiologic procedure that involves the acquisition of projection images over the stationary breast to produce cross-sectional digital images of the breast with standard two-dimensional radiographic views. "Diagnostic examinations for breast cancer" means a medically necessary and appropriate examination for breast cancer to evaluate the abnormality in the breast that is seen or suspected from a screening examination for breast cancer, detected by another means of

examination, recommended based upon prior diagnostic evaluation, or suspected based on the medical history or family medical history of the individual.

SECTION 2: Section 110 of Chapter 175 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended, in line 322, by striking the language after the word “examination” and inserting in place thereof the following language:-

: (1) said benefits shall provide: (i) for a baseline mammogram for women between the ages of thirty-five and forty and for a mammogram on an annual basis for women forty years of age or older; (ii) in the case of a woman under forty years of age who has a family history of breast cancer or other breast cancer risk factors, a mammogram examination at such age and intervals as deemed medically necessary by the woman’s health care provider; (iii) diagnostic mammography and ultrasound evaluation of an entire breast or both breasts if the screening mammogram shows any abnormality where additional examination is deemed medically necessary by the radiologist interpreting the screening mammogram, if the patient presents with a symptom including but not limited to palpable lump, pain, or discharge, or if deemed clinically necessary based on prior diagnostic imaging, (iv) screening breast ultrasound or screening breast magnetic resonance imaging examination if the patient has additional risk factors for breast cancer including, but not limited to, family history, prior personal history of breast cancer, positive genetic testing, heterogeneously or extremely dense breast tissue based on the Breast Imaging Reporting and Data System established by the American College of Radiology, or other indications as determined by the patient’s health care provider, (v) for a diagnostic mammogram, diagnostic breast ultrasound evaluation or breast magnetic resonance imaging scan if the patient has a history of breast cancer, (vi) for magnetic resonance imaging in place of, or in addition to, a mammogram when a mammogram is unable to detect cancers due to dense

breast tissue or inability to adequately position the breast for mammography as ordered by a patient's physician. Said benefits shall be exempt from any co-payment, co-insurance, deductible or dollar limit provisions in a policy or contract. Providers of health care services specified under this section shall be reimbursed at rates accurately reflecting the resource costs specific to each modality, including any increased resource cost. (2) For purposes of this section, "screening mammogram" means a radiologic procedure that is provided to an asymptomatic woman for the purpose of early detection of breast cancer. This includes digital mammography and digital breast tomosynthesis. Digital breast tomosynthesis means a radiologic procedure that involves the acquisition of projection images over the stationary breast to produce cross-sectional digital images of the breast with standard two-dimensional radiographic views. "Diagnostic examinations for breast cancer" means a medically necessary and appropriate examination for breast cancer to evaluate the abnormality in the breast that is seen or suspected from a screening examination for breast cancer, detected by another means of examination, recommended based upon prior diagnostic evaluation, or suspected based on the medical history or family medical history of the individual.

SECTION 3: Section 8J of Chapter 176A of the General Laws, as appearing in the 2012 Official Edition, is hereby amended, in line 12, by striking the language after the word "examination" and inserting in place thereof the following language:-

: (1) said benefits shall provide: (i) for a baseline mammogram for women between the ages of thirty-five and forty and for a mammogram on an annual basis, for women forty years of age or older; (ii) in the case of a woman under forty years of age who has a family history of breast cancer or other breast cancer risk factors, a mammogram examination at such age and intervals as deemed medically necessary by the woman's health care provider; (iii) diagnostic

