

CHAPTER 2018-59

Committee Substitute for Committee Substitute for House Bill No. 735

An act relating to mammography; creating s. 381.933, F.S.; defining the terms “facility,” “mammography,” and “mammography report”; requiring facilities performing mammography to include certain information in a summary of the mammography report which must be provided to each patient; providing applicability; providing for future repeal; providing an effective date.

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

Section 1. Section 381.933, Florida Statutes, is created to read:

381.933 Mammography reports.—

(1) DEFINITIONS.—As used in this section, the term:

(a) “Facility” has the same meaning as in 21 C.F.R. s. 900.2(q).

(b) “Mammography” has the same meaning as in 21 C.F.R. s. 900.2(aa).

(c) “Mammography report” has the same meaning as in 21 C.F.R. s. 900.12(c).

(2) MAMMOGRAPHY REPORTS; RESULTS.—A facility that performs mammography shall send a summary of a patient’s mammography report to each patient in accordance with 21 C.F.R. s. 900.12(c). If a facility determines that a patient has heterogeneously or extremely dense breasts, the summary must include the following notice:

“Your mammogram shows that your breast tissue is dense. Dense breast tissue is relatively common and is found in approximately 50 percent of women. The presence of dense breast tissue can make it more difficult to detect some abnormalities in the breast and may also be associated with an increased risk of breast cancer. This information about the results of your mammogram is given to you to raise your awareness. A report of your results was sent to your health care provider. Further recommendations may be added at the discretion of the interpreting radiologist. Please be aware that additional screening studies may not be covered by your insurance.”

(a) This subsection does not create a duty, standard of care, or other legal obligation beyond the duty to provide notice as set forth in this subsection.

(b) This subsection does not require a notice that is inconsistent with the federal Mammography Quality Standards Act or any regulation promulgated pursuant to that act.

(3) REPEAL.—This section is repealed June 30, 2023.

Section 2. This act shall take effect July 1, 2018.

Approved by the Governor March 21, 2018.

Filed in Office Secretary of State March 21, 2018.