

SENATE No. 616

The Commonwealth of Massachusetts

PRESENTED BY:

Joan B. Lovely

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 insurance coverage for mammograms and breast cancer screening.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | |
|----------------------------|--|------------------|
| <i>Joan B. Lovely</i> | <i>Second Essex</i> | |
| <i>Patrick M. O'Connor</i> | <i>Plymouth and Norfolk</i> | <i>1/29/2019</i> |
| <i>Mark C. Montigny</i> | <i>Second Bristol and Plymouth</i> | <i>5/20/2019</i> |
| <i>Jason M. Lewis</i> | <i>Fifth Middlesex</i> | <i>6/12/2019</i> |
| <i>Anne M. Gobi</i> | <i>Worcester, Hampden, Hampshire and Middlesex</i> | <i>6/14/2019</i> |
| <i>Kay Khan</i> | <i>11th Middlesex</i> | <i>8/26/2019</i> |

SENATE No. 616

By Ms. Lovely, a petition (accompanied by bill, Senate, No. 616) of Joan B. Lovely and Patrick M. O'Connor for legislation relative to insurance coverage for mammograms and breast cancer screening. Financial Services.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 554 OF 2017-2018.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act relative to insurance coverage for mammograms and breast cancer screening.

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: Section 47G of chapter 175 of the General Laws, as appearing in the 2012
2 Official Edition, is hereby amended, in line 20, by striking the language after the word
3 “examination” and inserting in place thereof the following language:-

4 : (1) said benefits shall provide: (i) for a baseline mammogram, which may include
5 tomosynthesis, for women between the ages of thirty-five and forty and for a mammogram on an
6 annual basis, which may include tomosynthesis, for women forty years of age or older; (ii) in the
7 case of a woman under forty years of age who has a family history of breast cancer or other
8 breast cancer risk factors, a mammogram examination, which may include tomosynthesis, at
9 such age and intervals as deemed medically necessary by the woman’s health care provider; (iii)
10 ultrasound evaluation, magnetic resonance imaging scan or additional mammography testing,

11 which may include tomosynthesis, of an entire breast or breasts if the screening mammogram,
12 screening ultrasound or MRI shows any abnormality where additional examination is deemed
13 medically necessary by the radiologist or the patient's health care provider, (iv) screening breast
14 ultrasound or screening breast magnetic resonance imaging examination if the patient has
15 additional risk factors for breast cancer including, but not limited to, family history, prior
16 personal history of breast cancer, positive genetic testing, heterogeneously or extremely dense
17 breast tissue based on the Breast Imaging Reporting and Data System established by the
18 American College of Radiology, or other indications as determined by the patient's health care
19 provider, (v) for a diagnostic mammogram, which may include tomosynthesis, diagnostic breast
20 ultrasound evaluation or breast magnetic resonance imaging scan if the patient has a history of
21 breast cancer, (vi) for magnetic resonance imaging in place of, or in addition to, a mammogram
22 when a mammogram is unable to detect cancers due to insufficient breast tissue as ordered by a
23 patient's physician. Said benefits shall be exempt from any co-payment, co-insurance, deductible
24 or dollar limit provisions in a policy or contract.

25 Section 2: Section 110 of Chapter 175 of the General Laws, as appearing in the 2012
26 Official Edition, is hereby amended, in line 322, by striking the language after the word
27 "examination" and inserting in place thereof the following language:-

28 : (1) said benefits shall provide: (i) for a baseline mammogram, which may include
29 tomosynthesis, for women between the ages of thirty-five and forty and for a mammogram on an
30 annual basis, which may include tomosynthesis, for women forty years of age or older; (ii) in the
31 case of a woman under forty years of age who has a family history of breast cancer or other
32 breast cancer risk factors, a mammogram examination, which may include tomosynthesis, at
33 such age and intervals as deemed medically necessary by the woman's health care provider; (iii)

34 ultrasound evaluation, magnetic resonance imaging scan or additional mammography testing,
35 which may include tomosynthesis, of an entire breast or breasts if the screening mammogram,
36 screening ultrasound or MRI shows any abnormality where additional examination is deemed
37 medically necessary by the radiologist or the patient's health care provider, (iv) screening breast
38 ultrasound or screening breast magnetic resonance imaging examination if the patient has
39 additional risk factors for breast cancer including, but not limited to, family history, prior
40 personal history of breast cancer, positive genetic testing, heterogeneously or extremely dense
41 breast tissue based on the Breast Imaging Reporting and Data System established by the
42 American College of Radiology, or other indications as determined by the patient's health care
43 provider, (v) for a diagnostic mammogram, which may include tomosynthesis, diagnostic breast
44 ultrasound evaluation or breast magnetic resonance imaging scan if the patient has a history of
45 breast cancer, (vi) for magnetic resonance imaging in place of, or in addition to, a mammogram
46 when a mammogram is unable to detect cancers due to insufficient breast tissue as ordered by a
47 patient's physician. Said benefits shall be exempt from any co-payment, co-insurance, deductible
48 or dollar limit provisions in a policy or contract.