82 mammography and ultrasound evaluation of an entire breast or both breasts if the screening
83 mammogram shows any abnormality where additional examination is deemed medically
84 necessary by the radiologist interpreting the screening mammogram, if the patient presents with a
85 symptom including but not limited to palpable lump, pain, or discharge, or if deemed clinically
86 necessary based on prior diagnostic imaging, , (iv) screening breast ultrasound or screening
87 breast magnetic resonance imaging examination if the patient has additional risk factors for
88 breast cancer including, but not limited to, family history, prior personal history of breast cancer,
89 positive genetic testing, heterogeneously or extremely dense breast tissue based on the Breast
90 Imaging Reporting and Data System established by the American College of Radiology, or other
91 indications as determined by the patient's health care provider, (v) for a diagnostic
92 mammogram, diagnostic breast ultrasound evaluation or breast magnetic resonance imaging scan
93 if the patient has a history of breast cancer, (vi) for magnetic resonance imaging in place of, or
94 in addition to, a mammogram when a mammogram is unable to detect cancers due to dense
95 breast tissue or inability to adequately position the breast for mammography as ordered by a
96 patient's physician. Said benefits shall be exempt from any co-payment, co-insurance, deductible
97 or dollar limit provisions in a policy or contract. Providers of health care services specified under
98 this section shall be reimbursed at rates accurately reflecting the resource costs specific to each
99 modality, including any increased resource cost. (2) For purposes of this section, "screening
100 mammogram" means a radiologic procedure that is provided to an asymptomatic woman for the
101 purpose of early detection of breast cancer. This includes digital mammography and digital
102 breast tomosynthesis. Digital breast tomosynthesis means a radiologic procedure that involves
103 the acquisition of projection images over the stationary breast to produce cross-sectional digital
104 images of the breast with standard two-dimensional radiographic views. "Diagnostic

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

SECTION 4: Section 4I of Chapter 176B of the General Laws, as appearing in the 2012 Official Edition, is hereby amended, in line 12, by striking the language after the word “examination” and inserting in place thereof the following language:-

: (1) said benefits shall provide: (i) for a baseline mammogram for women between the ages of thirty-five and forty and for a mammogram on an annual basis, for women forty years of age or older; (ii) in the case of a woman under forty years of age who has a family history of breast cancer or other breast cancer risk factors, a mammogram examination at such age and intervals as deemed medically necessary by the woman’s health care provider; (iii) diagnostic mammography and ultrasound evaluation of an entire breast or both breasts if the screening mammogram shows any abnormality where additional examination is deemed medically necessary by the radiologist interpreting the screening mammogram, if the patient presents with a symptom including but not limited to palpable lump, pain, or discharge, or if deemed clinically necessary based on prior diagnostic imaging, , (iv) screening breast ultrasound or screening breast magnetic resonance imaging examination if the patient has additional risk factors for breast cancer including, but not limited to, family history, prior personal history of breast cancer, positive genetic testing, heterogeneously or extremely dense breast tissue based on the Breast Imaging Reporting and Data System established by the American College of Radiology, or other indications as determined by the patient’s health care provider, (v) for a diagnostic

128 mammogram, diagnostic breast ultrasound evaluation or breast magnetic resonance imaging scan
129 if the patient has a history of breast cancer, (vi) for magnetic resonance imaging in place of, or
130 in addition to, a mammogram when a mammogram is unable to detect cancers due to dense
131 breast tissue or an inability to adequately position the breast for mammography as ordered by a
132 patient's physician. Said benefits shall be exempt from any co-payment, co-insurance, deductible
133 or dollar limit provisions in a policy or contract. Providers of health care services specified under
134 this section shall be reimbursed at rates accurately reflecting the resource costs specific to each
135 modality, including any increased resource cost. (2) For purposes of this section, "screening
136 mammogram" means a radiologic procedure that is provided to an asymptomatic woman for the
137 purpose of early detection of breast cancer. This includes digital mammography and digital
138 breast tomosynthesis. Digital breast tomosynthesis means a radiologic procedure that involves
139 the acquisition of projection images over the stationary breast to produce cross-sectional digital
140 images of the breast with standard two-dimensional radiographic views. "Diagnostic
141 examinations for breast cancer" means a medically necessary and appropriate examination for
142 breast cancer to evaluate the abnormality in the breast that is seen or suspected from a screening
143 examination for breast cancer, detected by another means of examination, recommended based
144 upon prior diagnostic evaluation, or suspected based on the medical history or family medical
145 history of the individual.