

Committee Substitute for Senate Bill No. 2306

An act relating to radiologists performing mammograms; providing legislative findings; providing for studies; providing for membership of a workgroup; providing for reports; providing an effective date.

WHEREAS, breast cancer is the second leading cause of cancer deaths in women, and

WHEREAS, mammography is an imperfect screening test but the best tool available to detect breast cancer, and

WHEREAS, early detection of breast cancer decreases mortality by 30 percent, and

WHEREAS, the population of women who will need screening is increasing, NOW, THEREFORE,

Be It Enacted by the Legislature of the State of Florida:

Section 1. The Legislature finds that it is of the utmost public importance that quality mammography services and other diagnostic tools remain available to detect and treat breast cancer. The Office of Program Policy Analysis and Government Accountability and the Department of Health shall study issues relating to the availability utilization, quality, and cost of mammography services in all facilities performing mammography. The study shall include, but need not be limited to, examining the following factors that impact availability utilization, quality, and cost: reimbursement fees, copayment fees paid by patients, incidence of lawsuits filed, equipment and liability insurance costs and insurance availability, equipment maintenance and calibration, staffing requirements and training, type and number of facilities performing mammography, facilities surveyed by the Bureau of Radiation Control of the Department of Health, population density of females aged 40 and older in each county, and other factors that relate to the demand and availability of mammography services. The Office of Program Policy Analysis and Government Accountability shall complete its study and submit its report to the Legislature by December 15, 2004.

(1) There is also created the Workgroup on Mammography Accessibility within the Department of Health. The workgroup shall study:

(a) The availability, quality of care, and accessibility of mammography in this state.

(b) The need for research and educational facilities, including facilities with institutional training programs and community training programs for doctors of radiological medicine at the student, internship, and residency levels.

(c) The availability of resources, including health personnel and management personnel for mammography programs.

(d) The patient wait times for screening and diagnostic mammography.

(2) The workgroup shall consist of 13 members and be staffed by the Department of Health. It shall be chaired by the Secretary of Health or his or her designee. The remaining 12 members shall be appointed as follows: the Governor shall appoint four members, the President of the Senate shall appoint four members one of whom shall be a member of the Senate, and the Speaker of the House of Representatives shall appoint four members one of whom shall be a member of the House of Representatives. The Governor's appointees and the Legislature's appointees who are not members of the Legislature must have a background in mammography by either practicing or teaching or both as a physician in the field of mammography, insuring mammography health care providers, or trying or defending medical malpractice cases as an attorney.

(3) By December 15, 2004, the department shall submit a report to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the substantive legislative committees which provides the findings of the workgroup and recommendations for Legislative action.

Section 2. This act shall take effect upon becoming a law.

Approved by the Governor May 13, 2004.

Filed in Office Secretary of State May 13, 2004.