49 Section 3: Section 8J of Chapter 176A of the General Laws, as appearing in the 2012
50 Official Edition, is hereby amended, in line 12, by striking the language after the word
51 "examination" and inserting in place thereof the following language:-

52 : (1) said benefits shall provide: (i) for a baseline mammogram, which may include
53 tomosynthesis, for women between the ages of thirty-five and forty and for a mammogram on an
54 annual basis, which may include tomosynthesis, for women forty years of age or older; (ii) in the
55 case of a woman under forty years of age who has a family history of breast cancer or other
56 breast cancer risk factors, a mammogram examination, which may include tomosynthesis, at

57 such age and intervals as deemed medically necessary by the woman’s health care provider; (iii)
58 ultrasound evaluation, magnetic resonance imaging scan or additional mammography testing,
59 which may include tomosynthesis, of an entire breast or breasts if the screening mammogram,
60 screening ultrasound or MRI shows any abnormality where additional examination is deemed
61 medically necessary by the radiologist or the patient’s health care provider, (iv) screening breast
62 ultrasound or screening breast magnetic resonance imaging examination if the patient has
63 additional risk factors for breast cancer including, but not limited to, family history, prior
64 personal history of breast cancer, positive genetic testing, heterogeneously or extremely dense
65 breast tissue based on the Breast Imaging Reporting and Data System established by the
66 American College of Radiology, or other indications as determined by the patient’s health care
67 provider, (v) for a diagnostic mammogram, which may include tomosynthesis, diagnostic breast
68 ultrasound evaluation or breast magnetic resonance imaging scan if the patient has a history of
69 breast cancer, (vi) for magnetic resonance imaging in place of, or in addition to, a mammogram
70 when a mammogram is unable to detect cancers due to insufficient breast tissue as ordered by a
71 patient’s physician. Said benefits shall be exempt from any co-payment, co-insurance, deductible
72 or dollar limit provisions in a policy or contract.

73 Section 4: Section 4I of Chapter 176B of the General Laws, as appearing in the 2012
74 Official Edition, is hereby amended, in line 12, by striking the language after the word
75 “examination” and inserting in place thereof the following language:-

76 : (1) said benefits shall provide: (i) for a baseline mammogram, which may include
77 tomosynthesis, for women between the ages of thirty-five and forty and for a mammogram on an
78 annual basis, which may include tomosynthesis, for women forty years of age or older; (ii) in the
79 case of a woman under forty years of age who has a family history of breast cancer or other

80 breast cancer risk factors, a mammogram examination, which may include tomosynthesis, at
81 such age and intervals as deemed medically necessary by the woman's health care provider; (iii)
82 ultrasound evaluation, magnetic resonance imaging scan or additional mammography testing,
83 which may include tomosynthesis, of an entire breast or breasts if the screening mammogram,
84 screening ultrasound or MRI shows any abnormality where additional examination is deemed
85 medically necessary by the radiologist or the patient's health care provider, (iv) screening breast
86 ultrasound or screening breast magnetic resonance imaging examination if the patient has
87 additional risk factors for breast cancer including, but not limited to, family history, prior
88 personal history of breast cancer, positive genetic testing, heterogeneously or extremely dense
89 breast tissue based on the Breast Imaging Reporting and Data System established by the
90 American College of Radiology, or other indications as determined by the patient's health care
91 provider, (v) for a diagnostic mammogram, which may include tomosynthesis, diagnostic breast
92 ultrasound evaluation or breast magnetic resonance imaging scan if the patient has a history of
93 breast cancer, (vi) for magnetic resonance imaging in place of, or in addition to, a mammogram
94 when a mammogram is unable to detect cancers due to insufficient breast tissue as ordered by a
95 patient's physician. Said benefits shall be exempt from any co-payment, co-insurance, deductible
96 or dollar limit provisions in a policy or contract.