

HOUSE BILL 965

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By: **Delegates Queen, Fennell, Sample–Hughes, and Turner**

Introduced and read first time: February 2, 2024

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Department of Health – Breast Cancer Program – Eligibility and**
3 **Public Awareness Campaign**

4 FOR the purpose of altering the eligibility requirements for certain screening
5 mammograms and clinical breast examinations provided by the Breast Cancer
6 Program to include women under a certain age who are considered high risk for
7 breast cancer; requiring the Maryland Department of Health to develop and
8 implement a public awareness campaign for the Program; and generally relating to
9 the Breast Cancer Program.

10 BY repealing and reenacting, with amendments,
11 Article – Health – General
12 Section 20–116
13 Annotated Code of Maryland
14 (2023 Replacement Volume)

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

17 **Article – Health – General**

18 20–116.

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

20 (2) “Biennial” means once every other year.

21 (3) “Clinical breast examination” means a breast examination performed
22 by a health care professional for the purpose of detecting breast cancer.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (4) "Eligible individual" means an individual who is eligible to receive
2 benefits under the Program in accordance with subsection (e) of this section.

3 (5) "Mammogram" means an X-ray examination of the breast using
4 dedicated equipment, including X-ray tube, filter, compression device, screens, films, and
5 cassettes, specifically for mammography that delivers an average radiation exposure of less
6 than one rad mid-breast with two views for each breast.

7 (6) "Mastectomy" means the surgical removal of all or part of a breast as a
8 result of breast cancer.

9 (7) "Program" means the Breast Cancer Program.

10 (b) (1) The Department shall establish a Breast Cancer Program.

11 (2) The purpose of the Program is to:

12 (i) Provide at least biennial screening mammograms and clinical
13 breast examinations to [low-income]:

14 1. **LOW-INCOME**, underinsured and low-income, uninsured
15 women aged 40 years to 49 years; **AND**

16 2. **WOMEN UNDER THE AGE OF 45 YEARS WHO ARE**
17 **CONSIDERED HIGH RISK FOR BREAST CANCER DIAGNOSIS;**

18 (ii) Provide annual screening mammograms and clinical breast
19 examinations to low-income, underinsured and low-income, uninsured women aged 50
20 years and older; and

21 (iii) Provide diagnosis and treatment for individuals who are
22 identified by this Program as being in need.

23 (c) Treatment provided to a Program participant who has undergone a
24 mastectomy shall include:

25 (1) Reconstruction of the breast on which the mastectomy has been
26 performed;

27 (2) Surgery and reconstruction of the other breast to produce a
28 symmetrical appearance;

29 (3) Prostheses; and

30 (4) Any physical complications related to the mastectomy.

1 (d) The Department shall administer the Program through the local health
2 departments using a grant program under which a local health department makes
3 arrangements with health care facilities to provide screening mammograms and clinical
4 breast examinations to eligible individuals.

5 (e) **(1) [An] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, AN**
6 individual is eligible for the Program if the individual:

7 **[(1)] (I)** Has a family income that does not exceed 250% of the federal
8 poverty level; and

9 **[(2)] (II)** Does not have access to health insurance coverage that covers
10 screening mammograms and clinical breast examinations for women aged 40 years and
11 older.

12 **(2) (I) AN INDIVIDUAL IS ELIGIBLE FOR THE SCREENINGS AND**
13 **EXAMINATIONS AUTHORIZED UNDER SUBSECTION (B)(2)(I)2 OF THIS SECTION**
14 **WITHOUT REGARD TO FAMILY INCOME OR HEALTH INSURANCE COVERAGE STATUS**
15 **IF THE INDIVIDUAL BELONGS TO A CATEGORY CONSIDERED TO BE AT HIGH RISK FOR**
16 **A BREAST CANCER DIAGNOSIS, AS DETERMINED BY THE DEPARTMENT.**

17 **(II) WHEN DETERMINING WHETHER A CATEGORY OF**
18 **INDIVIDUALS IS AT HIGH RISK FOR A BREAST CANCER DIAGNOSIS, THE**
19 **DEPARTMENT SHALL CONSIDER:**

20 **1. RELEVANT GUIDANCE FROM THE CENTERS FOR**
21 **DISEASE CONTROL AND PREVENTION; AND**

22 **2. THE PREVALENCE OF BREAST CANCER AMONG**
23 **DIFFERENT RACES.**

24 (f) For each fiscal year, the Governor shall include an appropriation of general
25 funds to the Program in an amount not less than the amount appropriated for breast cancer
26 screening, diagnosis, and treatment in the State budget for fiscal year 1999, subject to the
27 availability of State funds.

28 (g) The Department shall:

29 (1) Adopt regulations necessary to implement the Program; [and]

30 (2) Work with all interested parties to assure that breast cancer screening
31 services are available to women at least 40 years old; AND

32 **(3) DEVELOP AND IMPLEMENT A PUBLIC AWARENESS CAMPAIGN TO**
33 **ENCOURAGE ELIGIBLE INDIVIDUALS TO PARTICIPATE IN THE PROGRAM.**

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2024.