

An Act

ENROLLED HOUSE
BILL NO. 4152

By: Schreiber, Hefner, and
Swope of the House

and

Stanley of the Senate

An Act relating to public health and safety; amending 63 O.S. 2021, Section 1-553.1, which relates to summary of mammography report for patient; changing the breast density notice; and providing an effective date.

SUBJECT: Public health and safety

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 63 O.S. 2021, Section 1-553.1, is amended to read as follows:

Section 1-553.1 A. All health care facilities that perform mammography examinations shall include in the summary of the mammography report, required by federal law to be provided to a patient, information that identifies the patient's individual breast density classification ~~based on the Breast Imaging Reporting and Data System established by the American College of Radiology as~~ dense or not dense. If the patient elects to receive the summary of the mammography report by electronic mail and provides an electronic mail address, the summary shall be sent by electronic mail. If the facility determines that a patient has heterogeneously or extremely dense breast tissue, the summary of the mammography report shall include the following notice:

~~"Your mammogram indicates that you have dense breast tissue. Dense breast tissue is common and is found in more than fifty percent (50%) of women and is not abnormal. However, dense breast~~

~~tissue may make it more difficult to detect breast cancer and may be associated with an increased risk of breast cancer. This information is being provided to raise your awareness and to encourage you and your health care provider to discuss this and other breast cancer risk factors. Together, you and your health care provider can decide if additional screening options may be right for you. A report of your results was sent to your health care provider."~~

"Breast tissue can be either dense or not dense. Dense tissue makes it harder to find breast cancer on a mammogram and also raises the risk of developing breast cancer. Your breast tissue is dense. In some people with dense tissue, other imaging tests in addition to a mammogram may help find cancers. Talk to your health care provider about breast density, risks for breast cancer, and your individual situation."

B. Patients who receive diagnostic or screening mammograms may be directed to informative material about breast density. This informative material may include the American College of Radiology's most current brochure on the subject of breast density available on the American College of Radiology's website. Patients and health care providers can be further informed by material from the American Cancer Society or Mammography Saves Lives organizations.

C. Nothing in this section shall be deemed to create a duty of care or other legal obligation beyond the duty to provide notice as set forth in subsection A of this section. Nothing in this section shall be deemed to require a notice that is inconsistent with the provisions of the federal Mammography Quality Standards Act or any regulations promulgated pursuant thereto.

SECTION 2. This act shall become effective November 1, 2024.

Passed the House of Representatives the 7th day of March, 2024.

Presiding Officer of the House
of Representatives

Passed the Senate the 16th day of April, 2024.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____