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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 description of:

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

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

(3) patient access to reconstructive surgery
services, including referring the patient to a health care

1 provider that provides reconstructive surgery if the health
2 care provider that performs the mastectomy or lumpectomy or
3 lymph node dissection surgery of the breast does not offer
4 reconstructive surgery services.

5 B. The department of health shall notify health
6 care providers of the provisions of Subsection A of this
7 section.

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