

SENATE No. 1006

The Commonwealth of Massachusetts

PRESENTED BY:

Eileen M. Donoghue

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to breast density notification.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Eileen M. Donoghue</i>	<i>First Middlesex</i>
<i>Karen E. Spilka</i>	<i>Second Middlesex and Norfolk</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>

SENATE No. 1006

By Ms. Donoghue, a petition (accompanied by bill, Senate, No. 1006) of Eileen M. Donoghue, Karen E. Spilka and James B. Eldridge for legislation relative to the notification breast abnormalities. Public Health.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relative to breast density notification.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 111 of the General Laws is hereby amended by inserting after
2 section 5Q the following section:-

3 Section 5Q ½. (a) On completion of a mammogram, a mammography facility licensed
4 by the department of public health shall provide to the patient the following notice:

5 “If your mammogram demonstrates that you have dense breast tissue, which could hide
6 abnormalities, and you have other risk factors for breast cancer that have been identified, you
7 might benefit from supplemental screening tests that may be suggested by your ordering
8 physician.

9 Dense breast tissue, in and of itself, is a relatively common condition. Therefore, this
10 information is not provided to cause undue concern, but rather to raise your awareness and to
11 promote discussion with your physician regarding the presence of other risk factors, in addition
12 to dense breast tissue.

13 A report of your mammography results will be sent to you and your physician. You
14 should contact your physician if you have any questions or concerns regarding this report.”

15 (b) Notwithstanding any special or general law to the contrary, this section does not
16 create a cause of action or create a standard of care, obligation, or duty that provides a basis for a
17 cause of action.

18 (c) The information required by this section or evidence that a person violated this section
19 is not admissible in a civil, judicial, or administrative proceeding.