

**CONFIDENTIAL**  
**LEGISLATIVE BILL REVIEW FORM 2015**



Bill Number: S.157 Name of Bill: An act relating to breast density notification and education

Agency/Dept: Department of Health Author of Bill Review: Nicole Lukas

Date of Bill Review: May 19, 2019 Related Bills and Key Players N/A

Status of Bill: (check one): ☐ Upon Introduction ☐ As passed by 1<sup>st</sup> body ☒ As passed by both

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**Recommended Position:**

☒ Support ☐ Oppose ☐ Remain Neutral ☐ Support with modifications

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**Analysis of Bill**

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**1. Summary of bill and issue it addresses.** *Describe what the bill is intended to accomplish and why.*

This bill requires facilities in Vermont that provide mammography services to include a statement on breast density in the mammography results, to women who have been identified with heterogeneously dense or extremely dense breasts. The bill does not incur a cost to the Department of Health or other Agency of Human Services; however, it does state that the Department of Health would review the language on dense breast tissue if a facility changes its language on the results form.

**2. Is there a need for this bill?** *Please explain why or why not.*

This bill is helpful. While the American Cancer Society states that having breasts with dense breast tissue is normal and common, they do state that having dense breast tissue *might* increase your risk for getting breast cancer. According to the ACS, "women who have dense breast tissue have a slightly higher risk for breast cancer compared to women with less dense breast tissue"<sup>1</sup>.

Understanding risk factors, what screens are recommended, and how one's breasts look on a mammogram are important. The ACS states that although other tests are not necessary when dense breast tissue is present, a woman should talk to her provider to ensure the provider is aware of the results, understands the patient's medical history, and can assess whether she is at a higher risk for developing breast cancer. This bill may increase patients' understanding of their mammogram result and help drive more women to discuss dense tissue results with their providers.

**3. What are likely to be the fiscal and programmatic implications of this bill for this Department?**

There are no fiscal implications. There may be some minimal programmatic staff time required to review proposed language and/ or changes when said language is altered.

**4. What might be the fiscal and programmatic implications of this bill for other departments in state government, and what is likely to be their perspective on it?**

It is not anticipated that there will be fiscal or programmatic implications for other departments of agencies.

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<sup>1</sup> <http://www.cancer.org/acs/groups/content/@editorial/documents/document/acspc-039989.pdf>

Please return this bill review as a Microsoft Word document to [laura.gray@state.vt.us](mailto:laura.gray@state.vt.us) and [jessica.mishaan@state.vt.us](mailto:jessica.mishaan@state.vt.us)

**5. What might be the fiscal and programmatic implications of this bill for others, and what is likely to be their perspective on it?** *(for example, public, municipalities, organizations, business, regulated entities, etc)*

Hospitals and any other institutions providing mammography services in Vermont would need to alter their notification of mammography results to include a statement on dense breast tissue such as:

*“Your mammogram indicates that you have dense breast tissue. Dense breast tissue is a normal finding that is present in about 40 percent of women. Dense breast tissue can make it more difficult to detect cancer on a mammogram and may be associated with a slightly increased risk for breast cancer. This information is provided to raise your awareness of the impact of breast density on cancer detection and to encourage you to discuss this issue, as well as other breast cancer risk factors, with your health care provider as you decide together which screening options may be right for you.”* It is not anticipated that this would pose a significant burden on those institutions.

**6. Other Stakeholders:**

**6.1 Who else is likely to support the proposal and why?**

The American Cancer Society. They have stated that increasing awareness and understanding of dense breast tissue is an important part of breast cancer screening and prevention.

**6.2 Who else is likely to oppose the proposal and why?**

Vermont Association of Hospitals and Health Systems (VAHHS). They may perceive this requirement as an unfunded mandate.

**7. Rationale for recommendation:** *Justify recommendation stated above.*

This bill should be supported because it is simple to implement, does not incur significant staff time for review, and will not cost the state of Vermont any money. More importantly, this bill could lead to increased understanding of breast health and breast cancer screening among Vermont women, and it could increase the dialogue and information sharing between patients and their providers.

**8. Specific modifications that would be needed to recommend support of this bill:** *Not meant to rewrite bill, but rather, an opportunity to identify simple modifications that would change recommended position.*

None needed.

**9. Gubernatorial appointments to board or commission?**

None.

**Secretary/Commissioner has reviewed this document:** \_\_\_\_\_ **Date:** \_\_\_\_\_