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:

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

SECTION 1: Section 47G of chapter 175 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended, in line 20, 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 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
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 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,
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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 an 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.