

1 TO THE HONORABLE SENATE:

2 The Committee on Health and Welfare to which was referred Senate Bill
3 No. 157 entitled “An act relating to breast density notification and education”
4 respectfully reports that it has considered the same and recommends that the
5 bill be amended by striking out all after the enacting clause and inserting in
6 lieu thereof the following:

7 Sec. 1. 18 V.S.A. § 158 is added to read:

8 § 158. DENSE BREAST NOTIFICATION AND EDUCATION

9 (a) All health care facilities that perform mammography examinations shall
10 include in the summary of the mammography report to be provided to a patient
11 information that identifies the patient’s individual breast tissue classification
12 based on the Breast Imaging Reporting and Data System established by the
13 American College of Radiology. If a facility determines that a patient has
14 heterogeneously dense or extremely dense breasts, the summary of the
15 mammography report shall also include a notice substantially similar to the
16 following:

17 “Your mammogram indicates that you have dense breast tissue. Dense
18 breast tissue is a normal finding that is present in about 40 percent of women.
19 Dense breast tissue can make it more difficult to detect cancer on a
20 mammogram and may be associated with a slightly increased risk for breast
21 cancer. This information is provided to raise your awareness of the impact of

1 breast density on cancer detection and to encourage you to discuss this issue,
2 as well as other breast cancer risk factors, with your health care provider as
3 you decide together which screening options may be right for you.”

4 (b) Facilities that perform mammography examinations may update the
5 language in their notices over time to reflect advances in science and
6 technology, as long as they continues to notify patients about the frequency of
7 dense breast tissue and its effect on the accuracy of mammograms and
8 encourage patients to discuss the issue with their health care provider.

9 Facilities shall notify the Department of Health each time they make changes
10 to the notice required by this section and shall provide an updated copy for the
11 Department’s information and review.

12 (c) Nothing in this section shall be construed to create a duty of care or
13 other legal obligation beyond the duty to provide notice as set forth in this
14 section.

15 Sec. 2. EFFECTIVE DATE

16 This act shall take effect on July 1, 2016 and shall apply to exams
17 performed on or after January 15, 2017.

18 (Committee vote: _____)

19 _____

20 Senator _____

21 FOR THE COMMITTEE