

HOUSE No. 1043

The Commonwealth of Massachusetts

PRESENTED BY:

Ruth B. Balser

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:	DATE ADDED:
<i>Ruth B. Balser</i>	<i>12th Middlesex</i>	<i>2/17/2021</i>
<i>Brian W. Murray</i>	<i>10th Worcester</i>	<i>2/23/2021</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>2/24/2021</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>2/24/2021</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>2/25/2021</i>
<i>Jessica Ann Giannino</i>	<i>16th Suffolk</i>	<i>2/26/2021</i>
<i>Kevin G. Honan</i>	<i>17th Suffolk</i>	<i>2/26/2021</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>2/26/2021</i>
<i>Danillo A. Sena</i>	<i>37th Middlesex</i>	<i>3/8/2021</i>
<i>Hannah Kane</i>	<i>11th Worcester</i>	<i>3/16/2021</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>5/25/2021</i>
<i>Mindy Domb</i>	<i>3rd Hampshire</i>	<i>10/22/2021</i>
<i>Tommy Vitolo</i>	<i>15th Norfolk</i>	<i>12/2/2021</i>
<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>2/1/2022</i>

HOUSE No. 1043

By Ms. Balsler of Newton, a petition (accompanied by bill, House, No. 1043) of Ruth B. Balsler and others relative to insurance coverage for mammograms and breast cancer screening. Financial Services.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

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 for women between the
5 ages of thirty-five and forty and for a mammogram on an annual basis for women forty years of
6 age or older; (ii) in the case of a woman under forty years of age who has a family history of
7 breast cancer or other breast cancer risk factors, a mammogram examination at such age and
8 intervals as deemed medically necessary by the woman’s health care provider; (iii) diagnostic
9 mammography and ultrasound evaluation of an entire breast or both breasts if the screening
10 mammogram shows any abnormality where additional examination is deemed medically
11 necessary by the radiologist interpreting the screening mammogram, if the patient presents with a
12 symptom including but not limited to palpable lump, pain, or discharge, or if deemed clinically

13 necessary based on prior diagnostic imaging, (iv) screening breast ultrasound or screening breast
14 magnetic resonance imaging examination if the patient is deemed to be at increased lifetime risk
15 for breast cancer (defined as > 20% lifetime risk by established risk models) or has additional
16 risk factors for breast cancer including, but not limited to, family history, prior personal history
17 of breast cancer, positive genetic testing, heterogeneously or extremely dense breast tissue based
18 on the Breast Imaging Reporting and Data System established by the American College of
19 Radiology, or other combination of risk factors as determined by the patient's health care
20 provider, (v) for a diagnostic mammogram, diagnostic breast ultrasound evaluation or breast
21 magnetic resonance imaging scan if the patient has a history of breast cancer, (vi) for magnetic
22 resonance imaging in place of, or in addition to, a mammogram when a mammogram is unable to
23 detect cancers due to dense breast tissue or inability to adequately position the breast for
24 mammography as ordered by a patient's physician. Said benefits shall be exempt from any co-
25 payment, co-insurance, deductible or dollar limit provisions in a policy or contract. Providers of
26 health care services specified under this section shall be reimbursed at rates accurately reflecting
27 the resource costs specific to each modality, including any increased resource cost. (2) For
28 purposes of this section, "screening mammogram" means a radiologic procedure that is provided
29 to an asymptomatic woman for the purpose of early detection of breast cancer. This includes
30 digital mammography and digital breast tomosynthesis. Digital breast tomosynthesis means a
31 radiologic procedure that involves the acquisition of projection images over the stationary breast
32 to produce cross-sectional digital images of the breast with standard two-dimensional
33 radiographic views. "Diagnostic examinations for breast cancer" means a medically necessary
34 and appropriate examination for breast cancer to evaluate the abnormality in the breast that is
35 seen or suspected from a screening examination for breast cancer, detected by another means of

36 examination, recommended based upon prior diagnostic evaluation, or suspected based on the
37 medical history or family medical history of the individual.

