

# SENATE BILL NO. 1328

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR MCCREERY.

4881S.011

KRISTINA MARTIN, Secretary

## AN ACT

To repeal section 192.769, RSMo, relating to mammograms.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 192.769, RSMo, is repealed, to read as follows:

2                   [192.769. 1. On completion of a  
2                   mammogram, a mammography facility certified by  
3                   the United States Food and Drug Administration  
4                   (FDA) or by a certification agency approved by  
5                   the FDA shall provide to the patient the  
6                   following notice:  
7                   " If your mammogram demonstrates that you  
8                   have dense breast tissue, which could hide  
9                   abnormalities, and you have other risk factors  
10                  for breast cancer that have been identified, you  
11                  might benefit from supplemental screening tests  
12                  that may be suggested by your ordering  
13                  physician. Dense breast tissue, in and of  
14                  itself, is a relatively common condition.  
15                  Therefore, this information is not provided to  
16                  cause undue concern, but rather to raise your  
17                  awareness and to promote discussion with your  
18                  physician regarding the presence of other risk  
19                  factors, in addition to dense breast tissue. A  
20                  report of your mammography results will be sent  
21                  to you and your physician. You should contact  
22                  your physician if you have any questions or  
23                  concerns regarding this report."  
24                  2. Nothing in this section shall be  
25                  construed to create a duty of care beyond the  
26                  duty to provide notice as set forth in this  
27                  section.  
28                  3. The information required by this  
29                  section or evidence that a person violated this  
30                  section is not admissible in a civil, judicial,  
31                  or administrative proceeding.  
32                  4. A mammography facility is not required  
33                  to comply with the requirements of this section  
34                  until January 1, 2015.]

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**EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**