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SENATE BILL 283

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011

INTRODUCED BY

Timothy Z. Jennings

AN ACT

RELATING TO HEALTH CARE; REQUIRING HEALTH CARE PROVIDERS TO
INFORM PERSONS UNDERGOING MASTECTOMY OR LUMPECTOMY OR LYMPH
NODE DISSECTION SURGERY OF THE BREAST ABOUT THE OPTION OF
RECONSTRUCTIVE SURGERY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

**SECTION 1. COMMUNICATION REGARDING RECONSTRUCTIVE BREAST
SURGERY.--**

A. A health care provider that provides mastectomy
or lumpectomy or lymph node dissection surgery of the breast
shall provide information to the patient about the option of
reconstructive surgery. The information shall be provided to
the patient in writing and in advance of obtaining consent for
the mastectomy or lumpectomy or lymph node dissection surgery
of the breast. The information shall include at least a

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1 description of:

2 (1) reconstructive surgery options and the
3 advantages and disadvantages of each option;

4 (2) the availability of health insurance or
5 health care coverage for costs related to reconstructive
6 surgery pursuant to the New Mexico Insurance Code and the
7 federal Women's Health and Cancer Rights Act of 1998; and

8 (3) patient access to reconstructive surgery
9 services, including referring the patient to a health care
10 provider that provides reconstructive surgery if the health
11 care provider that performs the mastectomy or lumpectomy or
12 lymph node dissection surgery of the breast does not offer
13 reconstructive surgery services.

14 B. The department of health shall notify health
15 care providers of the provisions of Subsection A of this
16 section.