38 SECTION 2: Section 110 of Chapter 175 of the General Laws, as appearing in the 2012
39 Official Edition, is hereby amended, in line 322, by striking the language after the word
40 “examination” and inserting in place thereof the following language:-

41 : (1) said benefits shall provide: (i) for a baseline mammogram for women between the
42 ages of thirty-five and forty and for a mammogram on an annual basis for women forty years of
43 age or older; (ii) in the case of a woman under forty years of age who has a family history of
44 breast cancer or other breast cancer risk factors, a mammogram examination at such age and
45 intervals as deemed medically necessary by the woman’s health care provider; (iii) diagnostic
46 mammography and ultrasound evaluation of an entire breast or both breasts if the screening
47 mammogram shows any abnormality where additional examination is deemed medically
48 necessary by the radiologist interpreting the screening mammogram, if the patient presents with a
49 symptom including but not limited to palpable lump, pain, or discharge, or if deemed clinically
50 necessary based on prior diagnostic imaging, (iv) screening breast ultrasound or screening breast
51 magnetic resonance imaging examination if the patient has additional risk factors for breast
52 cancer including, but not limited to, family history, prior personal history of breast cancer,
53 positive genetic testing, heterogeneously or extremely dense breast tissue based on the Breast
54 Imaging Reporting and Data System established by the American College of Radiology, or other
55 indications as determined by the patient’s health care provider, (v) for a diagnostic
56 mammogram, diagnostic breast ultrasound evaluation or breast magnetic resonance imaging scan
57 if the patient has a history of breast cancer, (vi) for magnetic resonance imaging in place of, or
58 in addition to, a mammogram when a mammogram is unable to detect cancers due to dense

59 breast tissue or inability to adequately position the breast for mammography as ordered by a
60 patient’s physician. Said benefits shall be exempt from any co-payment, co-insurance, deductible
61 or dollar limit provisions in a policy or contract. Providers of health care services specified under
62 this section shall be reimbursed at rates accurately reflecting the resource costs specific to each
63 modality, including any increased resource cost. (2) For purposes of this section, "screening
64 mammogram" means a radiologic procedure that is provided to an asymptomatic woman for the
65 purpose of early detection of breast cancer. This includes digital mammography and digital
66 breast tomosynthesis. Digital breast tomosynthesis means a radiologic procedure that involves
67 the acquisition of projection images over the stationary breast to produce cross-sectional digital
68 images of the breast with standard two-dimensional radiographic views. "Diagnostic
69 examinations for breast cancer” means a medically necessary and appropriate examination for
70 breast cancer to evaluate the abnormality in the breast that is seen or suspected from a screening
71 examination for breast cancer, detected by another means of examination, recommended based
72 upon prior diagnostic evaluation, or suspected based on the medical history or family medical
73 history of the individual.

74 SECTION 3: Section 8J of Chapter 176A of the General Laws, as appearing in the 2012
75 Official Edition, is hereby amended, in line 12, by striking the language after the word
76 “examination” and inserting in place thereof the following language:-

77 : (1) said benefits shall provide: (i) for a baseline mammogram for women between the
78 ages of thirty-five and forty and for a mammogram on an annual basis, for women forty years of
79 age or older; (ii) in the case of a woman under forty years of age who has a family history of
80 breast cancer or other breast cancer risk factors, a mammogram examination at such age and
81 intervals as deemed medically necessary by the woman’s health care provider; (iii) diagnostic

