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SENATE BILL 5084

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State of Washington

65th Legislature

2017 Regular Session

By Senators Rolfes, Angel, Hasegawa, Nelson, Honeyford, Darneille, Billig, Keiser, Wilson, Saldaña, Warnick, and Kuderer

Read first time 01/12/17. Referred to Committee on Health Care.

1 AN ACT Relating to providing women with timely information  
2 regarding their breast health; adding a new section to chapter 70.54  
3 RCW; providing an effective date; and providing an expiration date.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 70.54  
6 RCW to read as follows:

7 (1) All health care facilities shall include in the summary of  
8 the mammography report, required by federal law to be provided to a  
9 patient, information that identifies the patient's individual breast  
10 density classification based on the breast imaging reporting and data  
11 system established by the American College of Radiology. If a  
12 physician at, employed by, or under contract with, the health care  
13 facility determines that a patient has heterogeneously or extremely  
14 dense breasts, the summary of the mammography report must include the  
15 following notice:

16 "Your mammogram indicates that you may have dense breast tissue.  
17 Roughly half of all women have dense breast tissue which is normal.  
18 Dense breast tissue may make it more difficult to evaluate your  
19 mammogram and may be associated with an increased risk of breast  
20 cancer. We are sharing this information with you and your health care  
21 provider to help raise your awareness of breast density. We encourage

1 you to talk with your health care provider about this and other  
2 breast cancer risk factors. Together, you can decide which screening  
3 options are right for you."

4 (2) Patients who receive diagnostic or screening mammograms may  
5 be directed to informative material about breast density. This  
6 informative material may include the American College of Radiology's  
7 most current brochure on the subject of breast density.

8 (3) This section does not create or impose liability on a health  
9 care facility for failing to comply with the requirements of this  
10 section before January 1, 2018.

11 (4) This section does not create a duty of care or other legal  
12 obligation beyond the duty to provide notice as set forth in this  
13 section.

14 (5) This section does not require a notice that is inconsistent  
15 with the provisions of the federal mammography quality standards act  
16 (42 U.S.C. Sec. 263b) or any regulations adopted under that act.

17 (6) For the purposes of this section:

18 (a) "Health care facility" means a hospital, clinic, nursing  
19 home, laboratory, office, or similar place where mammography  
20 examinations are performed.

21 (b) "Physician" means a person licensed to practice medicine  
22 under chapter 18.57 or 18.71 RCW.

23 (7) This section expires January 1, 2024.

24 NEW SECTION. **Sec. 2.** Section 1 of this act takes effect January  
25 1, 2018.

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