82 mammography and ultrasound evaluation of an entire breast or both breasts if the screening
83 mammogram shows any abnormality where additional examination is deemed medically
84 necessary by the radiologist interpreting the screening mammogram, if the patient presents with a
85 symptom including but not limited to palpable lump, pain, or discharge, or if deemed clinically
86 necessary based on prior diagnostic imaging, , (iv) screening breast ultrasound or screening
87 breast magnetic resonance imaging examination if the patient has additional risk factors for
88 breast cancer including, but not limited to, family history, prior personal history of breast cancer,
89 positive genetic testing, heterogeneously or extremely dense breast tissue based on the Breast
90 Imaging Reporting and Data System established by the American College of Radiology, or other
91 indications as determined by the patient's health care provider, (v) for a diagnostic
92 mammogram, diagnostic breast ultrasound evaluation or breast magnetic resonance imaging scan
93 if the patient has a history of breast cancer, (vi) for magnetic resonance imaging in place of, or
94 in addition to, a mammogram when a mammogram is unable to detect cancers due to dense
95 breast tissue or inability to adequately position the breast for mammography as ordered by a
96 patient's physician. Said benefits shall be exempt from any co-payment, co-insurance, deductible
97 or dollar limit provisions in a policy or contract. Providers of health care services specified under
98 this section shall be reimbursed at rates accurately reflecting the resource costs specific to each
99 modality, including any increased resource cost. (2) For purposes of this section, "screening
100 mammogram" means a radiologic procedure that is provided to an asymptomatic woman for the
101 purpose of early detection of breast cancer. This includes digital mammography and digital
102 breast tomosynthesis. Digital breast tomosynthesis means a radiologic procedure that involves
103 the acquisition of projection images over the stationary breast to produce cross-sectional digital
104 images of the breast with standard two-dimensional radiographic views. "Diagnostic

105 examinations for breast cancer” means a medically necessary and appropriate examination for
106 breast cancer to evaluate the abnormality in the breast that is seen or suspected from a screening
107 examination for breast cancer, detected by another means of examination, recommended based
108 upon prior diagnostic evaluation, or suspected based on the medical history or family medical
109 history of the individual.

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

113 : (1) said benefits shall provide: (i) for a baseline mammogram for women between the
114 ages of thirty-five and forty and for a mammogram on an annual basis, for women forty years of
115 age or older; (ii) in the case of a woman under forty years of age who has a family history of
116 breast cancer or other breast cancer risk factors, a mammogram examination at such age and
117 intervals as deemed medically necessary by the woman’s health care provider; (iii) diagnostic
118 mammography and ultrasound evaluation of an entire breast or both breasts if the screening
119 mammogram shows any abnormality where additional examination is deemed medically
120 necessary by the radiologist interpreting the screening mammogram, if the patient presents with a
121 symptom including but not limited to palpable lump, pain, or discharge, or if deemed clinically
122 necessary based on prior diagnostic imaging, , (iv) screening breast ultrasound or screening
123 breast magnetic resonance imaging examination if the patient has additional risk factors for
124 breast cancer including, but not limited to, family history, prior personal history of breast cancer,
125 positive genetic testing, heterogeneously or extremely dense breast tissue based on the Breast
126 Imaging Reporting and Data System established by the American College of Radiology, or other
127 indications as determined by the patient’s health care provider, (v) for a diagnostic

128 mammogram, diagnostic breast ultrasound evaluation or breast magnetic resonance imaging scan
129 if the patient has a history of breast cancer, (vi) for magnetic resonance imaging in place of, or
130 in addition to, a mammogram when a mammogram is unable to detect cancers due to dense
131 breast tissue or an inability to adequately position the breast for mammography as ordered by a
132 patient's physician. Said benefits shall be exempt from any co-payment, co-insurance, deductible
133 or dollar limit provisions in a policy or contract. Providers of health care services specified under
134 this section shall be reimbursed at rates accurately reflecting the resource costs specific to each
135 modality, including any increased resource cost. (2) For purposes of this section, "screening
136 mammogram" means a radiologic procedure that is provided to an asymptomatic woman for the
137 purpose of early detection of breast cancer. This includes digital mammography and digital
138 breast tomosynthesis. Digital breast tomosynthesis means a radiologic procedure that involves
139 the acquisition of projection images over the stationary breast to produce cross-sectional digital
140 images of the breast with standard two-dimensional radiographic views. "Diagnostic
141 examinations for breast cancer" means a medically necessary and appropriate examination for
142 breast cancer to evaluate the abnormality in the breast that is seen or suspected from a screening
143 examination for breast cancer, detected by another means of examination, recommended based
144 upon prior diagnostic evaluation, or suspected based on the medical history or family medical
145 history of the individual.